SENATE EXERCISING PETTY PARTISANSHIP ON UNEMPLOYMENT BENEFITS

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

Mr. McDERMOTT. Madam Speaker, exactly one month ago today the House cast aside partisanship to work together and overwhelmingly pass legislation to extend unemployment benefits, which are running out for an average of 7,000 Americans every day.

While my Republican colleagues in the House recognize that unemployment is an American issue that transcends politics, Senate Republicans are oblivious to the urgent need to pass legislation because people are hanging on by their fingernails. Instead, the Senate Republicans have a choke hold on legislation to extend unemployment insurance benefits, and Americans who need the help the House passed a month ago aren't going to get helped until Senate Republicans stop playing partisan games.

There are positive signs the economy has turned the corner, but the Senate Republicans know what everyone else knows, that unemployment always takes longer to recover. But they still have a choke hold on the bill, which is a choke hold on nurturing the economic recovery.

A caller to my office this morning put it best: There is one reason you may not be able to buy food for your family next week, and it is called the Senate Republicans. Maybe they are the ones who ought to be out of work.

Maybe then the Republicans in the Senate would understand what it means to look to Washington for leadership but see petty partisanship instead.

Release the choke hold and pass the bill to extend unemployment benefits. Thousands of Americans can wait no longer.

□ 0915

EXPRESSING CONCERN REGARDING THE EFFECT OF PROPOSED HEALTH CARE REFORM ON SMALL BUSINESSES

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

Mr. KLINE of Minnesota. Madam Speaker, I rise today to express my concern about the majority party's proposed government takeover of health care and its devastating consequences for small businesses across the Nation. Despite continued calls from me and my Republican colleagues for a bipartisan approach that expands access to affordable health care to all Americans, the majority party insists on engaging in closed door meetings that ignore the input of a significant proportion of Congress and the millions of constituents they represent.

Among the most damaging elements of their proposal is a punitive new tax on small businesses that cannot afford to provide the coverage the Federal Government decides is acceptable. My Republican colleagues on the Education and Labor Committee offered numerous amendments to protect the small businesses that drive our economy from these and other burdensome mandates that threaten their viability, but our attempts were rejected.

Madam Speaker, it is time to push the reset button on this flawed proposal. Members of all political persuasions need to start fresh and work in good faith to bring meaningful health care reform to our constituents and keep our small businesses thriving.

COAST GUARD AUTHORIZATION ACT OF 2010

The SPEAKER pro tempore (Ms. CHU). Pursuant to House Resolution 853 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3619.

□ 0915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3619) to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes, with Mr. PASTOR of Arizona (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, October 22, 2009, amendment No. 6 offered by the gentleman from Connecticut (Mr. HIMES) had been disposed of.

AMENDMENT NO. 7 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111–311.

Mr. FLAKE. I have an amendment at the desk designated No. 7.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. FLAKE:

Page 182, after line 14, insert the following:

(g) PROHIBITION ON EARMARKS.—None of the funds appropriated for the Fishing Safety Training Grants Program pursuant to section 4502(i) of title 46, United States Code, as amended by this section, may be used for a Congressional earmark as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 853, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment is straightforward and, I believe, noncontroversial. It should be familiar to those of us here. The underlying bill establishes a new competitive grant program called the Fishing Safety Training Grants program. This amendment would simply prevent the new grant program from being a vehicle for earmarking.

I try to offer this amendment as often as I can when new grant programs are established. The reason I do this is because, unfortunately, we have a history now of these grant programs being established and, even if the underlying legislation says that they are to be awarded on the basis of merit or on a competitive basis, then, oftentimes, a little down the road, many of these grant programs are earmarked, some of them, we have learned through sad experience, almost completely earmarked.

Competitive grant programs earmarked by Members of this body, we simply can't have that. Now, I question why the Federal Government is using taxpayer dollars to fund training for individuals who operate commercial fishing vessels. I think that that's something that commercial fishing organizations ought to do themselves. However, if we are going to do this, then we should at least ensure that these grants are awarded on a competitive basis and aren't earmarked.

And so I hope that this can be adopted. I should note that in the 110th Congress, this similar amendment was adopted to H.R. 2357, the Beach Protection Act. It was approved by a roll call vote of 263–117. And in the 111th Congress, this amendment was accepted on three separate occasions, each time by voice vote.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I rise to claim the time in opposition, though I do not intend to oppose the gentleman.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized.

There was no objection.

Mr. OBERSTAR. I want to compliment the House's own version of Survivor Man, not only on surviving on a desert island and doing so very skillfully and astutely. Most of the time when Members of our body wind up with a story in The Washington Post, it's for some misdeed or misappropriation of funds. This was a remarkable story of personal strength and courage that I suspect derives from the gentleman's own upbringing and mission abroad for the church, and for his ability to survive under difficult conditions.

He's also been a survivor on his campaign, Mr. Chairman, to limit earmarks. And this is one case in which our committee agrees with the gentleman. On Page 177, Lines 4 and 5, the bill reads: the Secretary shall award grants under this subsection on a competitive basis. But also, as the gentleman has pointed out, notwithstanding such language in other bills,

there have been deviations from the programmatic language, often by the other body, but also, on occasion, in this body.

We feel that these grants ought to be awarded competitively and, for that reason, very specifically wrote this language into the bill. I suspect that after the vigorous hearings that Chairman CUMMINGS has held over the past 2½ years, exposing failures of the Coast Guard contracting program, that this language will be honored and will be adhered to.

As to the reason for the training grants, this is the deadliest industry by a great many measures. In fact, there is a program on television on fishing entitled ''The Deadliest Catch,'' and it tracks those who put out to sea to earn their living in dangerous circumstances. The safety training grants will deal with those and other similar situations. So on the policy side, I simply want to defend the provision.

But I concur with the gentleman on his concern, and we will accept the amendment.

At this point, I would yield to the gentleman from Maryland, Chair of the subcommittee.

Mr. CUMMINGS. Thank you, Mr. OBERSTAR, for your comments. Thank you for yielding. I agree with you. We've already done basically what the gentleman wants done. And I just want to add something, Mr. OBERSTAR, and that is that this has been something that our subcommittee has—this fishing problem, and safety is something that we've taken extremely seriously. The Bureau of Labor Statistics names commercial fishing as the most hazardous occupation in the United States. For the 11-year period from 1994 through 2004, 641 fishermen and -women lost their lives on fishing vessels, and so we take it very seriously.

I also want to thank the gentleman for constantly making sure that we do what you're hoping that we would do. We did it. Congratulations. And so, therefore, I support the gentleman's amendment.

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

Mr. FLAKE. I thank the Chair, and I thank the chairmen of the committee and subcommittee for their vigilance here to make sure that these awards, these grants, are awarded out on a competitive basis. That's what we're seeking here. I'm glad that's going to happen.

For the record, I found no earmarks on Jabonwod, the island that I stayed on. It was an incredible experience. Thanks for mentioning it.

I yield to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. I'd like to rise in support of amendment, thank Mr. FLAKE, and say that the Republicans on the committee are supportive of the amendment.

Mr. FLAKE. I yield back the balance of my time.

Mr. OBERSTAR. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–311.

Mr. FLAKE. I have an amendment at the desk designated as No. 8.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. FLAKE:

Page 182, after line 14, insert the following:

(g) PROHIBITION ON EARMARKS.—None of the funds appropriated for the Fishing Safety Research Grant Program pursuant to section 4502(j) of title 46, United States Code, as amended by this section, may be used for a Congressional earmark as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 853, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment is identical. It simply deals with a separate grant program established by the underlying bill. This one would refer to the Fishing Safety Grant, the fishing Safety Research Grant program, whereas the last one was the Fishing Safety Training Grants program. So I believe the same arguments apply here.

And with that, if the gentleman will agree to accept the amendment again, then I'll be prepared to yield back the balance of my time. But for now, I'll reserve.

Mr. OBERSTAR. I rise to claim time in opposition, though I do not oppose the amendment

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized.

There was no objection.

Mr. OBERSTAR. The language of this provision is similar to the previous: to establish a Fishing Safety Research Grant program for academia, members of nonprofit organizations, businesses involved in fishing and maritime, to conduct research on methods of improving the safety of commercial fishing industry, vessel design, survival equipment.

The gentleman ought to be very concerned about survival equipment. He's a survivor himself. Vessel monitoring systems, de-icing technology and severe weather detection, the gentleman had none of those on the island. He didn't have any equipment to detect severe weather or absence of water. He didn't have a water finder; he had to create his own water using the sun. So he's the antithesis of this language.

But the issue is not the underlying policy. The issue really is competitive basis award of grants. I think the gentleman's language will reinforce the purpose of the committee.

Does the gentleman from Maryland wish to be heard?

Mr. CUMMINGS. Once again, I thank you, Mr. Chairman, for laying that out. And I thank the gentleman for his vigilance with regard to these types of issues. Similar to the previous amendment offered by Mr. FLAKE, which prohibits earmarking of the grants to be awarded under the Fishing and Safety Training Grant program, this amendment would prohibit earmarking of the grants authorized by H.R. 3619. The Fishing Safety Research grant is a complement of the Fishing Safety Training program. The research grant program would provide funding to individuals in academia, members of nonprofit organizations and businesses involved in fishing and other maritime matters and other persons with expertise in the fishing industry to support research to identify measures that will improve safety in this industry. And of course these would be bid on a competitive basis.

But the one thing I did want to say, and I know that the chairman of the committee will agree with me, I must give a lot of credit to Congressman BARNEY FRANK, who worked tirelessly on these issues. And I know I've had at least 10 to 12 conversations with him. I know he's met with the chairman, and I just wanted to make sure that we gave him credit because he has championed this like nobody I've ever known, and I just wanted to say that.

Mr. OBERSTAR. I thank the gentleman for pointing that out, that the gentleman from Massachusetts (Mr. FRANK) has been a vigorous advocate for his fishing community, which is largely a Portuguese immigrant community of long ancestry; and he really has been a strong advocate, along with Mr. YOUNG of Alaska.

I reserve the balance of my time.

Mr. FLAKE. I yield back the balance of my time.

Mr. OBERSTAR. I yield back the balance of my time.

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

The amendment was agreed to.

□ 0930

AMENDMENT NO. 9 OFFERED BY MRS. KIRKPATRICK OF ARIZONA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 111–311.

Mrs. KIRKPATRICK of Arizona. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mrs. KIRKPATRICK of Arizona:

Page 312, after line 22, add the following new section:

SEC. ___. STRATEGY REGARDING DRUG TRAFFICKING VESSELS.

Within 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of

the Coast Guard, shall develop a comprehensive strategy to combat the illicit flow of narcotics, weapons, bulk cash, and other contraband through the use of submersible and semi-submersible vessels. The strategy shall be developed in coordination with other Federal agencies engaged in detection, interdiction, or apprehension of such vessels. At a minimum, the strategy shall include the following:

(1) An assessment of the threats posed by submersible and semi-submersible vessels, including the number of such vessels that have been detected or interdicted.

(2) Information regarding the Federal personnel, technology and other resources available to detect and interdict such vessels.

(3) An explanation of the Coast Guard's plan, working with other Federal agencies as appropriate, to detect and interdict such vessels.

(4) An assessment of additional personnel, technology, or other resources necessary to address such vessels.

The Acting CHAIRMAN. Pursuant to House Resolution 853, the gentlewoman from Arizona (Mrs. KIRKPATRICK) and a Member opposed each will control 5 minutes.

Mrs. KIRKPATRICK of Arizona. Mr. Chairman, I offer this amendment today because, while I speak about securing our borders to stop the illegal crossings of drugs, weapons, and people, it is important to remember that our physical border is just one line of defense.

Our fight against the drug cartels—which operate the smuggling routes—actually begins in the jungles of South America. Much of the cocaine that enters the United States today originates in South America before working its way north. For years, the United States, Colombian, and Mexican governments have increasingly cracked down on the major smuggling routes.

As these paths have been squeezed, the cartels have found new and innovative ways to move their product. Recently, the traffickers have begun resorting to semi-submersibles, which are submarine-like boats that skim just below the surface of the water.

To further avoid detection, these boats incorporate advanced technology, including a design that reduces their ability to be detected by radar and utilizing water-cooled exhaust mufflers to reduce their heat signal. They can travel up to 3,000 miles without stopping for refueling, allowing crews to move cocaine from secret shipyards along the Colombian coast to safe harbors in Mexico where they join the land trafficking routes that take the drugs across the land border and into the United States.

With these advances, semi-submersibles are extremely difficult for authorities to track or even locate once they take to sea.

With an estimated 70 boats being deployed this year alone with the sustaining cargo capabilities of up to 10 tons, it is not surprising that over one-third of the cocaine reaching the United States is shipped this way. Even worse, these boats can just as easily be used to smuggle weapons or potential terrorists into the country.

Although the Coast Guard does an excellent job with the resources available to stop these vessels, the fact remains that it is a tough task, and only a small percentage of semi-submersibles are captured.

My amendment calls on the Coast Guard to establish a comprehensive strategy to combat the illegal flow of narcotics, weapons, bulk cash, and other contraband through the use of semi-submersible and submersible vessels.

Mr. OBERSTAR. Will the gentlewoman yield?

Mrs. KIRKPATRICK of Arizona. Yes, I'll yield.

Mr. OBERSTAR. Even as we discussed this amendment, the U.S. Coast Guard has interdicted a self-propelled semi-submersible vessel in the Eastern Pacific with a multi-ton load of narcotics on board. Smuggling using submersible and semi-submersibles have become a part of the increasingly sophisticated smuggling operation.

We accept the gentlewoman's amendment.

Mrs. KIRKPATRICK of Arizona. Thank you.

As part of this plan, the Coast Guard will address what additional resources they need to get the job done so we can make sure they get the help they need. Our fight against the cartels is constantly evolving, and we must continue to support those on the front line in adapting new strategies.

Therefore, I hope my colleagues will join me in supporting this amendment.

I reserve the balance of my time.

Mr. LOBIONDO. Mr. Chairman, I rise to claim time in opposition although I am not in opposition.

The Acting CHAIR. Without objection, the Chair recognizes the gentleman from New Jersey for 5 minutes.

There was no objection.

Mr. LOBIONDO. As the gentlelady stated and the chairman stated, this is something that the Coast Guard plays a critical role in their interdiction. We have dealt with the issue of submersibles and semi-submersibles to combat the growing drug threat. We need to give the Coast Guard the authority to do this.

We're happy to support the amendment.

I reserve the balance of my time.

Mrs. KIRKPATRICK of Arizona. I reserve the balance of my time.

Mr. CUMMINGS. Will the gentlelady yield?

Mrs. KIRKPATRICK of Arizona. Yes, I'll yield.

Mr. CUMMINGS. Thank you very much.

I'll be very brief, Mr. Chairman.

First of all, I want to congratulate Mrs. KIRKPATRICK for this outstanding amendment. As our ranking member said, this is something the committee has been addressing for a while. But what we now want to do is make sure that the efforts of the Coast Guard are most effective and efficient, and the study and looking into this is what this is all about. And I think this will allow us to accomplish a lot more with regard to the equipment that we have.

I've actually seen these submersibles many times. As a matter of fact, I was just in Colombia and Mexico and actually saw them and saw they had been used to get around the Coast Guard.

And I know for a fact that they welcome this amendment, and I want to thank you very much because basically what you've done, Mrs. KIRKPATRICK, is you've made a very good bill even better.

Mrs. KIRKPATRICK of Arizona. I yield back the balance of my time.

Mr. LOBIONDO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlelady from Arizona (Mrs. KIRKPATRICK).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. KRATOVIL

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 111–311.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. KRATOVIL:

Page 312, after line 22, add the following new section:

SEC. _____. REPORT ON THE EFFECT OF FACILITIES INFRASTRUCTURE ON MISSION FULFILLMENT.

(a) STUDY.—The Commandant of the Coast Guard shall conduct a national study on the facility infrastructure requirements needed to fulfill the Coast Guard's prescribed missions and capabilities, and ensure that the department in which the Coast Guard is operating maintains the ability to utilize the latest technologies.

(b) REPORT.—Within 180 days after the date of enactment of this Act, the Commandant shall submit a report on the results of the study conducted under subsection (a) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. The report shall include—

(1) an assessment of any current shortfalls in facility infrastructure, including the extent of the use of temporary trailers and an inventory of the number and type of new facilities needed to meet the Coast Guards's mission needs; and

(2) a plan for how the Commandant will develop the appropriate facility infrastructure, including timelines, budgets, and any additional legislative authority the Commandant determines is required to implement such plan.

The Acting CHAIR. Pursuant to House Resolution 853, the gentleman from Maryland (Mr. KRATOVIL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. KRATOVIL. Mr. Chairman, I rise in support of my amendment to H.R. 3619 because I believe it is our duty to ensure the Coast Guard has top-notch facilities and infrastructure in order to

effectively play its part in keeping America safe.

My amendment requires the Commandant of the Coast Guard to conduct a national study on the facility infrastructure requirements needed to fulfill the Coast Guard's prescribed mission and capabilities. This amendment is needed to assess the prevalence and effects of the Coast Guard operating out of temporary facilities and buildings.

In Maryland's First District, my district, as an example, the Coast Guard is operating out of a double-wide temporary trailer shared with NOAA operations in Oxford, Maryland. The Oxford Coast Guard does not own its own pier and must lease space from a commercial pier nearly 1 mile away from the temporary trailer. This temporary arrangement could be, obviously, affecting operations and mission capability.

My amendment requires a report to Congress that must include an assessment of any shortfalls in facility infrastructure, including the extent of the use of temporary trailers, an inventory of the number and type of new facilities needed to meet the service's mission, and a plan for how the Commandant of the Coast Guard will develop the appropriate facility infrastructure, including timelines, budgets, and additional legislative authority the Commandant determines is required to implement the plan.

Mr. Chairman, my amendment is a commonsense means towards ensuring those entrusted with protecting our coasts and shorelines are being given the right tools and facilities to do so effectively.

I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. LOBIONDO. Mr. Chairman, I claim time in opposition although I am not in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. LOBIONDO. Mr. Chairman, we have no objection to the gentleman's amendment. The Committee on Transportation and Infrastructure has repeatedly requested information on the condition and the need for additional Coast Guard shoreside facilities. The gentleman's amendment would require the service to submit a report detailing current shortfalls and future shoreside needs.

We congratulate the gentleman. We fully support the amendment.

I yield back the balance of my time.

Mr. OBERSTAR. Will the gentleman yield?

Mr. KRATOVIL. The gentleman will yield.

Mr. OBERSTAR. I compliment the gentleman on this amendment. As Mr. LOBIONDO said just a moment ago, there are serious needs, a $1 billion backlog in the Coast Guard's shore construction program, and the gentleman's amendment is right on point, and I commend him for offering it.

And if the gentleman would yield to the Chair of the subcommittee, I'd appreciate it.

Mr. KRATOVIL. I will yield.

Mr. CUMMINGS. I rise in very strong support of the amendment offered by my colleague from Maryland (Mr. KRATOVIL). This amendment will require the Coast Guard to develop a national inventory of its office buildings and other facilities to assess its facilities' shortfalls. However, we realize there is a service backlog, as the chairman just said, of $1 billion, a shore facility repair backlog, that is.

So basically what this will do is allow the Coast Guard to more effectively and efficiently address this backlog.

And again, this is a very thoughtful amendment. I want to congratulate the Congressman and sponsor for submitting it. And again, I strongly support it and would urge our colleagues to vote for it.

Mr. KRATOVIL. Mr. Chairman, I want to thank the chairmen of the committee and the subcommittee for their leadership. I appreciate and also thank the other side of the aisle for their support and urge my colleagues to support this amendment.

I yield back my time.

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

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

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

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

AMENDMENT NO. 11 OFFERED BY MR. NYE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 111–311.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. NYE:

Page 312, after line 22, insert the following new section:

SEC. ____. AUTHORITY OF THE COAST GUARD TO CARRY OUT ITS HOMELAND SECURITY MISSIONS.

The provisions of this Act that relate to the Coast Guard's marine safety mission shall not impair the authority of the Coast Guard to carry out its homeland security missions, including—

(1) protecting ports, waterways, and marine transportation systems in the United States from acts of terrorism;

(2) safeguarding the United States' international borders from maritime intrusions by aliens seeking unlawful entry into the United States, and from individuals who aim to traffic in illegal drugs, firearms, and weapons of mass destruction in the United States;

(3) maintaining defense readiness, as one of the armed forces, to rapidly mobilize and deploy defensive security personnel during a national emergency;

(4) coordinating efforts with Federal, State, and local intelligence agencies to deter, detect, and take action against acts of terrorism;

(5) preventing human smuggling operations at ports, on waterways, and throughout the marine transportation system; and

(6) enhancing stability in the United States in support of the national security strategy of the United States as referred to in section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

The Acting CHAIR. Pursuant to House Resolution 853, the gentleman from Virginia (Mr. NYE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. NYE. Mr. Chairman, today I rise to urge my colleagues to support a commonsense, yet necessary, amendment which will make clear the Coast Guard's critical role in the homeland security of America.

The Coast Guard security mission is not new. Since 1790, the Coast Guard has served as America's principal law-of-the-sea entity with a maritime responsibility of 6 million square miles. However, today the Coast Guard must manage multiple security responsibilities as it faces the extremely difficult challenge of enforcing increasingly complex laws against highly sophisticated adversaries.

Since 9/11, the U.S. has expanded dramatically its port security activities to the more than 300 U.S. ports and millions of Americans who live, work, or recreate near them. This is especially important to my constituents in Hampton Roads. I represent one of the largest ports in the United States, the Port of Virginia. The Port of Virginia is the deepest, newest, and biggest port on the east coast, capable of handling ships loaded 26 containers across.

Last month alone, Virginia's Norfolk International Terminal processed 89,359 container units. With the expanded reopening of the Panama Canal in 2014, the port will only grow, and it will be the mission of the Coast Guard to ensure the safety of all of those affected by its commerce.

The purpose of this amendment is simple. The Coast Guard is a multiple-mission armed force that must have uninhibited freedom to flex its military and security powers and respond to numerous concerns and threats in the maritime domain. This amendment makes clear that this is the most important mission of the Coast Guard, and nothing shall hinder that responsibility.

It is important to note that this amendment does not create new authorizations. It simply makes clear the continued importance of protecting our waterways and ports, maintaining defense readiness and coastal security, and securing our borders against aliens seeking to unlawfully enter the United States.

Americans deserve to know that they will continue to be safe from maritime threats. This amendment does just that by clarifying the Coast Guard's homeland security missions.

I commend to all of my colleagues this commonsense amendment, and I urge its support.

With that, I reserve the balance of my time.

Mr. LOBIONDO. Mr. Chairman, we accept the gentleman's amendment.

Mr. CUMMINGS. Will the gentleman yield?

Mr. NYE. I will yield.

Mr. CUMMINGS. I want to thank the gentleman for yielding.

Mr. Chairman, I rise to support the amendment offered by the gentleman from Virginia (Mr. NYE). It's an outstanding amendment. This amendment states that none of the provisions relating to marine safety included in H.R. 3619 would impair the authority of the Coast Guard to carry out its homeland security missions.

I support the amendment and its intention, and I urge its adoption.

That said, the Transportation Committee and the Coast Guard Subcommittee have examined the Coast Guard's performance of its marine safety mission in great detail and have significant concerns that the service has assigned inexperienced and unqualified individuals to conduct casualty investigations, vessel inspections, and other marine-safety functions.

The shortcomings in the program have been well documented by the Homeland Security's inspector general, by retired Coast Guard Vice Admiral James C. Card, and by the committee's own examination of the Cosco Busan allision in San Francisco. And so certainly the provisions of this amendment will be extremely helpful in helping us again help the Coast Guard be most effective and efficient in its efforts, and it can only improve the bill and improve an already great organization, the United States Coast Guard, our thin blue line at sea.

Mr. OBERSTAR. Mr. Chair, I support the amendment offered by the gentleman from Virginia (Mr. NYE) for the following reasons:

The amendment specifies that the marine safety provisions in H.R. 3619 shall not impair the authority of the Coast Guard to carry out its homeland security missions.

The Coast Guard constantly monitors maritime transit zones and the Service's law enforcement authority enables it to apprehend foreign fishing vessels engaged in poaching and interdict vessels carrying illegal drugs, firearms and undocumented migrants.

The Committee has held several hearings regarding the Coast Guard's marine safety program over the past three years. Commandant Thad Allen was very concerned about the condition of the marine safety program, so he asked retired Admiral Jim Card to conduct a thorough analysis of the program. Admiral Card confirmed all of the problems that had been raised by industry and mariners during these hearings. H.R. 3619 addresses these programmatic shortfalls in the marine safety program.

The Coast Guard is a multi-mission agency and it is important that it carries out all of its missions in an effective manner—from marine safety and search and rescue, to homeland security.

Therefore, I support the gentleman's amendment that clarifies that nothing in the marine safety portions of H.R. 3619 will affect the Coast Guard's legal authority to execute its homeland security mission.

I urge my colleagues to join me in supporting this amendment.

□ 0945

Mr. NYE. I thank the chairmen of the committee and the subcommittee for their support, and I yield back the balance my time.

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

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. OBERSTAR

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 111–311.

Mr. OBERSTAR. I rise as the designee of Mr. STUPAK to offer the amendment on his behalf.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. OBERSTAR:

At the end of title 11, add the following new section:

SEC. ____. The Commandant of the Coast Guard shall conduct a study and analysis of the feasibility of the restoring the Fresnel Lens in the Presque Isle Light House in Presque Isle, Michigan to operating condition to meet the safety needs of commerce and submit within 180 days the report to the Transportation & Infrastructure Committee after the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 853, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, the Presque Isle Lighthouse at Presque Isle Township on the Upper Peninsula of Michigan is very important, has served a very important navigational purpose over many, many years on those stormy waters of Lake Superior. Those are treacherous waters. Unlike the ocean where waves have a long distance, hundreds of miles to play themselves out, the waters of the Great Lakes, and particularly of Lake Superior, even with a surface of 33,000 square miles, are short and choppy and harsh and brutal in the coming months of November, December, January, February.

The Presque Isle Lighthouse has saved many a mariner. It continues to operate, but its light has been replaced by one of more modern quality and capability with much greater candle power, much greater visibility, and longer distance than the Fresnel lens that the Coast Guard has used for probably 150 years; not only the Coast Guard, but other marine navigation services. Fresnel lenses are treasured historical pieces, but they are not navigational pieces any longer.

The gentleman's amendment would require the Coast Guard to do a study of the feasibility of reinstalling the Fresnel lens in the lighthouse in a condition so that it can provide safe navigation to commercial vessels on Lake Huron or at the juncture point of the upper waters and also serve as a supplement to the existing light.

I support the gentleman's amendment.

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

Mr. LOBIONDO. We are happy to support the gentleman's amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. OBERSTAR

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 111–311.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. LOBIONDO:

Page 312, after line 22, add the following new section:

SEC. ____. USE OF FORCE AGAINST PIRACY.

(a) IN GENERAL.—Notwithstanding title X of this Act, chapter 81 of title 46, United States Code, is amended by adding at the end the following new section:

"§ 8107. Use of force against piracy

''(a) LIMITATION ON LIABILITY.—An owner, operator, time charterer, master, or mariner who uses force, or authorizes the use of force, to defend a vessel of the United States against an act of piracy shall not be liable for any injury or death caused by such force to any person participating in the act of piracy.

''(b) PROMOTION OF COORDINATED ACTION.—To carry out the purpose of this section, the Secretary of the department in which the Coast Guard is operating shall work through the International Maritime Organization to establish agreements to promote coordinated action among flag-and port-states to deter, protect against, and rapidly respond to acts of piracy against the vessels of, and in the waters under the jurisdiction of, those nations, and to ensure limitations on liability similar to those established by subsection (a).''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following new item:

''8107. Use of force against piracy''.

The Acting CHAIR. Pursuant to House Resolution 853, the gentleman from New Jersey (Mr. LOBIONDO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Chairman, earlier this year, pirates attacked two American-flag vessels transiting waters off the Horn of Africa. If it were not for the heroic actions of our Special Forces, the bravery

of the captain and the crew of these vessels, a terrible tragedy would have been at hand. Just yesterday we got reports that a Panamanian-flagged vessel had been seized by pirates with hostages being taken. We cannot allow this to continue.

Knowing this would be an ongoing problem, the bill, as it was reported from the Transportation and Infrastructure Committee, included a very carefully worked out bipartisan agreement that we worked with Mr. OBERSTAR, Mr. CUMMINGS, Mr. MICA, and myself that would shield U.S. merchant mariners, ship owners, operators, and captains from liabilities in U.S. courts following any action taken to defend a U.S.-flagged vessel, for instance, taken to defend the United States of America against a pirate attack.

Unfortunately, the Judiciary Committee objected and requested Chairman OBERSTAR add language to his recently adopted manager's amendment that appears to be an entanglement for getting the right thing done. The way the Judiciary Committee has worded this in the manager's amendment, a crewmember would be forced to go through a checklist in his mind or her mind of what legal entanglements could occur because of this.

The language in the manager's amendment only grants relief liability to the crew owner, meaning the vessel owners or operators and captains would still be sued. They would not be held without harm. They would have monetary damages, possibly.

Our amendment restores this bipartisan agreement. It's a commonsense agreement, something that the people on the committee worked out. It makes no sense in the heat of an attack, when you have got pirates coming at a U.S.-flagged vessel with automatic machine gunfire, with rocket-propelled grenades, or whatever else may happen, to suggest that a crewmember is going to be able to take the time to check through what is substantially or in excess or whatever the case is. We need to protect American interests.

Under our amendment, an American crewmember would only need to prove that the person attacking the vessel was a pirate in order to receive liability relief.

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

Mr. SCOTT of Virginia. Mr. Chairman, I claim the time in opposition.

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

Mr. SCOTT of Virginia. Mr. Chairman, I fully share the desire of the sponsor of the amendment to effectively combat piracy on the high seas, but I hope this amendment will not be adopted.

As he has pointed out, the manager's amendment does address this issue and does so consistently with well-established, long-observed legal traditions which go back to the ancient civilizations of Rome and Babylon. The language in the bill, now with the manager's amendment, incorporated language of the Transportation and Infrastructure and the Judiciary Committee in place of what was in the introduced bill.

Now this amendment, unfortunately, goes too far. It grants absolute immunity within the United States on our lakes and rivers to violence against our own citizens. Now, the difference in the two provision, one carefully crafted by the Judiciary Committee and now the one being offered on the floor, is not about enabling ship's crews to respond to piracy. Both do that fine. The difference is that this amendment would eliminate all legal restraints. There will be no legal accountability, not even under criminal law. When they say no liability, the way the bill is drafted, it would be you could commit crimes against people and still be exempt.

Now, I can't imagine that the sponsor actually meant to do this. I think he is talking about civil liability. But when he says—the language in the bill, with the manager's amendment, says that you are totally immune unless you knew what you were doing was substantially in excess of what was necessary.

The language in the amendment, however, is not even limited to a civil liability. It's not even limited to during the attack. It could be after the attack when no one is under any danger, and there is no limit on what crimes can be committed at that point.

I would hope, whether this amendment is adopted or not, if there are still concerns about the amendment, that we would work together cooperatively as we go forward to make sure that we give the crewmembers all of the flexibility they need in these situations without going too far and allowing crime and torture and everything else under criminal law.

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

Mr. LOBIONDO. Mr. Chairman, I yield such time as he may consume to the ranking member of the committee, Mr. MICA.

Mr. MICA. Mr. Chairman, while I know the Judiciary Committee may be well-intended—the Judiciary Committee has the responsibility to make certain and ensure that citizens' rights are protected—we are not talking about any act that is committed within waters of the United States. In fact, there are laws and definitions that rule enforcement and legal proceedings. We are talking about an act of piracy on the high seas.

We are talking about the way the Judiciary Committee has constructed this language that we now have a piracy or a pirate protection provision in the bill that we worked so hard on in a bipartisan manner to make certain that we give every tool possible to those who man our vessels, American-flagged vessels on the high seas, to take on pirates with whatever force they need. We don't need to have a test and read them their Miranda rights and a whole host of normal, civil procedures.

What we need to do is give those who are being attacked, when we see murder and mayhem on the high seas, give them the tools to respond adequately. Just like a citizen would defend their own home or their own property, we have American-flagged vessels that deserve the protection of the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

I urge its adoption.

Mr. SCOTT of Virginia. Mr. Chairman, I would like to pose a couple of questions to the sponsor of the amendment, if he would respond.

My first question would be whether it's his intent, because the language under the amendment does not limit it to the high seas, is it your intent to limit this application to high seas?

I yield to the gentleman.

Mr. LOBIONDO. Well, under title 18, an act of piracy is defined as happening on the high seas. The intention is to defend against an act of piracy and, as defined by law, it has to be on the high seas.

Mr. SCOTT of Virginia. Reclaiming my time, I would ask another question, Mr. Chairman.

Is it your intent to limit this to the application of civil law and not criminal law? Would you exempt owners and operators from criminal acts?

Mr. LOBIONDO. Yes.

Mr. SCOTT of Virginia. Yes, you do exempt them from criminal acts?

Mr. LOBIONDO. For civil.

Mr. SCOTT of Virginia. Just civil.

Mr. LOBIONDO. Just civil.

Mr. SCOTT of Virginia. Reclaiming my time, Mr. Chairman, I think the wording, as it is, says that an owner-operator who uses force or authorized the use of force to defend a vessel of the United States against an act of piracy shall not be liable for any injury or death caused by such force.

That does not limit it, in its present version, to civil. It would actually exempt him from any liability, that would include criminal. I would hope that the gentleman, whatever happens to the amendment, would work cooperatively so that we would limit it to the intent as he has articulated today.

Mr. LOBIONDO. We certainly would be happy to work with you to make sure that we are in synchronization with what we are all understanding.

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

Mr. LOBIONDO. Just to close, again, the manager's amendment, the crewmember of the vessel would have to prove in court that he knew at the time, she knew at the time, that the defensive actions were not substantially in excess of what is reasonable. That's not what's going to happen if a piracy attack occurs.

I don't think any Members are going to even want to be close to voting for a piracy protection provision in line with what's going on. What does substantially in excess of reasonable mean? A crewmember is going to have to think through this checklist as a pirate attack is happening?

That's not what we have in mind. I don't think it's the right way to go. I would urge all of our Members to vote in favor of this amendment to make sure that U.S. interests are protected.

Mr. Chairman, 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. LOBIONDO).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on the amendment printed in House Report 111–311 on which further proceedings were postponed:

Amendment No. 10 by Mr. KRATOVIL of Maryland.

AMENDMENT NO. 10 OFFERED BY MR. KRATOVIL

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 398, noes 0, not voting 40, as follows:

[Roll No. 812]

AYES—398

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Camp
Campbell
Cantor
Cao
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hirono
Hodes
Hoekstra
Holden
Holt
Hoyer
Hunter
Inglis
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—40

Abercrombie
Baca
Barrett (SC)
Bean
Biggert
Bishop (GA)
Bishop (UT)
Braley (IA)
Buyer
Calvert
Capuano
Cardoza
Culberson
Davis (AL)
Davis (TN)
Dreier
Engel
Faleomavaega
Forbes
Gohmert
Higgins
Hinojosa
Honda
Inslee
Jones
Lofgren, Zoe
Maffei
Maloney
McCaul
Melancon
Nadler (NY)
Price (NC)
Richardson
Rogers (MI)
Rush
Thornberry
Walden
Wamp
Wexler
Young (AK)

□ 1040

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. ROGERS of Michigan. Mr. Chairman, on rollcall No. 812 I was not able to vote on the House floor on the amendment to H.R. 3619, the Coast Guard Authorization Act offered by Representative KRATOVIL due to a family matter. Had I been present, I would have voted "yea."

Mr. CALVERT. Mr. Chairman, on rollcall No. 812 the amendment offered by Representative KRATOVIL from Maryland, which requires the USCG to conduct a study on the facility infrastructure requirements needed to fulfill the Coast Guard's missions and capabilities and report the findings within 180 days. Had I been present, I would have voted "aye."

The Acting CHAIR. No further amendments being in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. PASTOR of Arizona, 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. 3619) to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes, pursuant to House Resolution 853, he reported the bill, as amended pursuant to that resolution, back to the House with sundry further amendments adopted by the Committee of the Whole.

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

Pursuant to House Resolution 853, the question on adoption of the further amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

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

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

The SPEAKER pro tempore. The question is on passage of the bill.

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

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 385, nays 11, not voting 36, as follows:

[Roll No. 813]

YEAS—385

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Brady (PA)
Brady (TX)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Camp
Campbell
Cantor
Cao
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—11

Broun (GA)
Courtney
Flake
Franks (AZ)
King (IA)
Paul
Royce
Ryan (WI)
Sensenbrenner
Shadegg
Tiahrt

NOT VOTING—36

Abercrombie
Baca
Barrett (SC)
Bean
Biggert
Bishop (GA)
Bishop (UT)
Boyd
Braley (IA)
Buyer
Calvert
Capuano
Cardoza
Culberson
Davis (AL)
Davis (TN)
Dreier
Forbes
Gohmert
Higgins
Hinojosa
Inslee
Jones
Lofgren, Zoe
Maffei
Maloney
McCaul
Melancon
Richardson
Rogers (MI)
Rush
Thornberry
Walden
Wamp
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute is left in the vote.

□ 1057

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROGERS of Michigan. Mr. Speaker, on rollcall No. 813 I was not able to vote on the House floor on the passage of H.R. 3619, the Coast Guard Authorization Act due to a family matter. Had I been present, I would have voted "aye."

Mr. CALVERT. Mr. Speaker, on rollcall No. 813, final passage of the Fiscal Year 2010 U.S. Coast Guard Authorization Act, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. CARDOZA. Mr. Speaker, I was unable to be present for several votes taken on the House floor today, Friday, October 23, 2009, due to illness. As a result, I missed rollcall votes Nos. 812 and 813.

Had I been present: On rollcall vote No. 812 I would have voted "aye" and on rollcall vote No. 813 I would have voted "yea."

PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Mr. Speaker, I missed votes on Friday, October 23, 2009. If I were present, I would have voted: "aye" on rollcall 812, On Agreeing to the Kratovil of Maryland Amendment to H.R. 3619 and "yea" on rollcall 813, On Final Passage of H.R. 3619, the Coast Guard Authorization Act of 2010.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3619, COAST GUARD AUTHORIZATION ACT OF 2010

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 3619, to include corrections in spelling, punctuation, section numbering, cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

□ 1100

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, at this time, I'd like to yield to my friend, the gentleman from Maryland (Mr. HOYER) the majority leader, for the purposes of finding out about next week's schedule. And I yield.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, on Monday the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business with votes postponed until 6:30 p.m. On Tuesday the House will meet at 10:30 A.M. for morning-hour debate and noon for legislative business. On Wednesday and Thursday the House will meet at 10 a.m. for legislative business, and on Friday the House will meet at 9 a.m.

We'll consider several bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business today. In addition, Mr. Speaker, we will consider H.R. 3854, the Small Business Financing and Investment Act of 2009. We also will consider the conference report, H.R. 2996, on the Department of the Interior, Environment and Related Agencies Appropriations Act, and also a House joint resolution making further appropriations for fiscal year 2010, and for other purposes, otherwise known as a CR. The CR, as the gentleman from Virginia knows, will run out on the 31st of this month.

I yield back.

Mr. CANTOR. I thank the gentleman. Mr. Speaker, I'd like to ask the gentleman about some reports that we've been hearing about other bills that could perhaps come to the floor next week, and I wonder if he could add