to instruct on H.R. 4348, the transportation conference report.

The form of the motion is as follows:

Mr. Critz moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to resolve all issues and file a conference report not later than June 28, 2012.

PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, during the consideration of the Domestic Energy and Jobs Act of 2012 I was unavoidably detained on business in the district; and I would like to place in the RECORD the following statements regarding the amendments:

The Hastings amendment, ''no.''
The Waxman amendment, ''yes.''
The Connolly amendment, ''no.''
The Gene Green amendment, ''yes.''
The Rush amendment, ''yes.''
The Holt amendment, ''yes.''
The Lewis amendment, ''yes.''
The Amodei amendment, ''no.''
The Markey amendment, ''yes.''
The Landry amendment, ''yes.''
The Rigell amendment, ''no.''
The Holt amendment, ''yes.''
The Wittman amendment, ''no.''
The Bass amendment, ''yes.''
The Capps amendment, ''yes.''
The Speier amendment, ''yes.''
The DeLauro amendment, ''yes.''
The Democratic motion to recommit, ''yes.''
Passage, ''no.''

Below are the descriptions of the amendments to H.R. 4480 that were voted on this past Thursday, when I was absent from votes.

Hastings (WA) Manager's Amendment (Roll 392)—Overturns the EPA designation of the Colville River in Alaska as an Aquatic Resource of National Importance and requires additional right of ways in the National Petroleum Reserve Alaska (NPR–A); makes technical changes.

Waxman Amendment (Roll 393)—Provides that the rules described in section 205(a) shall not be delayed if the pollution that would be controlled by the rules contributes to asthma attacks, acute and chronic bronchitis, heart attacks, cancer, birth defects, neurological damage, premature death, or other serious harms to human health.

Connolly Amendment (Roll 394)—Defines the term ''public health'' in the Clean Air Act as the health of humans, not corporations.

Gene Green Amendment (Roll 395)—Strikes section 206 of the bill, which would fundamentally change the way the Clean Air Act establishes national ambient air quality standards for smog. Instead of the standards being health-based, section 206 would have them be set based on the potential cost of pollution controls.

Rush Amendment (Roll 396)—Provides that Sections 205 and 206 shall cease to be effective if the Administrator of the Energy Information Administration determines that implementation of this title is not projected to lower gasoline prices and create jobs in the United States within 10 years.

Holt Amendment (Roll 397)—Seeks to reduce the number of onshore leases on which oil and gas production is not occurring as an incentive for oil and gas companies to begin producing on the leases that they already hold.

Connolly/Lewis (GA) Amendment (Roll 398)—Clarifies that the section requiring a $5,000 protest fee shall not infringe upon the protections afforded by the First Amendment to the Constitution to petition for the redress of grievances.

Amodei Amendment (Roll 399)—Prohibits the Secretary of the Interior from considering merging of the Bureau of Land Management (BLM) and the Office of Surface Mining, Reclamation and Enforcement (OSM).

Markey Amendment (Roll 400)—Prohibits oil and gas produced under new leases authorized by this legislation from being exported to foreign countries, ensuring American resources remain here to benefit American consumers.

Landry Amendment (Roll 401)—Would increase future federal deficits by raising the cap of revenue shared among the Gulf States who produce energy on the Outer Continental Shelf starting in FY2023 from $500 million to $750 million, awarding these 4 Gulf States another $6 billion in addition to the $150 billion they will already receive under current law.

Rigell Amendment (Roll 402)—Requires Lease Sale 220 off the coast of Virginia in the 5 Year Plan for OCS oil and gas drilling and to conduct Lease Sale 220 within one year of enactment. In addition, the Amendment would also ensure that no oil and gas drilling may be conducted off the coast of Virginia which would conflict with military operations.

Holt Amendment (Roll 403)—Ends free drilling in the Gulf of Mexico by requiring oil companies to pay royalties on previously royalty-free leases in order to receive new leases on public lands.

Wittman/Rigell Amendment (Roll 404)—Would establish a new regulatory program and waive environmental review for the Bureau of Ocean Energy Management (BOEM) to approve temporary infrastructure, such as towers or buoys, to test and develop offshore wind power in the Outer Continental Shelf.

Bass (CA) Amendment (Roll 405)—Requires the newly created interagency committee to analyze how to protect American consumers from gasoline price spikes by reducing America's dependence on oil.

Capps Amendment (Roll 406)—Removes the requirements in Title II of the bill to conduct an analysis, issue a report, and delay rules if the Secretary of Energy determines that the analyses are ''infeasible to conduct, require data that does not exist, or would generate results subject to such large estimates of uncertainty that the results would be neither reliable nor useful.''

Speier Amendment (Roll 407)—Strikes language in the underlying legislation that would require drilling permits to be deemed approved a 60 day deadline, which could expose public lands to undue risk.

DeLauro/Markey/Frank Amendment (Roll 408)—Would require $128 million received from the sale of new leases issued pursuant to this legislation to be made available to fully fund the Commodity Futures Trading Commission to limit Wall Street speculation in energy markets.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. LATHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5972, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 697 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5972.

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

□ 1921

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

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

The gentleman from Iowa (Mr. LATHAM) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa.

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

Mr. Chairman, I'm pleased to present the fiscal year 2013 Transportation, Housing and Urban Development appropriations bill to the House.

Before we get to the bill, I'd like to take a moment to congratulate my colleague and ranking member of this subcommittee, JOHN OLVER, for his many years of service. As many of you may know, Mr. OLVER is retiring at the end of this Congress. I have to say he'll be sorely missed by all of us. This is a better bill because of his relentless quest for knowledge about its programs. I thank you, JOHN OLVER, for your service, not just to this institution, but to the Nation. Thank you very, very much. You're a great, great partner. You'll be missed.

The bill before the committee today is a balanced proposal on how to allocate $51.6 million among Federal housing and transportation programs across the Nation. Continuing our commitment to reduce government spending, our allocation is almost $4 billion below fiscal year 2012 and almost $2 billion below the President's request. The

bill also reflects the budget resolution that was passed by the House.

Mr. Chairman, we had to make some hard choices on funding levels for the agencies in this bill. We dedicated ourselves to this task while recognizing the serious fiscal constraints that the Nation faces. We also kept this bill largely free of authorizations, leaving that important work to the Transportation and Infrastructure and Financial Services Committees. We also rejected many new unauthorized programs that were proposed by the President. For transportation programs, this bill focuses on programs most critical to public safety and economic growth.

We fully fund FAA safety programs and provide $1 billion to advance the Next Generation of air traffic control. We also fund programs to support growth in commercial space and unmanned aerial systems, which will play key roles in keeping these U.S. industries on the global cutting edge. This bill rejects new fees on air passengers proposed by the President that would harm our economy at this time.

This bill funds highway and transit programs consistent with last year's levels but contingent upon reauthorization. Fortunately, Mr. Chairman, it appears that there's a positive movement on the transportation bill. Again this bill funds highways and transit consistent with last year's level but, again, contingent on reauthorization.

The bill cuts the Amtrak operating subsidy by $116 million below last year and does not fund the President's request for high-speed rail. However, the bill does provide $500 million in authorized funds to fix existing infrastructure on public passenger lines. This will immediately create jobs, as the CBO has scored it with an almost 80 percent outlay rate in the first year. We believe this is a better alternative to the administration's high-speed rail proposal.

For housing programs, this bill fully funds renewals of the section 8 vouchers, serving about 2.2 million families. We also provide $75 million for 10,000 new VASH vouchers. Those are for the homeless vets. We fully fund the budget request in that item. The bill matches the President's request for $8.7 billion for Project-Based Rental Assistance. The CDBG is funded at a $3.4 billion level, and HOME is funded at $1.2 billion.

I'd like to close by saying we tried to be balanced in our approach with this bill, but we did reject broad, new, unauthorized programs requested by the President. We also do not include other authorizing provisions requested by other Members out of deference to the ongoing work of both the T&I and Financial Services Committees.

I urge my colleagues to support this bill.

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

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

Mr. Chairman, it is a pleasure to see the Transportation, Housing and Urban Development and Related Agencies appropriations bill for fiscal year 2013 considered on the House floor this year. And I thank Chairman LATHAM, first, for his kind words, but also for maintaining an inclusive committee process as this bill was prepared. He has been a good partner for the past 4 years, and I value our relationship.

I also want to recognize the hard work of the committee staff, specifically, on the majority side: Dena Baron, Doug Disrud, Sara Peters, Mike Friedberg, Brian Barnard, and Doug Bobbitt. And on the minority side: Kate Hallahan, Joe Carlile, and Blair Anderson.

Chairman LATHAM and I are lucky to have such dedicated staff who work amiably and respectfully together. They have spent many late nights putting this bill together, and we would not be here today without their hard work.

Mr. Chairman, the Republican leadership's decision to ignore last summer's Budget Control Act agreement has left this bill with an inadequate allocation to properly fund our transportation and housing investment needs. The resulting artificially low allocation forced Chairman LATHAM to make unnecessary and destructive trade-offs.

Specifically, I have concerns that the Ryan budget forces us to accept the administration's proposal to fund project-based section 8 contracts for less than a full year. This does not shrink the program nor reduce the deficit. It simply pushes the costs down the road and increases uncertainty for private business owners.

I'm also disappointed that this bill does not fund the sustainable communities initiative.

□ 1930

However, within the constraints forced upon him, I recognize that Chairman LATHAM has put forward a respectable bill that contains a number of bright spots, including increases for Amtrak, CDBG, the HOME program, and housing for the elderly, for which he should be commended. I hope that as the process moves forward and we receive a real allocation, that these increases will be preserved and that the holes can be addressed.

Unfortunately, I am concerned that the House Republican leadership's decision to underfund this bill is not an isolated incident, but is symptomatic of an ideology that does not understand the value of infrastructure investment.

This strategy is wrong for America.

Last year, the leaders of the U.S. Chamber of Commerce and the AFL–CIO, not usually bedfellows, agreed that we must have greater investment in our Nation's infrastructure in order to create jobs and to be competitive in the global economy.

A modern, well-maintained transportation network is absolutely necessary for our economy to grow and the country to prosper.

The breadth of direct and indirect influence of our transportation networks on the economy is staggering. Our auto manufacturing industry, its enormous parts supplier base, the national network of gas stations and its complex distribution system, and the oil industry all thrive because we have an efficient highway system that people need to use.

The physical construction of roads and railroads requires aggregate materials processed locally, steel trusses and rebar made by American companies and crews manned by American workers.

Our transit system supports the domestic manufacturing of buses, streetcars, and trains, while providing businesses with cost-effective access to labor pools.

Furthermore, every good produced or consumed in the U.S. must be transported via our network of roads, rails, and ports. As a result, the efficiency with which our system operates determines whether American goods can compete in the global marketplace.

Yet, report after report indicates that we are falling behind. The American Society of Civil Engineers infrastructure report card gave us a ''D'' and estimated that more than a $2 trillion investment is needed. DOT's most recent ''Conditions and Performance Report'' indicates that there is an annual investment gap of $27 billion just to maintain our current system of highways and bridges in a state of good repair, and a much larger gap to expand the system to meet the needs of the growing population.

The United States has the largest economy in the world, yet the World Economic Forum's most recent ranking drops America's infrastructure quality to 23rd in the world.

The reason for our infrastructure decline is simple. We are not raising enough revenue to fund our infrastructure needs. In 2000, the highway and mass transit accounts raised $35 billion. By 2011, they only raised $37 billion. When you factor in inflation, we are raising 20 percent fewer dollars for our transportation infrastructure than we did 10 years ago. This is unsustainable. During the same period, the U.S. population grew 10 percent to 309 million people; 65 percent of them live in metropolitan areas having populations greater than 500,000 people.

Our largest 50 metropolitan areas have more than 1 million in population; 13 of them, all cities in the sunbelt such as Dallas, Houston, Orlando, Phoenix, and Charlotte, grew more than 25 percent in one single decade, the last decade. Such burgeoning communities need a massive, timely expansion of both highway and transit facilities in order to ensure that rapid population growth doesn't choke their economies with congestion.

In contrast, 22 of those 50 largest areas, all older mature metropolitan areas, including Boston, New York, Philadelphia, Cleveland, Pittsburgh,

Chicago and Los Angeles, are growing slower than the national average; but their built-out highway, transit, and commute rail systems are deteriorating and need a massive, timely program of rehabilitation to simply reach a state of good repair.

Our rural areas face an even worse problem. The number of counties in rural America that are losing population is rising rapidly. With that comes disinvestment in education, health care, and public infrastructure of all shades. Yet virtually the entire rural road system must be maintained in a state of good repair or our rural areas will become ever greater pockets of poverty.

If we are to meet these changing population demographics and provide a transportation system that functions as a sound foundation and not a hindrance on our economy, Congress must find the means and grow the political courage to raise revenue.

The current debate on the surface authorization does not accomplish that. In fact, the present gridlock of debate is only effective at slowing economic growth and keeping America's unemployment high. That cannot be America's goal.

I reserve the balance of my time.

Mr. LATHAM. Mr. Chairman, I am proud to yield 5 minutes to the chairman of the full committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of this bill. This is the sixth bill that we've considered on the House floor, which means the House is nearly halfway done with its appropriations bills for fiscal year 2013. The Appropriations Committee has considered 11 of the 12 annual bills so far this year, in record time. I'm proud of our quick and thorough progress, and also that we have been able to work in regular order, which has been the goal of this committee from the git-go last January.

The other commitment this committee made at the beginning of the Congress was to reduce discretionary spending wherever we can. In the past two fiscal years, we've cut spending by more than $95 billion and are on our way to continue reductions for a third year in a row.

I've said it before, Mr. Chairman, but this is a historic accomplishment—a record for spending reductions that this Nation has not seen since at least World War II.

The fiscal year 2013 Transportation, Housing and Urban Development Appropriations bill continues this downward trajectory, cutting $4 billion from last year's level, bringing us to the lowest level of spending for this bill since 2009.

The $15.6 billion included in this bill funds Department of Transportation agencies like the FAA, the Federal Railroad Administration, the National Highway Traffic Safety Administration, as well as critical Housing and Urban Development programs.

Within the Department of Transportation, the bill targets funds towards programs that improve the reliability, efficiency, and safety of our Nation's transportation system. This includes reducing congestion and delays for air travelers by providing nearly $1 billion for the FAA's NextGen program, carefully funding Amtrak to help build rail bridges and tunnels, and supporting construction at airports across the Nation.

These smart investments in America's infrastructure will help create an environment that supports job creation and spurs economic growth.

Overall, funding for the Department of Housing and Urban Development is cut by $3.8 billion compared with last year, but we took careful steps to ensure that this reduction didn't unfairly displace our most vulnerable populations, including persons with disabilities and the elderly.

The funding in this section of the bill prioritizes the most beneficial and cost-effective programs. We are providing section 8 vouchers for 2.2 million families—fully funding the President's request—and keeping our veterans with roofs over their heads.

We also increased funding for the Community Development Block Grant program. Throughout the bill, the chairman of the subcommittee has made policy reforms and conditions that will ensure greater efficiency and less waste.

□ 1940

The safe and responsible shepherding of taxpayer dollars is important government-wide, particularly when dealing with our Nation's infrastructure and housing.

We help guarantee that taxpayer dollars aren't slipping through the cracks by implementing strict oversight and eliminating wasteful, unnecessary programs. To this end, we provided no funding for the President's High-Speed Rail program, the unauthorized and expensive Choice Neighborhoods program, or the extraneous TIGER grants program, among other uneconomical and unnecessary initiatives. Furthermore, the bill rejects the administration's attempted accounting tricks that would enact new fees on air travelers.

There are still several moving parts in this section of the bill as we await reauthorization for the highway trust fund and its mass transit account. The committee stands ready to adjust the bill, as needed, if a multiyear authorization should be enacted.

In closing, I want to take a moment to extend my thanks and congratulations to Chairman LATHAM, Ranking Member OLVER, and the entire subcommittee for their expert work on this bill. I also want to thank the staff for both the majority and the minority; without them, the bill would not be here.

As many of you know, this is Ranking Member OLVER's final THUD appropriations bill before he retires. His leadership and his expertise, his work on this committee, and his contribution to the House as a whole are incomparable, and we will certainly miss the gentleman a great deal. Congratulations, Mr. OLVER, for a great career in this body.

Mr. Chairman, I urge my colleagues to support this bill. It smartly focuses on our key infrastructure priorities, supports a more responsible and slimmed down housing department, and holds the line on discretionary spending to a more sustainable level.

Mr. OLVER. Mr. Chairman, first I want to thank the chairman of the Appropriations Committee for his kind words as well.

Now I will yield 3 minutes to the gentlelady from Ohio (Ms. KAPTUR), who is a member of the subcommittee.

Ms. KAPTUR. I thank Ranking Member OLVER, the gentleman from Massachusetts, for recognizing me today.

First, I would like to share my appreciation for all of the work that Congressman OLVER has dedicated his life to throughout his two-decade-long career with intelligence, integrity, and honor. More recently, I would like to take a moment to recognize the work he has done the past 4 years as both chair and ranking member of the very productive, bipartisan Transportation, Housing and Urban Development Subcommittee. His presence, his experience, his moderation, his knowledge, his collegiality, and his genius will certainly be missed, and we thank him for his phenomenal service to our country.

With that, I applaud the work that both he and Chairman LATHAM have done with the subcommittee FY 2013 legislation. Unfortunately, their sense of necessary bipartisanship does not extend to the leadership of this House.

I must reference the beginning of the appropriations process and the leadership's misguided decision to undermine the Budget Control Act of 2011. The result of our negotiations last summer created a bipartisan agreement, with discretionary programs having a spending cap of $1.047 trillion. However, the Republican leadership reneged on that deal, leaving us with $19 billion less for discretionary programs essential for the American public and the American economy during this crucial moment of economic recovery.

Despite the fact that they pulled the rug out from under the committee, on transportation, Amtrak is actually funded somewhat above the fiscal year 2012 level. You know, America has 300 million people today, a little bit over that. By 2050 she will have 500 million people. We simply need leadership in this country to know that we have to meet the needs of a new day. This bill moves us in that direction.

The legislation also provides renewal of housing contracts for every eligible individual and family currently receiving them, though for two-thirds of

them, they will not get the full year renewal. This is not the moment to undermine our Nation's housing market further.

Local community programs like CDBG and HOME are funded at less than adequate levels, but we did the best we could with the allocation. An important program, the HUD-Veterans Affairs Supportive Housing program, is fully funded at $75 million, which will provide housing vouchers for over 10,000 veterans, most of them homeless across our country.

Again, I want to thank Chairman LATHAM and Ranking Member OLVER, as well as the full committee Chairman ROGERS and Ranking Member DICKS for their work. This bill is constrained by budget realities that continue to reward Wall Street insiders at the expense of the middle class and the poor. I alone can't change that, but this bill demonstrates that the Appropriations Committee does its work of maintaining a stable Federal Government as fundamental to a stable society in this great Nation.

Mr. LATHAM. Mr. Chairman, I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I now yield 3 minutes to the gentlewoman from California (Ms. LEE), who is a member of the Appropriations Committee.

Ms. LEE of California. Mr. Chairman, first, let me thank our ranking member for yielding. But also, I want to thank yourself and our subcommittee chair and the entire staff for their tireless effort to bring this appropriations bill to the floor.

I also want to say to the ranking member, Mr. OLVER, that I will miss your thoughtfulness. I will miss your real clarity of purpose on all of the issues. I will miss your attention to detail and the bipartisan spirit that you bring to this Appropriations Committee. I just have to say I wish you the best, as you close this chapter of your life and begin the next chapter, but I'm going to miss you deeply—as we've heard tonight and we will hear until you begin this next chapter. So thank you again so much for your service. And most importantly, I just want to thank you for your friendship.

Yes, as a member of the Appropriations Committee, I really understand the constraints which we have been working under, but I cannot support the inadequate sub-allocation in this bill.

Mr. Chairman, this bill does not meet the basic responsibilities that we have to the American people. It shortchanges key housing and transportation initiatives which would rebuild America and put construction workers back on the job. And in a time of great need, this bill does not include a single dollar for the TIGER grant program.

Like many communities across the Nation, including in my home district, especially in my city of Oakland, California, we continue to struggle with high unemployment and crumbling infrastructure. Smart investments in infrastructure, such as TIGER grants, create jobs and fix our infrastructure.

Tonight, Congresswoman MAXINE WATERS will offer an amendment to add $500 million in TIGER funding. I'm very proud to cosponsor this amendment. I appreciate Congresswoman WATERS bringing this forward because this is a very important amendment for us to support. So I hope all Members will support that $500 million increase in TIGER funding.

In addition to shortchanging our transportation needs, this bill fails to invest in our Nation's critical affordable housing stock. I know the chairman and Mr. OLVER remember in committee I tried to begin the debate on increasing the project-based section 8 voucher program because landlords and developers and tenants are going to be shortchanged if we don't fix this. Hopefully, that amount will be increased in the Senate.

Now, in the middle of a housing emergency, gutting support for affordable housing for our Nation's seniors, the disabled, families and children, that's just plain wrong. Republicans supported bailouts to Wall Street, but even the smallest programs to help families on Main Street like Choice Neighborhoods and Sustainable Communities, those initiatives are completely zeroed out.

This bill fails to fund the National Affordable Housing Trust Fund, which Senator SANDERS and myself initiated when we both were on the Banking Committee many years ago.

The CHAIR. The time of the gentlewoman has expired.

Mr. OLVER. I yield an additional minute to the gentlewoman.

Ms. LEE of California. Thank you very much.

This bill, as I said a minute ago, this fails to fund the National Affordable Housing Trust Fund—very important initiative. Senator SANDERS and myself, we initially put forth this idea when we were both on the Banking Committee. This was an excellent idea, it was an excellent bill, it was an excellent program which would build the desperately needed housing. It would create thousands of construction jobs, which would of course boost the entire economy.

□ 1950

This bill that we're debating tonight does not fund that, and that is really too bad. The American people need Congress to invest in our Nation's infrastructure. We cannot build a strong and prosperous Nation if our roads and bridges are crumbling beneath our feet. We cannot build a strong economy if we leave millions of Americans in poverty at the risk of homelessness and struggling to find a good-paying job.

So I urge Members to oppose this bill. But again, I want to thank the chairman and the ranking member for working on the subcommittee bill in the spirit of bipartisanship. But I think it just falls short for many of us to support.

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

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the ranking member, and I thank the chairman of the full committee, of the subcommittee, both chair and ranking member.

I do too want to take a moment to thank the ranking member for his long service to this Nation. As he has been a member of the Appropriations Committee, we can count his work inside this House. But I really think the American people, Mr. OLVER, owe you a moment of gratitude for the work and commitments that you've shown in making sure that those who need help can get help, and I want to pay tribute to you this evening.

I also want to indicate that we understand that we are living in difficult times. But I raise concerns about funding, living in the fourth largest city in the Nation, where we see enormous congestion, and the importance of transit dollars; $900 million, fortunately, came to Houston after a long, long wait to build a light-rail system. Those dollars need to continue.

Housing plays a very important role. In the city of Galveston, for example, they have been the recipient of $700 million after Hurricane Ike to use for the restoration of private housing, infrastructure and, of course, public housing. To cut those lines of funding will, in essence, impact communities around the Nation that are impacted by disaster. Losing the full funding of the TIGER grant—and I support the gentlelady from California, Ms. WATERS' amendment to restore those dollars—they create jobs.

So it is important, as we look at this bill, that we look at it from the perspective of solving the hurt of Americans who've been impacted by disaster, of improving mobility, ensuring that we put Americans back to work with funding for transportation and the infrastructure. I cite Galveston in particular because there is a conflict going on with respect to the importance of public and private housing.

The CHAIR. The time of the gentlewoman has expired.

Mr. OLVER. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE of Texas. The situation in Galveston resulted from a unique impact of Hurricane Ike. Mr. Chairman, most think that the surge would come from the larger body of water, but the surge came from the bay and really impacted low-income individuals who didn't have any flood insurance or had already paid for their house, it had been in their families for years. And through the largesse of the Congress and HUD, a $700 million package was presented to restore that area and those houses and those families, many of whom I visited in tents.

We have a situation where there's a misunderstanding of the value of those Federal funds, but we do have those Federal funds; and it is in tribute to this Congress, and I want to see funds for public housing, for affordable housing continue.

With that, I would hope that we have an opportunity in the conference or have an opportunity to restore the funds that have had to be cut, because they create jobs, they provide a lifeline for those impacted by disaster, and they create the mobility and infrastructure rebuild that America needs.

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

Mr. LATHAM. Mr. Chairman, again, I want to congratulate my good friend, Mr. OLVER, and second what he said. The staff on both sides does an outstanding job for this subcommittee and for the country. It's a marvel to watch them work together and to come to this bill.

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

The CHAIR. All time for general debate has expired.

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

The amendment printed in section 3 of House Resolution 697 is adopted. During consideration of the bill for further amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5972

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $108,277,000, of which not to exceed $2,635,000 shall be available for the immediate Office of the Secretary; not to exceed $992,000 shall be available for the Immediate Office of the Deputy Secretary; not to exceed $19,615,000 shall be available for the Office of the General Counsel; not to exceed $11,248,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $12,825,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,601,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $27,095,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,034,000 shall be available for the Office of Public Affairs; not to exceed $1,701,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,539,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,875,000 for the Office of Intelligence, Security, and Emergency Response; and not to exceed $15,117,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 3, strike ''not to exceed''.

Page 3, line 11, after ''Secretary'' insert ''(except for the Office of Small and Disadvantaged Business Utilization)''.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, again, as I rise to my feet, I do want to acknowledge both the staffs of the chairman of the subcommittee and the ranking member of the subcommittee for working with my office. And I again want to acknowledge the ranking member, Mr. OLVER, again for his service to the Nation, but also for the times that he has worked with Members over the years and for his commitment, again, to the most vulnerable.

This is a bill that really addresses the needs of Americans in their most deepening and expanded need, as I said earlier, mobility, housing, so crucial, infrastructure, and the ability to create jobs and to do good in our municipalities and rural areas. But it is also an opportunity to build capacity, to grow jobs and to build small businesses. And I know that firsthand, working consistently throughout a number of appropriations bills and authorization bills and as a ranking member on the Subcommittee on Transportation Security. In addition to our main task is to look to the needs and help build capacity in America's small businesses.

My amendment will ensure the necessary funds that are appropriated specifically for the Office of Small and Disadvantaged Business Utilization and the Minority Business Resource Center cannot be used by the Secretary for any other purpose.

Small businesses, women-owned businesses, minority-owned businesses represent more than the American Dream. They represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, provide three out of four new jobs in this country; and allocation reduction directly undermines the importance of small businesses, including women-owned businesses and minority-owned businesses to the success of our economy.

Mr. Chairman, many of our utilization, or the utilization of Federal funds, going to our local transit agency, for example, in the instance of Houston Metro, the structure of receiving the funds is something called ''design build.'' Many around the country are using that format, which means that the corporation or the retained contractor has overriding control over the distribution of those funds in the construction of that light rail.

I celebrate light rail. I celebrate the importance of light rail and have done so for the time that I've had the privilege of serving Houston and the 18th Congressional District. But in this instance, it's important to note that in the course of the design build for Houston Metro and HRT, they have dropped their commitment to small minority- and women-owned businesses.

□ 2000

What did I say?

Dropped the commitment—dropped it poorly, dropped it with a negative impact, dropped it impacting women-owned businesses and minority-owned businesses. We've got to get back in order to be able to show that the utilization of those businesses creates jobs. Small businesses have lost an estimated $13.8 billion in business opportunity because they cannot fairly compete for Federal contracts because larger companies are allowed to bundle contracts. In essence, HRT has self-performed instead of sharing those dollars.

The Department of Transportation created the Office of Small and Disadvantaged Business Utilization, OSDBU, as part of the Small Business Act because it recognizes the threat big businesses pose to small business success. Since the OSDBU's creation, it has been a voice for small business and disadvantaged business, ensuring these businesses are provided with the maximum ability to participate in the agency's contracting selection process for contract and subcontract jobs.

These office divisions are numerous. Each of the offices impacts America's entrepreneurs and business ventures in several key ways. For instance, the Women's Procurement Assistance Committee provides women-owned businesses with best practices of business growth and increases awareness of opportunities.

I met on the job, Mr. Chairman, a woman who had taken over the business of her husband, who had died of cancer. She had a household to lead, and she was trying to do this kind of construction work. At the time, she

had been given by HRT safety work, just holding up a sign. I'm glad because of the encouragement, the utilization of this particular office, our office pushing, that she now is more advanced in the contract that she is securing. But it has to be encouraged.

This amendment is to ensure that we don't leave out small disadvantaged, women-owned and minority-owned businesses. The office's short-term lending program is able to give qualifying small businesses loans with competitive interest rates for DOT contracts and subcontracts.

In conjunction with the OSDBU, the Minority Business Resource Center is responsible for promoting the use of small businesses. My home State of Texas was chosen as the headquarters for the OSDBU gulf region. In my home city of Houston, Texas, there are more than 60,000 women-owned businesses and more than 60,000 African American-owned businesses and thousands of other businesses—Asian and Latino.

I am asking my colleagues to support this amendment because it is an amendment that ensures that we put minority-, women-owned and disadvantaged small businesses to work under this legislation.

Mr. Chair, I rise today to offer my amendments to "the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for Fiscal Year (FY) 2013." My amendments will assure the necessary funds that are appropriated specifically for the Office of Small and Disadvantaged Business Utilization and the Minority Business Resource Center cannot be used by the Secretary for another purpose, thereby protecting the funds for their intended use.

Small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country. An allocation reduction directly undermines the importance of small businesses including women-owned business and minority-owned business to the success of our economy.

Small businesses have lost an estimated $13.8 billion in business opportunity because they could not fairly compete for federal contracts because larger companies are allowed to bundle contracts.

The Department of Transportation created the Office of Small and Disadvantaged Business Utilization (OSDBU) as part of the Small Business Act because it recognizes the threat big businesses pose to small business success.

Since the OSDBU's creation, it has been a voice for small and disadvantaged business, ensuring these businesses are provided with the maximum ability to participate in the agency's contracting selection process for contract and subcontract jobs.

These office divisions are numerous; each of the offices impacts America's entrepreneurs and business ventures in several key ways. For instance, its Women's Procurement Assistance Committee (WPAC) provides women-owned businesses with best practices for business growth and increases awareness of the opportunities these businesses have to participate in transportation-related contracts and subcontracts.

The office's short term lending program is able to give qualifying small business loans with competitive interest rates for DOT contracts and subcontracts.

In conjunction with the OSDBU, the Minority Business Resource Center is responsible for promoting the use of small businesses in prime and subcontracting opportunities in accordance with Federal laws, regulations and policy.

Through its funding, the Center is able to offer several professional development services, including: market research, business training, counseling, technical assistance, and access to capital for transportation related projects.

My home state of Texas was chosen as the headquarters for the OSDBU gulf region program.

In my home city of Houston, Texas there are more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

The OSDBU supports qualifying businesses who attempt to secure contracts and subcontracts with the DOT. In addition, its women internship program sponsors 12 schools in the gulf region women's internship program.

Shifting funds for the OSDBU and the Minority Business Resource Center will hinder its ability to continue fair hiring practices, which will in turn affect small businesses' ability to secure top contracts, provide employment opportunities in their community and ultimately survive in the business world.

This will send the message that Congress is more concerned with the strength of big business, than assisting the DOT in partnering with everyday American business men and women who take pride in their companies, and only aspire to positively empower their communities and create economic stability in the nation. For these reasons and more I urge my colleagues to protect funds for the DOT's budget for the Minority Business Resource Center and the OSDBU.

Moreover, 99 percent of all independent companies and businesses in the United States are considered small businesses. They are the engine of our economy, creating two-thirds of the new jobs over the last 15 years. America's 27 million small businesses continue to face a lack of credit and tight lending standards, with the number of small businesses loans down nearly 5 million since the financial crisis in 2008.

According to the U.S. Small Business Administration, these small businesses account for 52 percent of all U.S. workers. These small businesses also provide a continuing source of vitality for the American economy. Small businesses in the U.S. produced three-fourths of the economy's new jobs between 1990 and 1995, and represent an entry point into the economy for new groups. Women, for instance, participate heavily in small businesses.

The number of female-owned businesses climbed by 89 percent, to an estimated 8.1 million, between 1987 and 1997, and women-owned sole proprietorships were expected to reach 35 percent of all such ventures by the year 2000. Small firms also tend to hire a greater number of older workers and people who prefer to work part-time.

A major strength of small businesses is their ability to respond quickly to changing economic conditions. They often know their customers personally and are especially suited to meet local needs.

There are tons of stories of start-up companies catching national attention and growing into large corporations. Just a few examples of these types of start-up businesses making big include the computer software company Microsoft; the package delivery service Federal Express; sports clothing manufacturer Nike; the computer networking firm America OnLine; and ice cream maker Ben & Jerry's.

We must always ensure that we place a high level of priority on small businesses.

It is equally important that we work towards ensuring that ALL small businesses receive the tools and resources necessary for their continued growth and development.

American small businesses are the heart beat of our nation. I believe that small businesses represent more than the American dream—they represent the American economy.

Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Small business growth means economic growth for the nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans and programs.

Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services.

I have worked hard to help small business owners to fully realize their potential. That is why I support my amendments which will ensure funding directed to entrepreneurial development offices and centers, such as the office of the Small Disadvantage Business Utilization and the Minority Business Resource Center are remained in tact. These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing. We must consider what impact changes in this appropriations bill will have on small businesses.

There are 5.8 million minority owned businesses in the United States, representing a significant aspect of our economy. In 2007, minority owned businesses employed nearly 6 million Americans and generated $1 trillion dollars in economic output.

Women owned businesses have increased 20% since 2002, and currently total close to 8 million. These organizations make up more than half of all businesses in health care and social assistance.

My home city of Houston, Texas is home to more than 6o,000 women owned businesses, and more than 60,000 African American owned businesses.

According to a 2009 report published by the Economic Policy Institute, "Starting in 2004, the Small Business Administration (SBA) set goals for small business participation in federal contracts. It encouraged agencies to award contracts to companies owned by women, veterans, and minorities or those located in economically challenged areas and gave them benchmarks to work toward. The targets are specific: 23% of contracts to small business, 5% to woman-owned small businesses, and 3% to disabled veteran-owned and HUBZone small businesses."

Women and minority owned businesses generate billions of dollars and employ millions

of people. They are certainly qualified to receive these contracts. A mandatory DOD outreach program would make women and minority owned businesses aware of all of the contract opportunities available to them.

FACTS: SMALL BUSINESS ARE IMPORTANT BECAUSE THEY:

(1) Represent 99.7 percent of all employer firms,

(2) Employ just over half of all private sector employees,

(3) Pay 44 percent of total U.S. private payroll,

(4) Generated 64 percent of net new jobs over the past 15 years,

(5) Create more than half of the nonfarm private gross domestic product (GDP),

(6) Hire 40 percent of high tech workers (such as scientists, engineers, and computer programmers),

(7) Are 52 percent home-based and 2 percent franchises,

(8) Made up 97.3 percent of all identified exporters and produced 30.2 percent of the known export value in FY 2007,

(9) Produce 13 times more patents per employee than large patenting firms and twice as likely as large firm patents to be among the one percent most cited.

Mr. LATHAM. Will the gentlewoman yield?

Ms. JACKSON LEE of Texas. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, we will be more than happy to accept the amendment.

Ms. JACKSON LEE of Texas. I thank the gentleman for accepting the amendment.

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

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

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $10,000,000, to remain available through September 30, 2014.

AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

Mr. CONNOLLY of Virginia. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 6, after the first dollar amount, insert ''(reduced by $5,000,000)''.

Page 35, line 7, after the dollar amount, insert ''(increased by $5,000,000)''.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Chairman, my amendment underscores the point that we need to be doing more, not less, to combat the dangerous habit of distracted driving on our Nation's roadways.

Earlier this evening, we voted on a motion to instruct conferees on the highway bill to reject the Senate's bipartisan proposal to partner with the States on prevention strategies, and the bill before us now provides no additional funds to address what Transportation Secretary LaHood has identified as an epidemic in this country. Traffic accidents caused by distracted driving are on the rise in communities everywhere in this country.

In my home county, our police department in Fairfax County reported a 48 percent increase in the number of citations issued for distracted driving in the last year. A recent study by Virginia Tech Transportation Institute points out 80 percent of all crashes and 65 percent of all near crashes have involved driver distraction. Nationally, the Department of Transportation reports that more than 416,000 people were injured in distracted driving accidents in 2010. Tragically, Mr. Chairman, 3,100 of those people were killed.

According to a recent AAA Foundation for Traffic Safety survey, 94 percent of respondents recognized the risks of talking, texting, or emailing while driving and said such activities are unacceptable. And 87 percent said they supported laws against reading, typing, or sending text messages while driving. Yet more than one-third of those same drivers reported they still read or send texts or email while driving. In fact, the National Highway Traffic Safety Administration estimates that more than 100,000 drivers are texting and that more than 600,000 are using their cell phones at any given time on our Nation's roadways.

Sending or receiving texts diverts one's attention from the road for an average of 4.6 seconds. While that may not seem like a long time, at 55 miles per hour, it is the equivalent of driving the length of a football field without paying attention to the road. A report from the University of Utah goes so far as to say that using a cell phone to talk or text delays a driver's reaction time just as much as having a blood alcohol level of .08, the legal limit.

I congratulate the 39 States, the District of Columbia, and Guam for taking steps to ban text messaging for all drivers, but the force of these laws varies. In my home State of Virginia, for example, it is a secondary offense, so drivers cannot be pulled over or cited unless they're breaking some other law deemed more serious. That's why we need to beef up prevention efforts, particularly among younger drivers, Mr. Chairman.

I hosted a teen driving summit when I was chairman of Fairfax County a few years ago. Distracted driving is the number one killer of teen drivers in America. Alcohol-related accidents among teens has, thankfully, dropped. Teenage traffic fatalities have remained virtually unchanged, however, as a result of the growth of accidents caused by the distraction from texting or talking on the phone. What is shocking is that 35 percent of teens who talk or text while they're behind the wheel actually do not think they'll get hurt.

I hear my colleagues talk about their support for traffic safety and about efforts to discourage distracted driving, but I don't see any tangible actions to address this challenge in each of our communities.

In his blueprint for ending distracted driving, Secretary LaHood endorses efforts to work with the automakers to apply technology being marketed to block cells while one is in motion or to improve crash warning and driver monitoring systems to prevent accidents caused by distracted driving. The Secretary has also proposed partnering with States on tougher prevention efforts and public awareness campaigns.

Mr. Chairman, in today's mobile device-driven society, distracted driving is quickly becoming our greatest obstacle to ensuring safety on our Nation's roadways, and it will only get worse. I urge my colleagues to support this simple amendment. It's a modest transfer of funds from an administrative account to increase distracted driving research and prevention efforts. This will save lives.

Recently, there was a tragic accident in Iowa of a young lady who was driving while texting, which caused an accident and a fatality. In my home county of Fairfax, when I was chairman, I remember having to talk to the grieving parents of a young woman who had been texting while driving and who wrapped herself around a tree and died a few short blocks from her home. Looking in the face of a parent and having to explain why that could have been prevented is something I hope none of my colleagues ever have to do. I plead with my colleagues on the other side to accept this amendment and to save teenage lives.

I yield back the balance of my time.

Mr. LATHAM. I rise in opposition to this amendment.

The CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. Mr. Chairman, it takes $5 million from the DOT's Financial Management Capital account and puts it in Operations for Vehicle Safety. Let me say that there is no guarantee that DOT will use this money as the gentleman has talked about.

□ 2010

There's no dedication of funds here, obviously.

First, this would eliminate half of the funds the DOT has to make sure its financial systems are current. I don't need to tell anyone here how critical it is that DOT's financial systems, which govern the accurate disbursement of many billions of dollars each year, need to be kept in a good working state.

Second, this would increase the vehicle safety portion of NHTSA's operations. We're already giving this account $12 million more than last year, after it was frozen for the last 3 years straight. We simply don't need that additional increase.

Again, with these funds, there's no way to dedicate them to distracted driving.

With that, Mr. Chairman, I would urge a ''no'' vote, and I yield back the balance of my time.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

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

Mr. OLVER. Mr. Chairman, I find it a little bit difficult here where we're taking from one place and putting it into another place. I don't dispute what the chairman has said about not being certain that the money will be used for the right purpose at that point; however, the place where the offset is being made from the Financial Management Capital program under DOT, that amount leaves that account with the same amount that was in the account in 2012. That should not be a particularly onerous change on that score.

On the other hand, the issue that the gentleman from Virginia has raised, the issue of the distracted driving and how important it is, we are just losing a lot of young people to distracted driving. There seems to be no sense that being on a cell phone or an iPad or some other of the common IT programs that are now available, working with that doesn't seem to lead to any sense that their driving capacity has been impaired.

In 2010, NHTSA estimated that more than 3,000 people were killed and more than 400,000 were injured in distracted driving crashes. Secretary LaHood has made the elimination of distracted driving one of his key safety priorities and has requested funding in each of the last three budgets to do that. It seems to me, with the sense that NHTSA views this issue of 3,000 killed, as they say, in 2010, 2 years ago already, and more than 400,000 injured and the Secretary's very strong interest in the distracted driving issue, that this would be a perfectly reasonable thing to do.

With that, I will support the gentleman from Virginia's amendment, and I yield the balance of my time.

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

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

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $6,000,000, to remain available through September 30, 2014.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,773,000.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 22, after the dollar amount, insert ''(reduced by $389,000)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $389,000)''.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment is very straightforward. It would simply reduce the overall funding for the Office of Civil Rights within the Department of Transportation by $389,000.

This office is one of 13 in the underlying bill which are slated to receive increases for administrative expenses, despite the fiscal emergency that we're currently facing. The passage of this amendment would simply bring this account back to fiscal year 2012 levels.

I see my good friend from Texas, SHEILA JACKSON LEE. She knows we have fought together very hard for civil rights and civil liberties here in this House, in committee as well as on the floor, and believe very strongly that we need to protect our civil liberties and our civil rights. But the simple truth is that we're broke as a Nation, and this amendment would just simply keep funding at the current level instead of raising it. It would just turn it back—what's proposed in the underlying bill—to the current level of spending, but not reduce any functions of this office. It would not prohibit this office from doing any of its work. It would help, in a small way, to put us back into a more realistic fiscal state as a Nation because, Mr. Chairman, we just have to stop spending money that we don't have.

It's across the board. Every bureau, every office, every bit of the Federal Government needs to not have increases in their costs to the taxpayer, not have further borrowing of money that we just don't have. We've just got to stop spending money we don't have. This simple amendment keeps funding at our current level. That's all it does.

With that, I urge support of my amendment, and I yield back the balance of my time.

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

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

Mr. OLVER. I yield to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman for yielding.

My good friend from Georgia knows we've had a lot of opportunities to work together on many different issues. It seems as if he is raising an issue that would have a sense of agreement, but I have to reluctantly and vigorously oppose the gentleman's amendment.

The Office for Civil Rights in the Department of Transportation losing the amount of money that he has suggested will deprive that office of viable and important staff and resources for compliance.

Frankly, this agency governs billions of dollars of Federal dollars. In addition, it governs actions that deal with accommodations, the utilization of dollars for small, minority, and disadvantaged businesses. The civil rights section has been a section that has ensured that the Federal dollars in transportation are used in a way that is not discriminatory.

I don't believe, in 2012, we need to be rising to eliminate opportunity. We need to expand opportunity. The civil rights section of the Department of Transportation has always been a consistent and efficient subsection of the agency that has been the guidepost of ensuring that our Federal dollars are used appropriately as it relates to Native Americans, used appropriately as it relates to Latinos, African Americans, Caucasians. It is a civil rights office that balances and ensures nondiscrimination, including nondiscrimination against the disabled.

□ 2020

And, frankly, I believe that because of the massiveness of that responsibility—particularly as we look at the needs of the disabled in transportation resources or transportation utilization—that it is crucial that we do not cut to the existing amount of dollars. This is not a lot.

So the impact is greater than what the gentleman believes he will have because he suggests that it is a small amount. It is a great impact. And I would ask the gentleman to consider this amendment as one that has a far-reaching impact and that at this point we do not want to make a statement that civil rights and the equal accommodations that are necessary and the utilization of Federal dollars is acceptable, meaning discrimination is acceptable. Nondiscrimination being, if you will, limited by the funding that has been cut through this amendment. I would ask that our colleagues oppose the amendment.

Mr. OLVER. Reclaiming my time at this point, I strongly oppose this amendment.

I think that in this instance, we should understand that the major task of the Office of Civil Rights is to ensure that discrimination doesn't occur in the implementation of DOT programs.

The chairman of the subcommittee has already carefully weighed the needs of the office and made, I think, a responsible judgment as to the correct funding amount. I urge Members to oppose the amendment.

I yield back the balance of my time.

Mr. LATHAM. I move to strike the last word.

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

Mr. LATHAM. Before yielding to the gentleman, just let me make a quick statement here.

Just so everybody knows, the increase that's in the bill is a simple increase for inflation to pay for costs such as the GSA rent and one extra compensable workday. Transportation is important to all parts and all people in America.

I just don't think this is the right cut to make in this kind of a bill. And I think we should always keep in mind that on our allocations, we have written the total appropriation bills to the 1028 number, rather than 1047. This bill already cuts about $4 billion under last year's funding level.

So with that, I stress my opposition to the amendment, and I would gladly yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I thank the gentleman from Iowa for yielding.

I believe in ''equal under the law.'' We all ought to be considered equal, no matter what color our skin is, no matter who the fathers of our own families are, et cetera. I think everybody should be treated equally under the law.

And, certainly, as I stated—I apologize if the gentlelady from Texas thought that I was insinuating that she would agree with this amendment, because I never had any dreams that she would, frankly.

But with that, I'm introducing a lot of amendments to this bill to reduce administrative expenses and salaries for many, many of the different pieces of this underlying bill. And this is just one of many. But I'm convinced that I need to withdraw this amendment.

I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $8,000,000.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, after line 6, insert the following:

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $500,000,000, to remain available through September 30, 2014: Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: Provided further, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments: Provided further, That the Secretary shall give priority to projects which demonstrate transportation benefits for existing systems or improve interconnectivity between modes: Provided further, That the Secretary may use up to 35 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading shall be not less than $10,000,000 and not greater than $200,000,000: Provided further, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That not less than $120,000,000 of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to $20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Federal Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

Ms. WATERS (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. LATHAM. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Iowa reserves a point of order.

The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chair, I thank my colleagues BETTY MCCOLLUM, BARBARA LEE, EMANUEL CLEAVER, KAREN BASS, LAURA RICHARDSON, BOBBY RUSH, and DORIS MATSUI all for cosponsoring this amendment. Our amendment will provide $500 million for the TIGER program, which creates jobs through investments in transportation infrastructure.

The economy is struggling to recover from the recession. The unemployment rate has remained above 8 percent nationally for 40 straight months and is even higher in minority communities and in many areas of the country. Meanwhile, the American Society of Civil Engineers' ''2009 Report Card for America's Infrastructure'' estimated that there is a $549.5 billion shortfall in investments in roads and bridges and an additional $190.1 billion shortfall in investments in transit.

TIGER, formally known as Transportation Investment Generating Economic Recovery, is a nationwide competitive grant program that creates jobs by funding investments in transportation infrastructure by States, local governments, and transit agencies. TIGER funds projects that will have a significant impact on our Nation's highway and transit infrastructure.

TIGER could finance a wide variety of innovative highway, bridge, and transit projects in urban and rural communities all across this country, provided there is sufficient funding. One such project is the Crenshaw/LAX transit corridor in Los Angeles County, a light-rail project that will run through my district. TIGER grants could be used to finance stations along this corridor in the communities of Leimert Park and Westchester, thereby ensuring that these communities have access to light rail.

According to Transportation Secretary Ray LaHood:

> These are innovative 21st-century projects that will change the U.S. transportation landscape by strengthening the economy and creating jobs, reducing gridlock and providing safe, affordable, and environmentally sustainable transportation choices.

TIGER received an appropriation of $500 million in fiscal year 2012, and the President requested $500 million for the program in funding year 2013. Unfortunately, THUD does not include any funding for TIGER. Our amendment would create jobs by funding TIGER at the requested level without cutting funding for other programs.

Last week, I introduced H.R. 5976, the TIGER Grants for Job Creation Act, which would provide a supplemental emergency appropriation of $1 billion over the next 2 years for the TIGER program; and 44 of my colleagues have already cosponsored this bill.

So I would ask my colleagues to take a look at what is happening in our economy. I think we can all agree this economy needs stimulating. And certainly I'm not talking about stimulating just for stimulating's sake. I'm talking about stimulating for job creation and for the repair of the infrastructure of this country.

We have too many bridges that have been rated unsafe. We saw what happened in Minnesota just a couple of

years ago when the bridge fell; and I want to tell you, when the bridges start to fall and the infrastructure simply disintegrates, we're all going to sit around and scratch our heads and say how sorry we are. We're going to go to our constituents and tell them, We will never let it happen again. We have the opportunity to get in the forefront of providing this stimulus to our economy and creating jobs.

Our constituents want to work. They want jobs. So I would urge my colleagues to support the TIGER amendment, invest in our crumbling infrastructure, and create good jobs in communities across the United States.

I would yield the balance of my time to the gentlelady from Ohio.

□ 2030

Ms. KAPTUR. I thank the gentlelady for yielding.

I rise in support of the Waters TIGER grant amendment. I agree with the gentlelady that there's no stronger job creator than investment in transportation: Bridges, transit systems, overpasses, passenger rail, port development. It makes America more efficient, and it makes us more competitive. And there's never been a more critical moment than now to do it.

As kids, we used to sing this song:

London bridge is falling down, falling down. London bridge is falling down. One, two, three, we all fall down.

Well, we saw what happened in Minnesota when that bridge fell down.

In Cleveland, the Inner Belt Bridge project did not receive the $125 million needed to continue to replace the aging I–90 bridge. The current bridge is being used well beyond its intended lifespan, and is the same design as the bridge that collapsed in Minneapolis in 2007.

In NW Ohio, there is a smaller project in need of funding. McCord Road in Holland, Ohio is the site of Nortfolk Southern's main line and Amtrak. Two high school students from Springfield High School were involved in a tragic accident there in 2009—one lost their life and one was permanently injured, having lost a leg.

The McCord Road project requested just $10 million. However, it did not receive funding with this round of TIGER grants.

There are thousands more projects like this across the Nation, both large and small, but all in great need of investment from the federal government.

I urge my colleagues to support this funding for National Infrastructure Investments. Let's build America's homeland forward and put America to work in the process.

POINT OF ORDER

Mr. LATHAM. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore it violates clause 2 of rule XXI.

The rule states, in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment gives affirmative direction in effect and imposes additional duties.

I ask for a ruling from the Chair.

The CHAIR. Does any Member wish to be heard on the point of order?

Ms. WATERS. Mr. Chairman, I rise to speak on the point of order.

The CHAIR. The gentlewoman from California is recognized.

Ms. WATERS. In the limited time that we have to speak on these important issues, I have tried to point out the high unemployment in this country and how we can put Americans to work repairing crumbling roads and building transit facilities across our great country. I don't see any need to have to expand on this anymore. I think the point is perfectly clear that we need to fund this TIGER grant.

With the economy still struggling to recover from the recession and millions of Americans looking for work, we should not be arguing about offsets. TIGER has always been funded through the appropriations process. TIGER was first created——

The CHAIR. The gentlewoman will suspend. The gentlewoman must speak to the point of order.

Ms. WATERS. A point of order has been raised because there is no offset. And I agree there is no offset. But I make the point that we have such a critical need for jobs and investment in our infrastructure and this economy that we should not stop this from going forward simply because of the offset. We can afford to fund investment in this country.

That's my opposition to the point of order.

The CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. First of all, I want to congratulate the gentlelady from California for an insightful amendment, and I understand the dilemma that the chairman of the subcommittee is in. But what I would suggest is that we are in such a crisis as relates to both jobs and the needs of urban America, rural America, that the point of order should be waived. And it can be waived. We have waived points of order on a number of occasions. In this instance, I think we have a moment when you have zeroed out for whatever the purposes or reasons for zeroing out, and there's not even minimal amounts of money in the TIGER funding. None at all.

Having just left my district on this past Friday, receiving $15 million in TIGER grants, the first that the city of Houston, the fourth-largest city in the Nation, has ever received, but in that granting there were urban and rural grantees that were able to create jobs.

The CHAIR. The gentlewoman will suspend. The gentlewoman must confine her remarks to the point of order.

Ms. JACKSON LEE of Texas. Thank you, Mr. Chairman.

And so my argument would be that because of the economic crisis, this is warranting a waiver of the point of order so the gentlelady's amendment can go forward: $500 million that will be utilized to create jobs to rebuild urban and rural America.

I would ask that the point of order be waived.

The CHAIR. Does any other Member wish to be heard on the point of order?

Ms. KAPTUR. I rise to speak against the point of order.

The CHAIR. The gentlewoman from Ohio is recognized.

Ms. KAPTUR. I wish to say it's amazing what we can find money for and what we can't find money for. When Wall Street came in here, in a flash in a weekend, $700 billion walked out the door—a thousand times more than the gentlelady is asking for. And it would seem to me that with this point of order, there's never been a more critical time in our country to waive it in order to do the job of America.

I mentioned the Minneapolis bridge that collapsed. Well, I can tell you we have one in Cleveland that's ready to do the same. It's the same design.

What could be more important than investing in this country, creating jobs, and meeting these unmet national needs. In western Ohio, we have McCord Road, the site of a major Norfolk Southern mainline in Amtrak, and young people were killed there at grade. And now they delayed that project decades rather than doing the kind of grade crossing that's needed.

Mr. Chairman, you can talk about points of order, but the most important point of order is keep the Nation in order. And I think the most important way we can do that is to keep this transportation funding flowing, making our Nation more competitive, creating jobs, and leaving a legacy to the future better than we found it. So I strongly support the gentlelady's amendment and object to the point of order and ask, along with my colleagues, that it be waived.

The CHAIR. Does any other Member wish to speak on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language imparting direction to the Secretary of Transportation. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $174,128,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee

and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $418,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $21,955,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $867,388.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,234,000, to remain available until September 30, 2014: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $114,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That no funds made available under section 41742 of title 49, United States Code, and no funds made available in this Act or any other Act in any fiscal year, shall be available to carry out the essential air service program under sections 41731 through 41742 of such title 49 in communities in the 48 contiguous States unless the community received subsidized essential air service or received a 90-day notice of intent to terminate service and the Secretary required the air carrier to continue to provide service to the community at any time between September 30, 2010, and September 30, 2011, inclusive: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year.

AMENDMENT OFFERED BY MR. MCCLINTOCK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 23, after the dollar amount, insert ''(reduced to $0)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $114,000,000)''.

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

Mr. McCLINTOCK. If the House is to live up to the promises the Republican majority made to the American people to bring spending under control, some tough choices are going to have to be made. This amendment, however, is not one of them. This is about the easiest choice that the House could possibly make to put an end to the so-called ''Essential Air Service'' that lavishly subsidizes some of the least essential air services in the country.

This program shells out nearly $200 million a year, including $114 million of direct taxpayer subsidies, to support empty and near-empty flights from selected airports in tiny communities, most of which are just a few hours' drive from major airports. A reporter recently investigating this waste took one of these flights from Ely, Nevada, and was the only passenger on that flight. Our constituents paid $1.8 million for this air service that carried just 227 passengers during the entire year. Ely is a 3½-hour drive from Salt Lake City International Airport.

Thief River Falls, Minnesota, is considered an Essential Air Service airport, despite the fact that it's just a 1 hour and 9 minutes drive to Grand Forks International Airport in North Dakota. Hagerstown is just 75 miles from Baltimore, but subsidizing their air flights is considered an ''essential air service.''

Now it's true there are a few tiny communities in Alaska—like Kake's 700 hearty souls—that have no highway connections to hub airports, but they've got plenty of alternatives. In the case of Kake, Alaska, they enjoy year-round ferry service to Juneau. In addition, Alaska is well served by a thriving general aviation market and the ubiquitous bush pilot.

Rural life has both great advantages and great disadvantages, but it is not the job of hardworking taxpayers who choose to live elsewhere to level out the differences.

□ 2040

Apologists for this wasteful spending tell us it is an important economic driver for these small towns—and I'm sure that's so. Whenever you give away money, the folks you're giving it to are always better off. But the folks you're taking it away from are always worse off to exactly the same extent. Indeed, it is economic drivers like this that have driven Greece's economy right off a cliff.

An airline so reckless with its funds as to manage its affairs in such a ludicrous way would quickly bankrupt itself. As we can plainly see, the same principle holds true for governments.

This was a temporary program set up when we deregulated commercial aviation during the Carter administration. It was supposed to last a few years to give rural communities a chance to adjust. That was 34 years ago.

In 2010, in one of the most decisive congressional elections in American history, voters entrusted the House to Republicans with a crystal clear mandate: Stop wasting our money.

Last year, the House responded to this mandate by voting to eliminate Essential Air Service subsidies in the FAA reauthorization bill. So what's the response of the House Appropriations Committee? They do not eliminate funding for this wasteful program. They do not reduce funding for it. No, they increase funding by 11 percent in a single year to a new historic high.

Mr. Chairman, our Nation is borrowing 40 cents of every dollar that it is spending. It has lost its AAA credit rating. Its taxpayers are exhausted. Its treasury is empty. Our children are staggering under a mountain of debt that will impoverish them for years to come, and yet the House Appropriations Committee, in defiance of last year's decision by the House to eliminate this program, has just voted a double-digit percentage increase for a program that flies near empty planes across the country.

I think we can do better than that. I offer instead this amendment to stop fleecing taxpayers for this expensive folly. I believe that House Republicans will ultimately prove themselves worthy of the trust the American people have given them in this perilous hour in our Nation's history. I believe that House Republicans can summon the fortitude to save our country from financial wreck and ruin. And I offer this amendment to put that day to a modest test.

I yield back the balance of my time.

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

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

Mr. OLVER. Mr. Chairman, I think what we have is a rather classical kind of situation. The gentleman from California, I suspect, has no Essential Air Service site in his district, but there are 100 communities, more than 100 communities around the country, some of them in very isolated circumstances. I don't know about the situation in the case of the one from Baltimore, but it must be somebody who is on the east shore and gets Essential Air Service out of Cambridge, Maryland, or some other place like that, that is of great significance to them and might be of some significance to the person who represents that eastern shore of Maryland.

He uses several times in several ways the example of Alaska. Alaska happens to be a territory with huge distances and relatively unpopulated, and they don't have any roads in much of Alaska and so the only way they can get in and out is by air, or maybe in the wintertime by dog sled. So I think it is really presumptuous of the gentleman from California to attack all of this program of essential air services covering services in a lot of the rural parts of this country.

I have none in my district. Many of the urban areas obviously do not have any in their area. But the Montanas and the much more rural States, elsewhere in the mountain States and so

on, there are numerous of them that use the Essential Air Service, and I think that the idea of simply zeroing this one out, in a petulance almost, is really quite inappropriate.

So I strongly oppose the amendment and hope that Members will not agree to this amendment.

I yield back the balance of my time.

Mr. LATHAM. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Essential Air Service program ensures that small and rural communities have access to the national air transportation system. This program plays a key role in the economic development of many rural communities by ensuring that air service continues. Does the program need reform? Absolutely. That's why last year we capped the program to existing communities and have removed the requirement that larger and more expensive planes must be used in the program.

In addition, the authorizers instituted a $1,000 per passenger subsidy cap and limited participation in the program to communities that have more than 10 enplanements per day.

This amendment would be devastating to at least 150 rural communities. In places like Iowa, it plays an essential role as far as the economic development of those communities.

With that, Mr. Chairman, I urge defeat of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

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

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

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

Ms. BASS of California. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. BASS of California. I rise to commend Congresswoman MAXINE WATERS for offering her TIGER grant amendment. The Transportation Investment Generating Economic Recovery, or TIGER, grant program invests in innovative road, rail, transit, and port projects.

Projects funded through TIGER strengthen the economy, create jobs, reduce traffic, and provide safe, affordable, and environmentally sustainable transportation choices. TIGER delivers projects faster and saves taxpayer dollars by reducing construction costs.

In my Los Angeles district, TIGER has provided significant opportunity. In fact, TIGER has provided resources for the Crenshaw/LAX Transit Corridor project, a light rail line that will connect key communities to the Los Angeles International Airport.

I look forward to continue working with my respected colleague, MAXINE WATERS, to advocate for a comprehensive and community-valued Crenshaw/LAX Transit Corridor project that will include a station at Vernon Avenue in the historic Leimert Park Village, a neighborhood which serves as the central arts and cultural hub of Los Angeles County's African American community.

The TIGER grant program is critical to the success of the Crenshaw/LAX light rail line, as well as many projects like it throughout the country.

I am sorry that the amendment was ruled out of order. I think that that was a mistake on our part.

I yield back the balance of my time.

The CHAIR. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $9,718,000,000, of which $4,682,500,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,513,850,000 shall be available for air traffic organization activities; not to exceed $1,255,000,000 shall be available for aviation safety activities; not to exceed $16,700,000 shall be available for commercial space transportation activities; not to exceed $573,591,000 shall be available for finance and management activities; not to exceed $60,064,000 shall be available for NextGen and operations planning activities; and not to exceed $298,795,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $10,350,000 shall be for the contract tower cost-sharing program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

□ 2050

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 18, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 9, line 25, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 10, line 3, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 49, line 9, after the dollar amount, insert ''(increased by $10,000,000)''.

Mr. LATHAM. Mr. Chairman, I reserve a point of order.

The CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes on his amendment.

Mr. CLARKE of Michigan. Mr. Chairman, my amendment would add $10 million to the Federal Transit Administration's formula and bus grants. I do this to give our elderly and physically disabled a chance to get around their community.

Many of our disabled and elderly aren't working. They don't have the money to afford a car, to afford car insurance, especially in the city of Detroit where insurance rates are really prohibitive for many people. This allocation of an additional $10 million would provide the elderly and our citizens who are physically disabled with the mobility that they need to enjoy their lives, and I urge your support.

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

POINT OF ORDER

Mr. LATHAM. Mr. Chairman, I must insist on my point of order.

The amendment proposes to amend portions of the bill that have not been read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment does not propose to transfer funds among objects in the bill, as required by clause 2(f).

I ask for a ruling of the Chair.

The CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from Michigan is recognized on the point of order.

Mr. CLARKE of Michigan. Mr. Chairman, I would request that the bill be read, to the extent that the gentleman had an issue about the bill not being read.

The CHAIR. Does the gentleman ask unanimous consent to reach ahead in the reading to allow the en bloc amendment?

Mr. CLARKE of Michigan. I do, Mr. Chairman.

The CHAIR. Is there objection to the request of the gentleman from Michigan?

Mr. LATHAM. I object.

The CHAIR. Objection is heard.

Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must propose only to transfer appropriations among objects in the bill. Because the amendment offered by the gentleman from Michigan proposes also another kind of change in the bill, namely, increasing a limitation on obligations from the Highway Trust Fund, it may not avail itself of clause 2(f) to address portions of the bill not yet read. Therefore, the amendment is not in order and the point of order is sustained.

Ms. RICHARDSON. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. RICHARDSON. Mr. Chairman, I rise today in support of the Waters-McCollum-Lee-Cleaver-Bass-Richardson-Rush-Matsui amendment which, unfortunately, was not found in order. I would hope that the Members here, the leadership, would reconsider that decision.

I'm strongly in support of seeking to restore the $500 million for an additional year of the widely popular and highly successful, might I say, TIGER grant program.

As a member of the Committee on Transportation and Infrastructure and as a Representative of one of the most transportation-intensive infrastructure districts in the country, I know how important it is to maintain an efficient transportation infrastructure that will help our country remain competitive globally, throughout this country and in the world.

The TIGER program enables DOT to use a rigorous process to select projects with exceptional benefits to explore ways to deliver projects faster and to save on construction costs. It also enables us to make investments in our Nation's infrastructure and to make communities more livable and sustainable.

The 2012 TIGER IV program received 703 grant applications, requesting a total of $10.2 billion from all 50 States, including the U.S. territories and the District of Columbia. The first three TIGER programs received nearly 2,250 applications, requesting more than $95 billion.

Now, some might say certainly we must have our financial house in order and we have to really look at how we spend the dollars that are available. But I would argue before the committee today that TIGER grants was actually a program that was used, it was well monitored. The programs were brought forward, and they were done at a benefit not only for the funding initially of those programs, but for the jobs that they provided as well.

Clearly, there is a need for additional investment in our country's infrastructure. We have reports in my area, for example, in California of many of the roads and the highways where we receive a D grade due to the lack of the quality of infrastructure in our community.

Of the 47 projects that were funded in the most recent round of TIGER grants, nearly 16 percent went specifically to port infrastructure, according to the American Association of Port Authorities, which calculated $69.7 million would be directed to the ports.

Funding these projects is crucial to the U.S. port facilities. It supports 13.3 million jobs and accounts for $3.15 trillion in business activity that by having better roads and infrastructure we can continue, and the TIGER grants help us to do that.

In addition to restoring the full $500 million for the TIGER program, I believe that the conference report that comes before this body should contain the Senate's MAP–21 National Freight program and the Projects of National and Regional Significance program.

Since coming to Congress, I have advocated for a National Freight program and policy, and that's why I introduced H.R. 1122, the Freight FOCUS Act. The Freight FOCUS Act establishes the Office of Freight Planning and Development within the Department of Transportation to coordinate a national freight policy. By creating a national freight advisory committee, private and public sector entities would have direct input into funding priorities and planning.

The National Freight program would provide over $2 billion a year to upgrade our Nation's goods movement system. That equates to $336 million to the State of California, alone, over 2 years for freight infrastructure upgrades. These funds are critical to areas like mine, a district where over 40 percent of our entire Nation's cargo goes through the Port of Los Angeles and Long Beach and, ultimately, through my district.

In addition to MAP–21, which would authorize $1 billion for the Projects of National and Regional Significance, according to the Bloomberg Government report, the cost of congestion to the trucking industry totalled $23 billion in 2010, almost a quarter of the cost of congestion to the entire economy.

Investing in key intermodal links, such as the Gerald Desmond Bridge, which was a project that was funded through the Projects of National Significance, these links and the jobs that are associated to them are vital to us moving goods throughout this country.

Without programs like TIGER and PNRS, critical infrastructure like the Gerald Desmond Bridge—that has a diaper underneath it catching concrete, which Chairman MICA visited and saw himself—these types of bridges would continue to crumble and put a vital link to our Nation's largest seaports to consumers at risk.

I would like to encourage my colleagues to accept, even though it's been initially found out of order, to reconsider that effort, and hope, as we go forward, there will be a greater precedence, as the committee report comes out, for the National Freight program and the Projects of Regional Significance. I look forward to the decision and support in the future.

I yield back the balance of my time.

Mr. CLARKE of Michigan. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Mr. Chairman, I do understand the procedural limitations raised by the gentleman from Iowa on my amendment. My goal here was to provide those citizens with physical disabilities some way to get around their community because, many times, even if they can afford to buy a vehicle or auto insurance, they may not be able to drive that vehicle.

I look forward to working with the subcommittee chair, the gentleman from Iowa, on other ways that we could better serve our citizens who are elderly and who have physical disabilities.

Mr. LATHAM. If the gentleman would yield, I would just say that I would hope the authorizers come back with a robust number for you, and that we'll be happy to try to work with the gentleman.

Mr. CLARKE of Michigan. Thank you very much. I yield back the balance of my time.

□ 2100

The Acting CHAIR (Mrs. ROBY). The Clerk will read.

The Clerk read as follows:

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,749,596,000 of which $480,000,000 shall remain available until September 30, 2013, and of which $2,269,596,000 shall remain available until September 30, 2015: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That upon initial submission to the Congress of the fiscal year 2014 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2014 through 2018, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(INCLUDING RESCISSION OF FUNDS)

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $175,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2015: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That, of the unobligated balances from prior year appropriations available under this heading, $26,183,998 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,400,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2013, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project that the Administrator determines is a successive phase of a multi-phased construction project for which the project sponsor received a grant in Fiscal Year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $105,000,000 shall be obligated for administration, not less than $15,000,000 shall be available for the airport cooperative research program, and not less than $29,300,000 shall be available for Airport Technology Research.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2013.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided*, That during fiscal year 2013, any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds limited by this Act for grants under the Airport Improvement Program shall be made available to the sponsor of a commercial service airport if such sponsor fails to agree to a request from the Secretary of Transportation for cost-free space in a non -revenue producing, public use area of the airport terminal or other airport facilities for the purpose of carrying out a public service air passenger rights and consumer outreach campaign.

SEC. 115. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 116. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 117. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 118. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Deputy Assistant Secretary for Administration of the Department of Transportation.

SEC. 119. Subparagraph (D) of section 47124(b)(3) of title 49, United States Code, is amended by striking ''benefit.'' and inserting ''benefit, with the maximum allowable local cost share capped at ''20 percent.''.

SEC. 119A. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Contingent upon reauthorization, not to exceed $392,855,251, together with advances and reimbursements received by the Federal Highway Administration, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration for necessary expenses for administration and operation. In addition, not to exceed $3,220,000 shall be paid from appropriations made available by this Act and transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon reauthorization, none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $39,143,582,670 for Federal-aid highways and highway safety construction programs for fiscal year 2013: *Provided*, That within the $39,143,582,670 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109–59) for fiscal year 2013: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further*, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Contingent upon reauthorization, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $39,882,583,000 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. Contingent upon reauthorization, the following authorities shall apply for fiscal year 2013:

(a) The Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; programs funded from the administrative takedown authorized by section 104(a)(1) of title 23, United States Code (as in effect on the date before the date of enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users); the highway use tax evasion program; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; section 117 and section 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations:

(1) under section 125 of title 23, United States Code;

(2) under section 147 of the Surface Transportation Assistance Act of 1978;

(3) under section 9 of the Federal-Aid Highway Act of 1981;

(4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982;

(5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987;

(6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991;

(7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century;

(8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years;

(9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used;

(10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005 through 2013; and

(11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year, and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to

the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid Highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid Highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his statutory authority, any Buy America requirement for Federal-aid highway projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. (a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available, limited, or otherwise affected by this Act shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system in the State of Texas that—

(1) as of the date of enactment of this Act, is not tolled;

(2) is constructed with Federal assistance provided under title 23, United States Code; and

(3) is in actual operation as of the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) NUMBER OF TOLL LANES.—Subsection (a) shall not apply to any segment of highway on the Federal-aid system described in that subsection that, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

(2) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this section, and shall not be considered to be a nontoll lane for purposes of determining whether a highway will have fewer nontoll lanes than prior to the date of imposition of the toll, if—

(A) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

(B) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon reauthorization, for payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $244,144,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $244,144,000, for ''Motor Carrier Safety Operations and Programs'' of which $8,543,000, to remain available for obligation until September 30, 2015, is for the research and technology program and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: *Provided further*, That notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer: *Provided further*, That the Federal Motor Carrier Safety Administration shall transmit to Congress a report on March 29, 2013 on the agency's ability to meet its requirement to conduct compliance reviews on mandatory carriers.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon reauthorization, for payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, $307,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $307,000,000, for ''Motor Carrier Safety Grants''; of which $212,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $30,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; and $3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59: *Provided further*, That of the funds made available for the motor carrier safety assistance program, $29,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

Mr. LATHAM (during the reading). Madam Chairman, I ask unanimous consent that the remainder of the bill through page 34, line 23, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 109–59 and chapter 301 and part C of subtitle VI of title 49, United States Code, $152,000,000, of which $20,000,000 shall remain available through September 30, 2014.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon reauthorization, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $122,360,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of $122,360,000, of which $118,244,000 shall be for programs authorized under 23 U.S.C. 403, and of which $4,166,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $122,360,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2014 and shall be in addition to the amount of any limitation imposed on obligations for future years: *Provided further*, That $10,000,000 of the total obligation limitation for operations and research in fiscal year 2013 shall be applied toward unobligated balances of contract authority provided in prior Acts for carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code.

AMENDMENT OFFERED BY MR. BRALEY OF IOWA

Mr. BRALEY of Iowa. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 35, line 16, after the dollar amount, insert ''(reduced by $10,000,000) (increased by $10,000,000)''.

Page 35, line 21, after the dollar amount, insert ''(reduced by $10,000,000) (increased by $10,000,000)''.

Page 35, line 22, after the dollar amount, insert ''(reduced by $10,000,000) (increased by $10,000,000)''.

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

Mr. BRALEY of Iowa. Madam Chair, I want to make a specific point of emphasizing that I'm offering this amendment in honor of one of the gentleman from Iowa's constituents, a young, 7-year-old girl named Kadyn Halverson who, on May 10 of 2011, was struck and killed by a pickup truck while exiting a school bus.

And this particular section of the bill deals with the report language that talks about, among other things, the ability to talk about safety and pupil transportation relating to the National Highway Transportation Safety Administration. So to understand the purpose behind this amendment, it's important to know how this tragedy happened.

This young girl was crossing the street to board her school bus. The bus had its red lights flashing. The stop arm was activated, and a pickup truck traveling at 60 miles an hour struck and killed her. The driver tested positive for marijuana and later pleaded guilty to vehicular homicide and has been sentenced to 15 years in prison.

Now, this is one isolated incident in my home State, but statistics show that 13 million violations occur in this country every year of vehicles passing stopped school buses. It's obvious we have a serious problem, and my amendment would use this funding for the purpose of working with States to create tougher sanctions and tougher enforcement to reduce this alarming problem of people violating the law and passing stopped school buses.

The intent of my amendment is to require the National Highway Traffic Safety Administration, otherwise known as NHTSA, to prioritize at least $10 million for school bus safety work and, specifically, to work with State and local law enforcement to improve enforcement of State law concerning illegally passing stopped school buses.

My amendment would ensure that we are enforcing the laws on the books pertaining to stopping those school buses. It's a part of an ongoing effort to provide safety to kids who are going to school and returning every day; 13 million violations a year is way too many. We have an obligation to work with States. My amendment would do that by directing NHTSA to use this opportunity to help those States become more effective in preventing these tragedies.

It wasn't the only one that has become of significance in my State in the past year; 11-year-old Justin Bradfield of Janesville, Iowa, was tragically killed in 2011 after being struck by a school bus. That's why earlier this year I introduced Kadyn's Act in the House. The bill would encourage States to toughen their penalties for those found guilty of passing a stopped school bus.

I am honored to have the subcommittee chairman as a cosponsor of that legislation. I hope that my colleagues will support this amendment, and I urge them to work to pass both these bills to make it safer for our kids to get to school and back.

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

Mr. LATHAM. Madam Chair, I move to strike the last word.

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

Mr. LATHAM. I appreciate the intent of the amendment of the gentleman from Iowa. The gentleman introduced legislation that would require States to enact harsher penalties for reckless drivers who pass stopped school buses, and this amendment complements that legislation and, I think, sends a very, very important message.

The legislation named in memory of the little girl the gentleman spoke about from Iowa who was killed so tragically, this is extremely important, I think, to raise the profile. I would hope that the authorizing committee in conference on the highway bill would take this into consideration and act on this very provision.

As a cosponsor of the act, I commend the gentleman's effort and would accept the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon reauthorization, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $501,828,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of $501,828,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $235,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $25,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405; $34,500,000 shall be for ''State Traffic Safety Information System Improvements'' under 23 U.S.C. 408; $139,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Incentive Grant Program'' under 23 U.S.C. 410; $25,328,000 shall be for ''Administrative Expenses'' under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59; $7,000,000 shall be for ''Motorcyclist Safety'' under section 2010 of Public Law 109–59; and $7,000,000 shall be for ''Child Safety and Child Booster Seat Safety Incentive Grants'' under section 2011 of Public Law 109–59: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States: *Provided further*, That not to exceed $750,000 of the funds made available for the ''High Visibility Enforcement Program'' shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Contingent upon reauthorization, notwithstanding section 402(g) of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws for multiple years but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $184,000,000, of which $20,360,000 shall remain available until expended.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 4, after the dollar amount, insert ''(reduced by $5,404,000)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $5,404,000)''.

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

Mr. BROUN of Georgia. Madam Chair, my amendment would simply reduce funding for administrative expenses within the Federal Railroad Administration by $5,404,000.

This office is one of 13 in the underlying bill which is slated to receive increases for administrative expenses, despite the fiscal emergency that we're facing as a Nation. This, like many of the amendments that I'm bringing, would just reduce funding back to current levels, back to the FY12 levels.

We have many sections of this bill that are slated to be increased. But as we face an economic emergency as a Nation, as we're spending money that we don't have—40 cents of every dollar we're spending is being borrowed—we just have to stop the outrageous spending that's going on here in Washington.

This amendment would simply bring the administrative expenses for the Federal Railroad Administration back to current levels. It would not reduce the functions of the administration. It

would just keep funding at the current levels.

It makes sense to just stop increasing, so I urge support of my amendment.

I yield back the balance of my time.

Mr. LATHAM. I move to strike the last word.

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

Mr. LATHAM. Madam Chair, I must oppose the gentleman's amendment. This would not allow the Federal Railroad Administration to hire additional safety inspectors and fully implement the risk reduction program.

□ 2110

These investments have a proven record in reducing the number of crashes on our Nation's railways.

While we appreciate the gentleman's concern over the debt, this is an arbitrary way to budget, and it negates months of work on this committee to try and determine the proper funding levels for these different functions. The bill already cuts $4 billion from 2012, which is a very fiscally responsible level, so I would urge a ''no'' vote on the amendment.

I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. Madam Chair, I demand a recorded vote.

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $35,500,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: *Provided*, That, pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2013.

OPERATING SUBSIDY GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $350,000,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation the annual budget and business plan and the 5-Year Financial Plan for fiscal year 2013 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008: *Provided further*, That the budget, business plan, and the 5-Year Financial Plan shall also include a separate accounting of ridership, revenues, and capital and operating expenses for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include a description of work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by these plans: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide semiannual reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole-source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole-source basis, as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, and all subsequent supplemental plans shall be displayed on the Corporation's Web site within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That these plans shall be accompanied by a comprehensive fleet plan for all Amtrak rolling stock which shall address the Corporation's detailed plans and timeframes for the maintenance, refurbishment, replacement, and expansion of the Amtrak fleet: *Provided further*, That said fleet plan shall establish year-specific goals and milestones and discuss potential, current, and preferred financing options for all such activities: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares: *Provided further*, That the Corporation shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2014 in similar format and substance to those submitted by executive agencies of the Federal Government.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by section 101(c) and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $1,452,000,000, to remain available until expended, of which not to exceed $271,000,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, not less than $500,000,000 shall be made available to fund high priority state-of-good-repair intercity infrastructure projects on infrastructure owned by the Corporation or States for the benefit of existing intercity passenger rail services: *Provided further*, That of the amount provided under the preceding proviso, $80,000,000 may be used to subsidize operating losses of the Corporation only after receiving and reviewing a grant request justifying the Federal support to the Secretary's satisfaction; *Provided further*, That such projects shall only include capital projects within the meaning of Section 24401(2)(A) of Title 49, United States Code: *Provided further*, That the Secretary shall approve funding for these projects only after receiving and reviewing a grant request for each project developed by Amtrak in conjunction with any state partners: *Provided further*, That the Federal share payable of the costs for such a project shall not exceed 80 percent: *Provided further*, That at least 30 days prior to the obligation of funds for such a project, the Secretary shall provide to the House and Senate Committees on Appropriations written notification of the approval of the project: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management oversight of capital projects funded by grants provided under this heading, as authorized by subsection 101(d) of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, Except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2013 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $3,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

NEXT GENERATION HIGH-SPEED RAIL

(RESCISSION)

Of the funds made available for Next Generation High Speed Rail, as authorized by

sections 1103 and 7201 of Public Law 105–178, $1,973,000 are hereby permanently rescinded: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

(RESCISSION)

Of the funds made available for the Northeast Corridor Improvement Program, as authorized by Public Law 94–210, $4,419,000 are hereby permanently rescinded: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. Hereafter, notwithstanding any other provision of law, funds provided in this Act for the National Railroad Passenger Corporation shall immediately cease to be available to said Corporation in the event that the Corporation contracts to have services provided at or from any location outside the United States. For purposes of this section, the word ''services'' shall mean any service that was, as of July 1, 2006, performed by a full-time or part-time Amtrak employee whose base of employment is located within the United States.

SEC. 151. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 152. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 153. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the president of Amtrak may waive the cap set in the previous proviso for specific employees when the president of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That Amtrak shall notify House and Senate Committees on Appropriations within 30 days of waiving such cap and delineate the reasons for such waiver.

SEC. 154. The unobligated balance of funds provided under sections 1101(a)(18) and 1307 of Public Law 109–59 shall be used for the elimination of hazards at railway-highway crossings described in section 104(d)(2) of title 23, United States Code, to remain available until expended.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $100,000,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2014 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations of funds for fiscal year 2014.

Mr. LIPINSKI. Madam Chair, I move to strike the last word.

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

Mr. LIPINSKI. I rise to engage in a colloquy with my good friend from Iowa, the distinguished chairman, Mr. LATHAM.

First, I would like to acknowledge the difficult and challenging job the chairman has had in crafting this bill. I would also like to acknowledge all of the work of Ranking Member OLVER, not just this year but in years past here in Congress, and especially as head of this committee.

In 2008, Congress passed a mandate requiring commuter and freight railroads to implement Positive Train Control by 2015. While PTC provides a very significant safety improvement, it is also very costly. The Federal Railroad Administration has estimated that the total cost for PTC will be $13.2 billion industrywide.

In recognizing the cost when we were working on the bill in order to implement the mandate, I was able to add language authorizing the Rail Safety Technology Grant program at $50 million per year. Since the program was authorized, however, Congress has only appropriated $50 million for 1 year.

This mandate is especially hard on commuter railroads. In the Chicago region, Metra serves approximately 300,000 commuters every weekday. Metra estimates that PTC will cost $200 million, an amount the agency will struggle to afford. There are many other commuter railroads in this country facing similar situations and needing some help in implementing this safety technology.

Yet, in recognizing the difficult choices the chairman has had to make on this bill, I will not offer an amendment. I would ask, as this bill moves forward to conference and in future appropriations bills, that we work together to find some level of Federal support to help defray the costs for our Nation's railroads in order to implement PTC.

With that, I yield to Chairman LATHAM.

Mr. LATHAM. I thank the gentleman for his hard work in this area and for his efforts on the Transportation Committee.

Commuter railroads are an extremely important mode of transportation and are critical to many of our regional economies. I would be more than happy to work with the gentleman on ways to address the PTC funding issues as we go to conference and in the future.

Mr. LIPINSKI. In reclaiming my time, I thank the gentleman, and I look forward to working with him on this funding issue.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 48, line 16, after the dollar amount, insert ''(reduced by $1,287,000)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $1,287,000)''.

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

Mr. BROUN of Georgia. My amendment would reduce funding for the administrative expenses within the Federal Transit Administration by $1,287,000.

This office is one of 13 in the underlying bill which is slated to receive increases for administrative expenses despite the dire fiscal environment we have in our Nation, but we've got to stop the outrageous spending that government has been doing.

The passage of my amendment would simply bring the funding level for these administrative expenses that are within the Federal Transit Administration back to the level of this year. It would just reduce the increase back to current levels.

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

Mr. OLVER. Madam Chairman, I rise in opposition to this amendment.

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

Mr. OLVER. From what I understand of this amendment, the gentleman from Georgia is now removing a little over $1 million, $1,300,000 or thereabouts, from the $100 million that is assigned by Mr. LATHAM's bill for the administrative expenses of the FTA.

As I pointed out in my opening statement, 65 percent of all of our population in this country—and it's going up every census—is now living in metropolitan areas with populations of greater than a half a million people. The remarkable thing about this is that, among the 50 largest metropolitan areas, there is a 25 percent increase every decade in their populations.

Georgia has one of those major population areas—the whole Atlanta area—which is also growing by more than 25 percent every decade, but the gentleman is trying to constrain the dollars of the FTA, which is the agency that provides the development of transit services for all of these major metropolitan areas around the country.

I think that this is an exceedingly modest increase that has been proposed. Virtually everybody has metropolitan areas that are in need of this enormous increase in investments for transit services, for public transportation services, whether they be by commuter rail or by light rail—any one of those programs.

□ 2120

I just think that this is an exceedingly short-sighted amendment to be trying to impose upon the FTA, which has increased its total services to the urban parts of the country. Year after year, the number of grants that are being given out, the amount of the administration of those grants goes up, and it must continue to go up if we're going to continue to have growth in population, which we expect is going to continue at roughly 10 percent per decade, as it has in the last decade.

I strongly oppose this amendment and urge a ''no'' vote on the amendment. I think that it is clearly a counterproductive thing to be doing, no matter what our economic times may look like at the present time.

We have to get back to a growth program in this country. We have to get back to building more infrastructure and to administrate through the FTA the programs by which those infrastructure improvements get made in all of the metropolitan areas that are growing around the country.

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

Mr. LATHAM. Madam Chair, I move to strike the last word.

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

Mr. LATHAM. Madam Chairwoman, I rise to oppose the gentleman's amendment.

This is a minor 1.3 percent increase over the prior year with all of the increase going to uncontrollable costs, such as additional compensable workday, rent and IT maintenance costs. Further, we've already rejected $66 million of funds for new activities requested in the President's budget.

This is also one mode where we shouldn't cut funds. The FTA staffing has increased only 19.7 percent over the last 20 years, yet FTA funding has increased by 129 percent, and the number of grants that FTA administers and oversees has increased 118 percent. I'm not sure cutting S&E funding is the right thing to do in an agency that oversees this much of the Federal funds. We're talking about 0.0005 percent, the full-time equivalent for every thousand dollars that the grants are doled out.

I thank the gentleman for his interest in reducing spending. I would say we've already cut $66 million, and I will oppose any effort to reduce FDA's oversightability.

Again, I would ask for a ''no'' vote, and I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. Madam Chair, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

FORMULA AND BUS GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of surface transportation authorization legislation, funds available in fiscal year 2013 for the implementation or execution of transit formula and bus grant programs authorized under title 49, United States Code, as amended by such authorization, shall not exceed total obligations of $8,360,565,000 from the Mass Transit Account of the Highway Trust Fund.

(LIQUIDATION OF CONTRACT AUTHORITY)

(HIGHWAY TRUST FUND)

Contingent upon enactment of surface transportation authorization legislation, $9,400,000,000, to remain available until expended and to be derived from the Mass Transit Account of the Highway Trust Fund, for payment of obligations incurred in carrying out mass transit programs authorized under title 49, United States Code, as amended by such authorization.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $44,000,000, to remain available until expended: *Provided*, That $6,500,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $3,000,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, and $4,000,000 is available for the university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That $20,000,000 is available to carry out innovative research and demonstrations of national significance under section 5312 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,816,993,000, to remain available until expended, of which $127,566,794 shall be available to carry out section 5309(e) of such title.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968) for fiscal year 2013.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 18, after the dollar amount, insert ''(reduced to $0)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $150,000,000)''.

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

Mr. GARRETT. It is the desire of this House and Members of this side of the aisle that we put an end to earmarks, and yet some might say that in this bill there contains $150 million solely for the benefit of one particular project, the Washington Metropolitan Area Transit Authority, or WMATA.

This is just one-tenth of the $1.5 billion that Congress intends to spend on the D.C. metro system over a 10-year period. This may not be considered your average earmark. The Heritage Foundation has dubbed this—according to Heritage—''the largest earmark in American history.''

Why? Well, the amendment before us is simple. It would eliminate the subsidy to WMATA that has been received since 2008. At a time of record budget deficits and debt, the American people cannot afford to provide a special subsidy, especially when it takes into consideration the fact that the D.C. metro area already receives funds from several different Federal transit programs. And given the performance of this agency, I really find it amazing. I find it astounding that this year the American people should be expected to give them another $150 million of their hard-earned money.

In addition to the daily service interruptions, the lax management, and the generally poor performance that we're all familiar with, Metro has a significant record of wasteful spending. In 2005, The Washington Post reported that Metro spent $382 million to rebuild cars only to have them break down more often than those that weren't overhauled. The Post also pointed out that when senior agency attorneys wanted two new window offices, they spent $270,000 just to accommodate them. Why not? It's just taxpayer dollars from across the rest of this country.

Earlier this year, it was reported that the Office of the Inspector General uncovered several personnel and unwarranted expenses on Metro's credit card, such as $2,000 worth of gift cards, three camcorders valued at $700, and even $180 just for headphones alone.

Madam Chair, we cannot afford to keep pouring our money into an Agency that clearly hasn't done its job of cleaning its own house.

Finally, it is curious to note that the $150 million this bill provides for is $15 million more than the President requested in his budget. Do we really want to be out-spending the President of the United States in this area?

Finally, hardworking taxpayers should not be forced to subsidize a transportation system that has basically failed over the years to get its own fiscal house in order. We owe it to the American people to do better than that.

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

Mr. OLVER. Madam Chair, I rise in opposition to the amendment.

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

□ 2130

Mr. OLVER. Madam Chairwoman, the amendment that is offered here in this instance is really quite a curious one, it seems to me.

The gentleman offering the amendment is from New Jersey, the largest overall metropolitan system, with its commuter rails, with its expansions needed, always repairing, always upgrading, always expanding the systems that serve the whole New York metropolitan area. It serves northern New Jersey, which partly serves people in his district.

Now, the amendment that is being proposed is an amendment that affects WMATA, the Washington/Virginia/Maryland metropolitan area, which is our sixth largest metro area, with somewhat over 5 million people. I don't know exactly—although my staff here is trying to figure it out—how many riders there are on WMATA each year.

The expenditure under consideration of $150 million a year was fully authorized by the PRIIA Act in 2008, signed by President Bush at that time. And this is about the third or fourth year of the $150 million guarantee, the commitment in the authorizing bill to do the $150 million per year in the whole system, no specific place, not in a specific congressional district, though there are several congressional districts in which WMATA functions. And it's matched dollar for dollar. It's 50 percent matching moneys. Maryland, Virginia, and D.C. have to match the $150 million along the way.

We do have, occasionally, safety problems. We have had some crashes here in Washington and some people who have been injured or killed in those crashes.

And I find it really quite curious that the gentleman from New Jersey would be trying to take away the money that is fully authorized——

Mr. GARRETT. Will the gentleman yield?

Mr. OLVER. I would be happy to yield to the gentleman from New Jersey.

Mr. GARRETT. I find it odd that I am in the position here of actually defending the President of the United States and defending what his recommendations are in this area, but I will gladly do so.

The President suggested that, with all of those factors that you have just played out taken into consideration, it was his opinion that we should not be spending this full amount of money. It was President Obama's suggestion that we actually curtail the money.

Mr. OLVER. Yes.

Reclaiming my time, it has been the position of our subcommittee looking at, realizing that the authorization in the PRIIA Act and the commitments that had been made to this metropolitan area, which many of us and many of our staff use for transportation. We have had serious safety problems, and a serious need has been shown through those safety problems for an upgrading of the equipment and systems that we use in this area.

So I think it is certainly my position, and I think it is the chairman of the subcommittee's position, that this is a choice well made, critically made, with critical thought to why this was being done for the safety of the people using the WMATA public transportation system all over Maryland, D.C., and northern Virginia.

Mr. GARRETT. If the gentleman will yield, then the question is: Are you suggesting that the President does not care for the safety of this administration? Are you suggesting that the President——

Mr. OLVER. I'm not suggesting any such thing.

I am suggesting that this is a legislative position, that this should be done, that it has been agreed to be done.

I now have the number of riders. We had 217 million riders in the WMATA system in 2011. That's a huge number of riders, and they deserve some consideration for the safety of the WMATA system.

I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

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

Mr. WOLF. This language came about as a result of our former colleague from Virginia, Tom Davis.

There are many ideas behind it. I didn't know the amendment was coming up. I think that is part of the problem around here with the prefiling. It would be nice to let Members know what is coming up so they know. But I did see it, so I ran over.

One, the number of Federal employees. This serves the Pentagon. It serves most of the Federal agencies in the government. But if you looked at the Metro today, most of the people riding it today were tourists from New Jersey and from Texas and from other places like that around.

When you look at Metro with regard to the inauguration and many of the other events, that was the whole concept, that the administration, both Republican and Democrat—and this was a Republican amendment offered by Congressman Tom Davis to have this funding over a period of, I think, if my memory serves me, over a period of 10 years.

So I rise in strong opposition to the Garrett amendment and ask that Congress maintain the integrity of what Congressman Davis and many other Congresses have done in the past.

Mr. GARRETT. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. GARRETT. I understand all the points that you raise as far as who is using the system, New Jersey people and New York people. But I can make that exact same argument about the New York/New Jersey metropolitan area and our transit area as well, and we don't have a $150 million extra earmark in for our area.

Already, the D.C. metro area is getting $1.5 billion from Congress, from the U.S. taxpayers from Colorado to Oklahoma to Tennessee for this system, and now they're getting $150 million more. But all the tourists that come up from all over the United States to visit my metropolitan area in New York/New Jersey, we're not getting an extra $150 million, and we have the same exact concerns as far as safety and maintenance and the rest.

So the constituents in my area are saying, Why is it that only the constituents down here get this extra earmark and we don't see the same thing for other metropolitan areas?

I thank the gentleman for yielding.

Mr. WOLF. I thank the gentleman.

This is the Nation's Capital. We are the Nation's Capital. People from all over the world come here.

And I want to be sure—things are thrown around on this floor many times that are not accurate. A large proportion of the New York system was paid for with Federal taxpayer money.

This was the agreement that was made by the Government Operations Committee, I think, in conjunction with Congressman Davis, Congressman HOYER, and others a number of years ago. Congressman Davis is no longer here, but that was the whole sentiment with regard behind it.

So I urge Members to vote ''no'' on the Garrett amendment and yield back the balance of my time.

Mr. OLVER. Madam Chairman, I move to strike the last word.

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

Mr. OLVER. Madam Chairwoman, I understand that since I claimed the time in opposition, I retain, then, the right to strike the last word, so I have struck the last word. Thank you very much.

Just to continue this one, New York, at the present time, is benefiting from enormous additional investments in two major projects. One reaches out into Long Island, the so-called East Side Access project, which you wouldn't know or care, perhaps, much about because it reaches to all the population out on Long Island—to the east, to that direction for you, to the east—and the Second Avenue Subway.

□ 2140

So that New York system has those two very large programs. Each one of them is about $2 billion. That's $2 billion going on concurrently with what this 10-year program is for the maintenance of the system here in Washington, when we have had clear evidence of safety difficulties and equipment difficulties that had not been taken into account. We were not putting enough investment into the maintenance of the Washington system.

And to add to the gentleman from Virginia's comment about this, our

constituents from every district all over the country come to Washington and deserve to have a really good public transportation system in Washington. So it is in all of our interests to make certain that that system is up to snuff on safety and the equipment is in good repair. So I have no apology whatsoever for supporting this one, and would strongly urge that we defeat this amendment.

I yield back the balance of my time.

Mr. CULBERSON. I move to strike the last word.

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

Mr. CULBERSON. Madam Chairman, I want to be sure to point out to the House that the account is authorized. Under the Passenger Rail Improvement Act, in order for the metropolitan D.C. area to receive the funds, Virginia, Maryland, and the District of Columbia have to match the money, which certainly helps. And I also note that the committee has included language, which is very important, that the Federal Government cannot provide more than 60 percent for the first time. That's important that the local communities do their fair share.

All of the money in the Passenger Rail Improvement Act for the D.C. area has to be used for safety and capital improvements only. They can use the money only to buy new cars and equipment to improve the safety of the system. And as my good friend from New Jersey has pointed out, if there's clearly evidence, apparently, of misuse of the funds, the inspector general can certainly investigate that and even bring criminal charges against those responsible for using the funds for a purpose other than that authorized by the Passenger Rail Improvement Act.

I think it's also important to point out that the bill, overall, cuts New Starts funding by $419 million and cuts the request for administrative funding for the FTA by $66 million.

These bills that Chairman ROGERS has presided over that all of us on Appropriations have worked so hard on, for the first time we've got a whole series of bills reducing spending year after year. There's much, much more to do. And while I'm certainly in philosophical agreement with the gentleman's amendment, because of the careful balance the bill strikes in funding an authorized program, it can only be used for a limited purpose that must be matched, and the committee would like to ask for a ''no'' vote on the gentleman's amendment.

Mr. GARRETT. Will the gentleman yield?

Mr. CULBERSON. I am happy to yield to my good friend from New Jersey.

Mr. GARRETT. I will just make three quick points. One is, again, it is really odd that here I stand with you next to the microphone and that I am actually defending the more conservative position and actually defending the position of the President of the United States, who says we should be spending less money.

Secondly, in a time when we all said, Let's eliminate earmarks, here we have, as Heritage says, the largest earmark in American history. Because this is not simply an issue of saying that this program has a safety need and no one else does. If it wasn't a grant application process where New York, New Jersey, or any other system around the country could have applied and say, Our safety needs are X times high or less than Washington, D.C., maybe there wouldn't be a concern. But that's not the case here.

All the other metropolitan transit systems in the country aren't being weighed as far as what their safety needs or what their maintenance needs are. It just simply made a decision here that Washington, D.C., and the congressional districts that it contains around it somehow or another merit greater service than do the other ones in Chicago or New York or New Jersey, what have you. I think that's where the difficulty lies.

Mr. CULBERSON. If I could reclaim my time, the gentleman and I worked together arm-in-arm on so many good conservative causes, and in this one area we do have a slight disagreement. I would point out that the statute requires that the metropolitan Washington transit entity has to submit a grant application. Under the law, they can't just automatically access these funds. They have to submit a grant application that complies with all the Federal Transit Administration's requirements. They have to demonstrate that the money will be used for the narrow purposes authorized by the act for safety and capital improvements, and they must comply with all of the other requirements that every other transit entity in the Nation complies with.

For all those reasons, to keep the careful balance the committee has struck, the overall reduction in funding, the committee would ask for a ''no'' vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

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

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

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

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION OF FUNDS)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the Federal Transit Administration's discretionary program appropriations headings for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2015, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2012, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, unobligated funds made available for new fixed guideway system projects under the heading ''Federal Transit Administration, Capital Investment Grants'' in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 164. Notwithstanding any other provision of law, unobligated funds or recoveries under section 5309 of title 49, United States Code, that are available to the Secretary of Transportation for reallocation shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 165. In addition to the amounts made available under section 5327(c)(1) of title 49, United States Code, the Secretary may use, for program management activities described in section 5327(c)(2), 1.5 percent of the amount made available to carry out section 5316 of title 49, United States Code: *Provided*, That funds made available for program management oversight shall be used to oversee the compliance of a recipient or subrecipient of Federal transit assistance consistent with activities identified under section 5327(c)(2) and for purposes of enforcement.

SEC. 166. Notwithstanding any other provision of law, none of the funds made available in this Act shall be available to carry out 49 U.S.C. 5309(m)(6)(B) and (C).

SEC. 167. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 60 percent.

SEC. 168. The Secretary shall conduct a formal adjudication in accordance with section 554 of title 5, United States Code, requiring any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then granted an exception from such part in this fiscal year to present evidence why it cannot come into compliance with such part: *Provided*, That any determination arising from the adjudication shall be sent to the House and Senate Committees on Appropriations for consideration: *Provided further*, That this section shall be obviated if there is an arrangement between such transit agency and charter bus providers that the Secretary considers appropriate in accordance with section 5323(d) of title 49, United States Code.

SEC. 169. For purposes of applying the project justification and local financial commitment criteria of 49 U.S.C. 5309(d) to a New Starts project, the Secretary may consider the costs and ridership of any connected project in an instance in which private parties are making significant financial contributions to the construction of the connected project; additionally, the Secretary may consider the significant financial contributions of private parties to the connected

project in calculating the non-Federal share of net capital project costs for the New Starts project.

SEC. 169A. Of the funds made available for the Formula Grants program, as authorized by Public Law 97-424, as amended, $70,867,394 are hereby permanently rescinded: *Provided,* That of the funds made available for the Formula Grants program, as authorized by Public Law 91-43, as amended, $699,307 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Formula Grants program as authorized by Public Law 95-599, as amended, $928,838 are hereby permanently rescinded: *Provided further,* That of the funds made available for the University Transportation Research program, as authorized by Public Law 91-453, as amended, and by Public Law 102-240, as amended, $292,554 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Job Access and Reverse Commute program, as authorized by Public Law 105-178, as amended, $14,661,719 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Capital Investment Grants program, as authorized by Public Law 105-178, as amended, $11,429,055 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Research, Training, and Human Resources program, as authorized by Public Law 95-599, as amended, $247,579 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Interstate Transfer Grants program, as authorized by 23 U.S.C. 103(e)(4), $2,661,568 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Washington Metropolitan Area Transit Authority, as authorized by section 14 of Public Law 96-184, as amended, and by Public Law 101-551, as amended, $523,000 are hereby permanently rescinded: *Provided further,* That of the funds made available for the Urban Discretionary Grants program, as authorized by Public Law 88-365, as amended, $578,353 are hereby permanently rescinded: *Provided further,* That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 169B. None of the funds in this Act may be available to advance a new fixed guideway capital project to final design or a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of Montrose Boulevard or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

SEC. 169C. Notwithstanding any other provision of law, fuel for vehicle operations, including the cost of utilities used for the propulsion of electrically driven vehicles, shall be treated as an associated capital maintenance item for purposes of grants made under section 5307 of title 49, United States Code, in fiscal year 2013. Amounts made under this heading shall be limited to $100,000,000.

POINT OF ORDER

Mr. DUNCAN of Tennessee. Madam Chairwoman, I rise to raise a point of order against section 169C.

The Acting CHAIR. The gentleman will state his point of order.

Mr. DUNCAN of Tennessee. Madam Chairwoman, I raise a point of order against section 169C on page 56, lines 10 through 16. This section violates clause 2(b) of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

I would also note that the issue of when transit agencies can use Federal transit funds for operating expenses is part of conference negotiations on the highway bill, which hopefully will be resolved by the end of this week. The conference report will include a better, more targeted policy on this issue.

I request a ruling in favor of this point of order.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this section explicitly supersedes existing law. The section therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations, maintenance, and capital asset renewal of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $33,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $184,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $145,753,000, of which $11,500,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $2,400,000 shall remain available through September 30, 2014 for Student Incentive Program payments at State Maritime Academies, and of which not less than $14,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy: *Provided*, That amounts apportioned for the United States Merchant Marine Academy shall be available only upon allotments made personally by the Secretary of Transportation or the Assistant Secretary for Budget and Programs: *Provided further*, That the Superintendent, Deputy Superintendent and the Director of the Office of Resource Management of the United State Merchant Marine Academy may not be allotment holders for the United States Merchant Marine Academy, and the Administrator of the Maritime Administration shall hold all allotments made by the Secretary of Transportation or the Assistant Secretary for Budget and Programs under the previous proviso: *Provided further*, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the necessary administrative expenses of the maritime guaranteed loan program, $3,750,000 shall be paid to the appropriation for ''Operations and Training'', Maritime Administration.

□ 2150

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, line 7, after the dollar amount, insert ''(reduced by $10,000)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $10,000)''.

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

Mr. BROUN of Georgia. Madam Chair, my amendment would reduce funding for the administrative expenses for the Maritime Guaranteed Loan program by $10,000. That's all. It doesn't sound like much, but it freezes spending at the current levels.

I believe very firmly that we ought to cut spending in this House. We've cut our MRAs, our own operating accounts for our own administrative expenses by 11 percent. What this amendment does, it freezes at the current fiscal year '12 levels. It is a minor amount of money to most folks, but still, $10,000 is a lot of money to this old Georgia boy.

So I urge adoption of my amendment, and I yield back the balance of my time.

Mr. LATHAM. Madam Chair, I move to strike the last word.

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

Mr. LATHAM. I would just accept the amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall be available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet. Such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398. Nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 16 U.S.C. 5405(c), section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $23,030,000, of which $639,000 shall be derived from the Pipeline Safety Fund: *Provided*, That $1,500,000 shall be transferred to ''Pipeline Safety'' in order to fund ''Pipeline Safety Information Grants to Communities'' as authorized under section 60130 of title 49, United States Code.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, line 25, after the first dollar amount, insert ''(reduced by $1,670,000)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $1,670,000)''.

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

Mr. BROUN of Georgia. Madam Chair, this, like many amendments I'm offering tonight, would freeze spending at the FY12 levels. We've just got to stop spending money we don't have, Madam Chairman.

I recommend adoption of my amendment, and I yield back the balance of my time.

Mr. OLVER. Madam Chair, I rise in opposition to the amendment.

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

Mr. OLVER. What we are talking about here is pipeline safety inspectors. The increase in pipeline safety inspectors, and the agency is Pipeline and Hazardous Materials Safety Administration, that organization has, over the last few years, had an ever-increasing responsibility.

Just about 18 months ago, we had a Pacific Gas and Electric pipeline that ruptured in San Bruno, California. The ensuing fire and explosion leveled some 35 homes and killed eight people. The National Transportation Safety Board's investigation found that Pacific Gas and Electric's poor quality control and integrity management systems contributed to the cause of the pipeline rupture. It is a prime example of why we need strong enforcement and oversight of the Nation's ever-expanding, really already vast, but ever-expanding pipeline system.

Now, section 31 of the Pipeline Safety Reauthorization bill enacted on January 3 of this year authorized 10 additional pipeline inspection and enforcement personnel if the Pipeline and Hazardous Materials Safety Administration had filled all 135 of its existing positions by a certain deadline.

We need to be doing more rather than less on pipeline safety, and so I oppose this amendment very strongly.

I yield back the balance of my time.

Mr. LATHAM. Madam Chair, I move to strike the last word.

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

Mr. LATHAM. I rise in strong opposition to this amendment.

This program was authorized just last year. The funds that are being cut here are for safety inspectors, and we've had explosions in Iowa.

The gentleman referred to very tragic pipeline explosions elsewhere around the country. We have seen a number of these explosion incidents. We simply cannot compromise safety in this regard. It's a small increase and consistent with the authorization that was just passed by this Congress.

I can tell you from personal experience, in a little town of Alexander, about 5 miles outside of town, it's been several years ago, but a pipeline exploded, and basically we had to evacuate about a 15-mile area, and it was a huge issue. Fortunately, no one was killed in that explosion.

But I'll just say that this is a very important function and that we need to have these inspectors. We need to have a focus on pipeline safety. And so again, I would recommend a ''no'' vote on this amendment, and I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $42,546,000, of which $1,725,000 shall remain available until September 30, 2015: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approval functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

(PIPELINE SAFETY DESIGN REVIEW FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $111,252,000, of which $18,573,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2015; and of which $90,679,000 shall be derived from the Pipeline Safety Fund, of which $48,191,000 shall remain available until September 30, 2015; and of which $2,000,000, to remain available until expended, shall be derived as provided in this Act from the Pipeline Safety Design Review Fund, as authorized in 49 U.S.C. 60117(n): *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2014: *Provided*, That not more than $28,318,000 shall be made available for obligation in fiscal year 2013 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)-(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $13,500,000: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $84,499,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5

U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso: *Provided further*, That no funding through expenditure transfers shall be made between either the Federal Highway Administration, the Federal Aviation Administration, the Federal Transit Administration, or the National Transportation Safety Board, and the Office of Inspector General: *Provided further*, That: (1) the Inspector General shall have the authority to audit and investigate the Metropolitan Washington Airports Authority (MWAA); (2) in carrying out these audits and investigations the Inspector General shall have all the authorities described under section 6 of the Inspector General Act (5 U.S.C. App.); (3) MWAA Board Members, employees, contractors, and subcontractors shall cooperate and comply with requests from the Inspector General, including providing testimony and other information; (4) The Inspector General shall be permitted to observe closed executive sessions of the MWAA Board of Directors; (5) MWAA shall pay the expenses of the Inspector General, including staff salaries and benefits and associated operating costs, which shall be credited to this appropriation and remain available until expended; and (6) if MWAA fails to make funds available to the Inspector General within 30 days after a request for such funds is received, then the Inspector General shall notify the Secretary of Transportation who shall not approve a grant for MWAA under section 47107(b) of title 49, United States Code, until such funding is made available for the Inspector General.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $31,250,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2013, to result in a final appropriation from the general fund estimated at no more than $30,000,000.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 11, after the dollar amount, insert ''(reduced by $1,940,000)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $1,940,000)''.

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

Mr. BROUN of Georgia. Madam Chair, my amendment will reduce funding for salaries and expenses for the Surface Transportation Board by $1,940,000. This office is one of 13 in the underlying bill which would receive increases for administrative expenses in this underlying bill. Passage of my amendment would simply bring funding levels back to current levels, fiscal year 2012.

Madam Chair, we are spending money we don't have. We have reduced our own operating expenses as Members of the House by 11 percent, over 11 percent, and this amendment would just freeze—would prevent any increase in the salaries and expenses for the Surface Transportation Board—to this year's level.

□ 2200

We've got to be fiscally responsible, Madam Chairman, as a Nation. We've got to stop the outrageous spending that's going on here in Washington. And this doesn't even stop it; this just freezes it at the current levels.

This, hopefully, is going to put a little spotlight on the fact that we need to stop spending money we don't have, stop borrowing 40 cents on every dollar the Federal Government spends. My amendment would just freeze spending at the current levels.

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

Mr. LATHAM. I move to strike the last word.

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

Mr. LATHAM. Madam Chairwoman, I accept the amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Research and University Research Centers'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from:

(1) any discretionary grant program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs; or

(5) any funding provided under the headings ''National Infrastructure Investments'' in this Act: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify to the House and Senate Committees on Appropriations of the

amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'', has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 190. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

This title may be cited as the ''Department of Transportation Appropriations Act, 2013''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

ADMINISTRATION, OPERATIONS, AND MANAGEMENT

For necessary salaries and expenses for administration, management and operations of the Department of Housing and Urban Development, $518,068,000, of which not to exceed $3,572,000 shall be available for the immediate Office of the Secretary; not to exceed $1,206,000 shall be for the Office of the Deputy Secretary and the Chief Operating Officer; not to exceed $1,711,000 shall be available for the Office of Hearings and Appeals; not to exceed $705,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $47,627,000 shall be available for the Office of the Chief Financial Officer; not to exceed $95,102,000 shall be available for the Office of the General Counsel; not to exceed $2,400,000 shall be available to the Office of Congressional and Intergovernmental Relations; not to exceed $3,502,000 shall be available for the Office of Public Affairs; not to exceed $247,535,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed $47,500,000 shall be available for the Office of Field Policy and Management; not to exceed $16,563,000 shall be available for the Office of the Chief Procurement Officer; not to exceed $3,127,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed $1,404,000 shall be available for the Center for Faith-Based and Community Initiatives; not to exceed $2,360,000 shall be available for the Office of Sustainable Housing and Communities; not to exceed $4,884,000 shall be available for the Office of Strategic Planning and Management; and not to exceed $38,870,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: *Provided further*, That the Secretary shall transmit to the House and Senate Committees on Appropriations a detailed budget justification for each office within the Department, including an organizational chart for each operating area within the Department: *Provided further*, That the budget justification shall include funding levels for the past 3 fiscal years for all offices: *Provided further*, that the budget submitted by the Department must also include a detailed justification for the incremental funding increases, decreases and FTE fluctuations being requested by program, activity, or program element: *Provided further*, That the Secretary shall provide the Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide all signed reports required by Congress electronically: *Provided further*, That not to exceed $25,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses as the Secretary may determine.

AMENDMENT OFFERED BY MRS. CAPPS

Mrs. CAPPS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 71, line 19, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 72, line 3, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 72, line 8, after the dollar amount, insert ''(reduced by $5,000,000)''

Page 72, line 20, after the dollar amount, insert ''(reduced by $3,000,000)''

Page 102, line 2, after the first dollar amount, insert ''(increased by $10,000,000)''.

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

Mrs. CAPPS. Madam Chair, this is a straightforward amendment to increase funding for the HUD Housing Counseling Assistance Program.

As we all know, the foreclosure crisis continues to ravage our families in many parts of the country. This is a problem in my home State of California, but also in many other States. Nevada, Florida, Ohio, Illinois, and Georgia all have foreclosure rates well above the national average.

There are many efforts aimed at solving this crisis, but local housing counseling agencies have proven to be among the most effective tools we have to help struggling families stay in their homes during these tough times. These local nonprofits are filled with dedicated staff who work tirelessly to help homeowners make informed decisions and stay in their homes. They provide a wide range of free counseling services, including post-purchase counseling, renter counseling, reverse mortgage counseling for senior homeowners, and counseling for homeless individuals and families seeking shelter. And they depend on Federal funding from HUD's Housing Counseling Assistance Program to provide these services.

Every dollar allocated to these local organizations helps to ensure that all homeowners in financial distress may have a trusted third-party resource to turn to free of charge. Recognizing the value and effectiveness of housing counselors, Congress more than doubled funding for this critical program from 2007 to 2010 to help combat the rapidly expanding foreclosure crisis, and that money was money well spent.

Local counseling agencies used the funding to create jobs by hiring additional counselors and expanding their services to meet the rapidly growing demand created by the recession. Sadly, however, funding for Housing Counseling Assistance was abruptly eliminated in FY 2011. This was a devastating blow to these local organizations, resulting in layoffs and, more important, elimination of a valuable and much needed service to homeowners who are in trouble. Thankfully, we were able to restore some of this funding last year, and I thank the chairman and the Appropriations Committee for maintaining last year's funding level in the bill before us.

But, frankly, this is not enough. The foreclosure crisis is far from over, and the need for this funding has never been greater.

Just last month, one in every 639 houses nationwide received a foreclosure notice. That's why my amendment would increase funding for HUD Housing Counseling Assistance by $10 million, matching the President's request of $55 million.

The amendment is fully paid for with a $10 million reduction in the administration's operations and management account. This additional funding will make a tremendous difference in the lives of middle class Americans in my district and across this country who are desperately trying to stay afloat.

In my district on the central coast of California, where the foreclosure rate remains well above the national average, every little bit makes such a difference. I know my local housing counselors, like SurePath Financial, like People's Self-Help Housing and Cabrillo Economic Development, they're going to be able to help many more of my constituents with this extra funding.

I know some States have been harder hit than others by the foreclosure crisis, but the benefits of counseling extend to all homeowners, not just those facing foreclosure. In a recently released study, HUD examined both families seeking to purchase their first homes and those struggling to prevent foreclosure. In the pre-purchase counseling study, HUD found that of those participants that became homeowners, all but one of them remained current on their mortgage payments after 18

months. This study shows that housing counseling is not only helping address the current foreclosure crisis, it's also helping prevent future crises by helping homeowners find mortgages that they can afford and fully understand.

When homeowners understand their mortgage and properly plan, they're much more likely to make their payments on time and avoid foreclosure in the future. The Housing Counseling Assistance Program helps to make that happen.

This program has broad national support from respected nonprofits like Catholic Charities, National Council on Aging, and the National Council of La Raza, and for-profit industry groups like the Mortgage Bankers Association. And it should have broad bipartisan support here in the House as well.

I'm willing to bet that most of my colleagues in this House have referred constituents in need of help to their local housing counseling agencies. I know I certainly have. I have no reservations about referring my constituents to local HUD-certified housing counselors because I know they will receive excellent advice and guidance. But as the foreclosure crisis has dragged on, demand for help has far exceeded the resources available. My amendment will not immediately solve this enormous program, but it will certainly help.

This shouldn't be a partisan issue. I know we must make tough choices to balance our budget, but we must also make smart choices. Voting for my amendment is a smart choice. It's also the right choice for Americans who are still struggling to stay afloat. So I urge my colleagues to support our local housing counselors and vote ''yes'' on my amendment.

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

Mr. LATHAM. Madam Chairwoman, I rise in opposition to the gentlelady's amendment.

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

Mr. LATHAM. Madam Chairwoman, again, I oppose the gentlelady's amendment.

This bill provides $45 million for housing counseling—the same as last year and $45 million more than in fiscal year 2011.

HUD just reorganized into the new Office of Housing Counseling. I would say that before we give additional resources to HUD's Housing Counseling, we need to make sure HUD has the capability to effectively implement this program. I think they ought to be able to walk before they run here.

Housing Counseling agencies are still complaining of the painstaking bureaucracy involved in applying and receiving these funds. On the other hand, people could get housing counseling from many government sources, including NeighborWorks.

□ 2210

NeighborWorks gets funding out the door quickly, has extensive metrics ensuring the proper use of the funds. We increased NeighborWorks by $10 million over last year.

We need HUD to do this thing right. So until they can prove to us they could, taking funding from HUD's salaries and expenses would not be an effective use of government resources.

Again, Madam Chair, I would urge a ''no'' vote.

I yield back the balance of my time.

Mr. OLVER. Madam Chairman, I move to strike the last word.

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

Mr. OLVER. I am inclined to support the amendment that the gentlewoman from California has proposed, recognizing that the request on the part of the administration was for $55 million, and that it's an interesting juxtaposition, because the HUD counseling programming, the request is for $55 million. The request for the National Reinvestment Corporation, that's NeighborWorks, which does also counseling, that request was for $213 million, for a total of $268 million.

The other body, in the legislation that they put forward, with a much larger allocation than we had in our budget because of the position on what the discretionary expenditure limits would be on the House side, the other body gave 55, the President's request, but also gave 215 for the National Reinvestment Corporation's account, which put them on the other body's side account, to $2 million above.

In the wisdom of the chairman, on the House side, in our bill, we have $10 million less for the HUD Department's program, but $10 million more for the National Reinvestment Corporation's program. To my view, it doesn't make much difference there, but I will support the gentlewoman from California for her passion on this one.

I think it is certainly very clear that if the economy recovers, more Americans are going to be buying homes and that it is crucial that we have programs in place in both of those locuses that ensure that homeowners and new homeowners and people who are prospective homeowners do not repeat the same mistakes that led us into the financial crisis in the first place.

So I think it's a small difference, but I'm going to support the gentlewoman's amendment; and I hope the amendment will be adopted.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

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

Mrs. CAPPS. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 71, line 19, after the dollar amount, insert ''(reduced by $24,437,268)''.

Page 71, line 20, after the dollar amount, insert ''(reduced by $168,491)''.

Page 71, line 21, after the dollar amount, insert ''(reduced by $56,887)''.

Page 71, line 23, after the dollar amount, insert ''(reduced by $80,708)''.

Page 71, line 25, after the dollar amount, insert ''(reduced by $33,255)''.

Page 72, line 2, after the dollar amount, insert ''(reduced by $2,246,566)''.

Page 72, line 3, after the dollar amount, insert ''(reduced by $4,485,961)''.

Page 72, line 5, after the dollar amount, insert ''(reduced by $113,208)''.

Page 72, line 7, after the dollar amount, insert ''(reduced by $165,189)''.

Page 72, line 8, after the dollar amount, insert ''(reduced by $11,676,226)''.

Page 72, line 10, after the dollar amount, insert ''(reduced by $2,240,575)''.

Page 72, line 11, after the dollar amount, insert ''(reduced by $781,277)''.

Page 72, line 13, after the dollar amount, insert ''(reduced by $147,501)''.

Page 72, line 15, after the dollar amount, insert ''(reduced by $66,227)''.

Page 72, line 17, after the dollar amount, insert ''(reduced by $111,321)''.

Page 72, line 18, after the dollar amount, insert ''(reduced by $230,378)''.

Page 72, line 20, after the dollar amount, insert ''(reduced by $1,833,498)''.

Page 150, line 9, after the dollar amount, insert ''(increased by $24,437,268)''.

Mr. GOSAR (during the reading). Madam Chair, I ask unanimous consent that the reading of the amendment be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

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

Mr. GOSAR. Madam Chair, I rise today in support of my amendment to H.R. 5972, the Transportation, Housing and Urban Development and Related Agencies Appropriations Act for the Fiscal Year of 2013.

The purposes of my amendment are straightforward and simple. First, the amendment aims to hold one particular Federal agency accountable for its terrible mismanagement of resources, the Department of Housing and Urban Development, or HUD.

Second, the amendment saves over $24 million in taxpayer dollars during these trying economic times. I was perturbed to read that Appropriations Committee Report numbered 112–541 as it related to HUD's administrative operations and management. I will read an excerpt from page 71 here:

While the Committee appreciates the expanded Congressional Budget Justifications the Department submitted, the committee is appalled with the quality of the information the Department and administration provide throughout the year to explain and to justify their budget requests. HUD does not have adequate knowledge of the number of people

it takes to implement a program. Further, the information HUD provides is often wrong, contains mathematical errors, and calls into question HUD's entire Congressional Budget Justification and the Department's competence in managing its resources.

On the following page, the report goes on to show that HUD cannot account for much of its data regarding salary and benefit levels for its employees. HUD also violated the Anti-Deficiency Act multiple times in FY 2011, in which the Department hired more people than it had resources to pay.

Let me say that I do appreciate the committee's awareness of the situation and its desire to lower funding levels in this bill, as compared to last year's levels. But I believe that HUD's administrative, operations and management resources can and should be reduced to FY 2008 levels. This is a reasonable level of funding that allowed them to do their job during very troubling economic times. Unfortunately, we still live in such times; and that fact, combined with their negligence, means that they must operate with less. Business incompetence isn't an answer and cannot be rewarded within any budget.

For these reasons, I ask each Member of the House to support my amendment to the underlying bill. This is a win-win for the American taxpayer. You can cast a vote to hold government accountable and reduce the deficit, and you have the ability. Join me in supporting this commonsense amendment.

I yield back the balance of my time.

Mr. LATHAM. Madam Chair, I rise in opposition to the amendment.

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

Mr. LATHAM. I'm very pleased that you've read our comments about HUD and the management problems that they've had down there. Obviously, they've got a long way to go. They are making some real strides and improvement. We worked closely with the Secretary to try and have some management involved finally.

But this amendment arbitrarily cuts S&E budgets to the 2008 levels. Just so everybody knows, we have already reduced funding by over $14 million from last year in this account. We've met the budget resolution levels and cut overall in the bill almost $4 billion from last year's appropriated levels.

While, again, we really appreciate the concern over the debt, this is really an arbitrary way to budget, unfortunately, and negates the months of work the committee has done in determining proper levels as far as funding.

But, again, I would love to have you read, again, the committee's comments because it has been an extraordinary problem at the Department. Again, they are making progress, not fast enough for any of us, and we have already, in the bill, cut $14 million from last year.

So with that, Madam Chair, I would urge a ''no'' vote.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 1 OFFERED BY MR. NADLER

Mr. NADLER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 71, line 19, after the dollar amount insert ''(reduced by $2,000,000)''.

Page 72, line 20, after the dollar amount insert ''(reduced by $2,000,000)''

Page 88, line 23, after the dollar amount insert ''(increased by $2,000,000)''.

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

Mr. NADLER. Madam Chair, before I get to the substance of the amendment, I cannot allow the occasion to pass because it may be my last comment on the floor on this bill, and the occasion is that this is the last time this bill will be shepherded by the gentleman from Massachusetts (Mr. OLVER), who's the ranking member and former chairman of the subcommittee, and who's done a wonderful job and has been a help to all of us and a help on amendments like this. And I just wanted to say that I regret that he will not be shepherding next year's bill and in the future.

Mr. LATHAM. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman.

□ 2220

Mr. LATHAM. Due to the hour of the evening, we will accept the amendment. We don't need a lot of discussion. We want to get on with the series of votes, so we will gladly accept the amendment.

Mr. NADLER. Let me describe it in one sentence.

This amendment increases the HOPWA, which is the Housing Opportunities for Persons with AIDS, by $2 million. It offsets it with a harmless offset.

I appreciate the cooperation, and I yield back the balance of my time.

Madam Chair, HOPWA is a national safety net for people battling HIV/AIDS, providing housing support through competitive and formula grants to all fifty states, the District of Colombia, Puerto Rico and the Virgin Islands since 1992. At any given time, one-third to one-half of all Americans with HIV/AIDS are either homeless or in imminent danger of losing their homes. Research shows that stable housing leads to better health outcomes for those living with HIV. Inadequate or unstable housing is not only a barrier to effective treatment, but also puts people with HIV/AIDS at risk of premature death from exposure to other diseases, poor nutrition, stress, and lack of medical care. Housing interventions are critical in our continued fight against HIV/AIDS, and even modest investments in stable housing programs saves federal and state tax dollars.

It is because of the important and unique role HOPWA plays in battling AIDS that the program enjoys broad bipartisan support, and it's why I'm offering an amendment today that would restore $2 million to the program.

Unfortunately, this year's Transportation-HUD appropriations bill would fund the HOP WA program at $330 million—yet another cut to this successful program, this time in the amount of $2 million, and the third cut it's received in three years.

While the loss of another $2 million for HOPWA this year may seem small by federal budgeting standards, it is far from inconsequential. By restoring just $1 million to the HOPWA program, we can help provide stable, affordable housing for approximately 171 households grappling with HIV/AIDS. If you support my amendment, which would restore $2 million to the program and would maintain flat funding from FY12 to FY13, more than 340 households will have the guarantee of secure housing for another year.

Let me repeat that: my amendment only seeks to maintain FY12 funding levels. $332 million is far from what's needed to help every household eligible for the program, but for those 350 households it means everything.

To protect these households in need while adhering to House rules, my amendment is budget neutral reducing funding for the Chief Information Officer by $2 million. I support the work of the Chief Information Officer and believe that our constituents should know about, and can gain access to, the panoply of HUD-sponsors programs designed to help them and their families. But even after my amendment, the Chief Information Officer would still have almost $37 million to do its work. At a time when all families are struggling, those living with HIV/AIDS are particularly at risk. Nothing can be more important than keeping people in their homes and helping those struggling with disease to have a fighting chance. For me, the choice is simple, and I urge my colleagues to join me in supporting my amendment.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $206,500,000.

ANNOUNCEMENT BY THE ACTING CHAIR

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

An amendment by Mr. CONNOLLY of Virginia.

An amendment by Mr. MCCLINTOCK of California.

An amendment by Mr. GARRETT of New Jersey.

An amendment by Mrs. CAPPS of California.

An amendment by Mr. GOSAR of Arizona.

First amendment by Mr. BROUN of Georgia.

Second amendment by Mr. BROUN of Georgia.

Fourth amendment by Mr. BROUN of Georgia.

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

AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 222, not voting 35, as follows:

[Roll No. 416]

AYES—175

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

NOES—222

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

NOT VOTING—35

Ackerman
Akin
Bilirakis
Clarke (NY)
Conyers
Crowley
Cummings
Engel
Flores
Gingrey (GA)
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
McCarthy (NY)
Meeks
Myrick
Pelosi
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

□ 2246

Messrs. HUIZENGA of Michigan, BILBRAY, and ROSS of Florida changed their vote from ''aye'' to ''no.''

Ms. HERRERA BEUTLER and Mr. PLATTS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCCLINTOCK

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 164, noes 238, not voting 30, as follows:

[Roll No. 417]

AYES—164

Adams
Amash
Austria
Bachmann
Bachus
Barber
Barrow
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Camp
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Connolly (VA)
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Doggett
Dold
Dreier
Duncan (SC)
Duncan (TN)
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Green, Gene
Griffith (VA)
Grimm
Guinta
Hanna
Harris
Hastings (WA)
Hensarling
Herger
Himes
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
Latta
LoBiondo
Long
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Paul
Paulsen
Pence
Petri
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Renacci
Ribble
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Rush
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thornberry
Tiberi
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (IN)

NOES—238

Aderholt
Alexander
Altmire
Amodei
Andrews
Baca
Baldwin
Barletta
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Donnelly (IN)
Doyle
Duffy
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fattah
Filner
Fitzpatrick
Fortenberry
Fudge
Gallegly
Garamendi
Gibbs
Gibson
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Guthrie
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lynch
Maloney
Marino
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKeon
McKinley
McMorris Rodgers
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Tonko
Van Hollen
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Yarmuth
Young (FL)

NOT VOTING—30

Ackerman
Akin
Burgess
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2251

MR. CONNOLLY of Virginia changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 160, noes 243, not voting 29, as follows:

[Roll No. 418]

AYES—160

Adams
Alexander
Amash
Bachmann
Barletta
Barrow
Barton (TX)
Benishek
Biggert
Bilbray
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Costa
Cravaack
Denham
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Guinta
Guthrie
Hall
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
Latta
LoBiondo
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Renacci
Ribble
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Tiberi
Upton
Walberg
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—243

Aderholt
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Issa
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
Loebsack
Lowey
Lucas
Luján
Lynch
Maloney
Matsui
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McKeon
McNerney
Meehan
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Turner (OH)
Van Hollen
Visclosky
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Young (FL)

NOT VOTING—29

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2255

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. CAPPS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 184, noes 218, not voting 30, as follows:

[Roll No. 419]

AYES—184

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

NOES—218

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

NOT VOTING—30

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stearns
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2259

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Madam Chair, on rollcall No. 419, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GOSAR

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 179, noes 224, not voting 29, as follows:

[Roll No. 420]

AYES—179

Adams
Alexander
Amash
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Benishek
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Cardoza
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Costa
Culberson
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Hanna
Harper
Harris
Hartzler
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

NOES—224

Aderholt
Altmire
Amodei
Andrews
Baca
Baldwin
Barber
Barletta
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luján
Lynch
Maloney
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKeon
McKinley
McNerney
Meehan
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Turner (OH)
Van Hollen
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Womack
Yarmuth

NOT VOTING—29

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2303

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 173, noes 230, not voting 29, as follows:

[Roll No. 421]

AYES—173

Adams
Alexander
Amash
Bachmann
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Culberson
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hanna
Hartzler
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kline
Labrador
Lance
Landry
Lankford
Latta
LoBiondo
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Marino
Matheson
McClintock
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reichert
Renacci
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Rush
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Thornberry
Tiberi
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

NOES—230

Aderholt
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Barletta
Bass (CA)
Becerra
Berg
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Hahn
Hall
Hanabusa
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
Loebsack
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Turner (OH)
Van Hollen
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Womack
Yarmuth

NOT VOTING—29

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2307

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the second amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 188, noes 215, not voting 29, as follows:

[Roll No. 422]

AYES—188

Adams
Alexander
Amash
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Culberson
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
Latta
LoBiondo
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reichert
Renacci
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

NOES—215

Aderholt
Altmire
Amodei
Andrews
Austria
Baca
Baldwin
Barber
Barletta
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Hahn
Hanabusa
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
Loebsack
Lowey
Lucas
Luján
Lynch
Maloney
Matsui
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McKeon
McKinley
McNerney
Meehan
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Turner (OH)
Van Hollen
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Yarmuth

NOT VOTING—29

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2310

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 138, noes 265, not voting 29, as follows:

[Roll No. 423]

AYES—138

Adams
Amash
Bachmann
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burton (IN)
Campbell
Canseco
Chabot
Chaffetz
Coble
Conaway
Crawford
Culberson
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Foxx
Franks (AZ)
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Hall
Hanna
Hartzler
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kline
Labrador
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Miller (MI)
Mulvaney
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Palazzo
Paul
Paulsen
Pence
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Renacci
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Thornberry
Walberg
Walden
Walsh (IL)
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—265

Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Barletta
Bass (CA)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Burgess
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle

Dreier
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hanabusa
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Mica
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Turner (OH)
Upton
Van Hollen
Visclosky
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Young (FL)

NOT VOTING—29

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sánchez, Linda T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velázquez
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2315

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LATHAM. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEST) having assumed the chair, Mrs. ROBY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CLARKE of New York (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. LATHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 27, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6617. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Duane D. Thiessen, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6618. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John M. Bird, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6619. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral James W. Houck, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6620. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles B. Green, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6621. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Gary L. North, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

6622. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Dennis J. Hejlik, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6623. A letter from the Acting Under Secretary, Department of Defense, transmitting a report on Special Compensation for Members fo the Uniformed Services with Catastrophic Injuries or Illnesses Requiring Assistance in Everyday Living Fiscal Year 2012 Report to Congress; to the Committee on Armed Services.

6624. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-31, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6625. A letter from the Assistant Secretary, Department of Defense, transmitting a draft of proposed legislation; to the Committee on Foreign Affairs.

6626. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting determination related to Serbia under section 7072(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (Div. F, P.L. 112-74); to the Committee on Foreign Affairs.

6627. A letter from the Deputy Secretary, Department of Defense, transmitting the Department of Defense Inspector General Semiannual Report, October 1, 2011 — March 31, 2012; to the Committee on Oversight and Government Reform.

6628. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6629. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2012 Annual Performance Plan, in accordance with the Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

6630. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting the 2011 management report and statements on system of internal controls of the Federal Home Loan Bank of Atlanta; to the Committee on Oversight and Government Reform.

6631. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting the 2011 management report and statements on system of internal controls of the Federal Home Loan Bank of Cincinnati, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6632. A letter from the Acting Administrator, General Services Administration, transmitting the Administration's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6633. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6634. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6635. A letter from the Staff Director, Sentencing Commission, transmitting the Commission's report entitled, ''2011 Annual Report and Sourcebook of Federal Sentencing Statistics'', pursuant to 28 U.S.C. 997; to the Committee on the Judiciary.

6636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness