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NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011—Continued

Mr. MCKEON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, let me read again, in case I inadequately expressed it before. This is the letter from Secretary Gates that he told Chairman SKELTON two days ago that he still stands by strongly:

Therefore, I strongly oppose any legislation that seeks to change this policy prior to the completion of this vital assessment process.

This is a process that was set in place when the President made his comments at the State of the Union that he wanted the Don't Ask, Don't Tell policy repealed before the end of the year. The Secretary took him at his word and set up a process. The process would go out to all of the military and their spouses and give them a chance to respond. The military would then have a chance to go over that and give their best military advice to the President and to the Congress as to how we should move forward at that time. That report is due by the first of December.

Mr. ANDREWS. Mr. Chairman, I am pleased to yield the balance of my time to the gentleman from California (Mr. GARAMENDI), who has had some important personal experience with the issue contained in the Murphy amendment.

Mr. GARAMENDI. I thank my colleague from New Jersey for yielding.

I was elected in a special election last November. One of my opponents was an extraordinary young man, an African American. Raised in Fairfield, California, he went to West Point. Very successful, he served in Iraq two tours and came out a captain. He took his team there twice. On both those tours, all of them were in very dangerous circumstances.

He came home. He came back to America and could no longer tolerate the Don't Ask, Don't Tell policy. He came out of the closet. An extraordinary loss. Fortunately, I had another idea about who might be the next Congressman. But this man could have been a general leading the entire Army, an extraordinary person.

We lost that talent because of this policy, and it is time for this policy to end. If only the President had the power that Truman did when he said, enough already, we are going to integrate the Army.

We need to complete that integration. The Murphy amendment is absolutely essential.

I yield back the balance of my time.

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

Mr. Chairman, I know we have differences of opinion on this, and we all have stories, as we just heard from my good friend Mr. GARAMENDI from my home State. We have stories on both sides of the issue. The problem is, those are one person here, one person here. Maybe we talk to 10. Maybe we talk to 20. But we have 2.5 million people serving, and all of them should have a chance to have input. That is what they were promised. That is what they were told. Now we are short-circuiting that process.

So all I am saying is we should respect all of the people and their families that are serving now in the armed services and follow through with the things we said.

When I talked the other day to Admiral Roughead, the Chief of Naval Operations, his concern was that if we take action now with the vote on this Murphy amendment tonight which repeals Don't Ask, Don't Tell, he said it is going to cause confusion in the force, because we just hired this company to go out and do the survey, to follow through on this process that has been started. They are going to be going out into the field asking questions.

What he said is, this is going to cause confusion, because as one of the other Chiefs said, the headline, once this passes, if it passes, will be ''Don't Ask, Don't Tell is repealed.'' So when the survey goes out into the field, when they put together focus groups and the surveys and all the things they are doing in response to this process that has been started, it is moot.

The Acting CHAIR. The gentleman's time has expired.

The gentleman from New Jersey has 15 seconds remaining.

Mr. ANDREWS. I yield the balance of my time to my friend from California (Mr. GARAMENDI).

Mr. GARAMENDI. I am sure the admiral is able to read the amendment and would understand it doesn't go into effect until the command structure, including the President of the United States, says it is okay and the review has been completed.

Mr. PLATTS. Mr. Chair, I rise in support of this important amendment and I thank my friend from New Jersey, BILL PASCRELL, for allowing me to work with him on this issue. The Department of Defense and the RAND Corporation have recently estimated that 20 percent of our military personnel who have served in Iraq or Afghanistan have suffered a Traumatic Brain Injury (TBI).

Because symptoms of TBI often go unnoticed, at least initially, it is difficult to know exactly how many troops are living with this disability. If not diagnosed early on, TBIs can lead to memory loss, severe headache disorders, and alcohol and drug abuse.

Neurocognitive assessment has been proven to be an effective tool in detecting and measuring the severity of TBI. This is why the fiscal year 2008 National Defense Authorization required the Department of Defense to screen ALL military personnel for TBI both before and after deployment. Post-deployment screenings are to be compared with pre-deployment (or baseline) assessments to determine whether or not the servicemember is suffering from a TBI.

Unfortunately, too many of our men and women returning from the wars in Iraq and Afghanistan are still not being screened for TBI.

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Servicemembers that have been screened post-deployment are currently given a self-assessment checklist, in which the results are not even comparable to their pre-deployment neurocognitive screenings. Not to mention that because the checklist is self-administered, the results are typically inaccurate since these troops either do not realize or do not want to admit that they are living with a TBI.

I am pleased that this year's Defense Authorization includes language requiring the Department of Defense to implement a comprehensive screening and assessment policy by the end of 2011. However, until this policy is fully implemented, thousands of our men and women in uniform are returning from combat without the necessary screenings to ensure that they receive proper treatment.

This amendment, which I am proud to have introduced with Congressmen PASCRELL, ANDREWS, COLE, ORTIZ, COFFMAN and JOE WILSON, will ensure that until the Department of Defense has put in place a comprehensive screening policy, all of our military personnel will receive neurocognitive assessments both before and after deployment. The amendment requires that the same neurocognitive tool used for pre-deployment assessment also be used for post-deployment evaluation. Using the same test allows physicians to compare the baseline screening with the post-deployment results to determine whether a TBI does in fact exist. The current system of using different tools for pre- and post-deployment screenings is like comparing apples to oranges. It is essential that our men and women who put themselves in harm's way to protect us every day receive immediate and appropriate care.

There are currently a number of neurocognitive tools available for the Department of Defense to use for screenings. Several of the branches have initiated comparative studies assessing the effectiveness of the various tools, however, most have yet to be completed. The amendment also requires the Department of Defense to oversee the completion of all outstanding studies and conduct an analysis of the options available.

Though TBIs are difficult to detect because no one symptom exists, it is imperative that the Department of Defense take every possible measure to diagnose and treat our troops effected by TBI. This is why I strongly support this amendment and I encourage all of my colleagues to do the same.

Mr. HARE. Mr. Chair, I'd like to begin by thanking my friend Chairman SKELTON, for his unwavering commitment to our Nation's defense and the warfighter.

Mr. Chair, I rise in strong support of my amendment included in En Bloc package 3.

Mr. Chair, my amendment simply asks the Army Secretary to report to Congress with the details of the Heirloom Chest policy, plans to continue the program and a cost estimate of expanding it.

The Heirloom Chest is presented by the Army to families in memory of soldiers who have fallen in the defense of our Nation. Under the Army's policy, in the case of separated, divorced, or unmarried parents, the chest is given to only one surviving parent.

While I applaud the Army's efforts to support surviving families, I believe this policy ignores the loss that both parents share and has also unintentionally put added strain on bereaving parents.

Mr. Chair, the intent of my amendment is to ensure the sacrifice of both surviving parents is properly recognized. Families of the fallen have made the ultimate sacrifice, and it is our duty to honor the sacrifice of all survivors.

I urge my colleagues to support this en bloc amendment and the underlying bill.

The Acting CHAIR. All time has expired.

The question is on the amendments en bloc offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendments en bloc were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, pursuant to House Resolution 1404, I offer amendments en bloc No. 4, including modifications to amendment No. 18.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 offered by Mr. SKELTON consisting of amendments numbered 12; 17; 18, as modified; 25; 28; 35; 37; and 44 printed in House Report 111–498:

AMENDMENT NO. 12 OFFERED BY MR. OWENS OF NEW YORK

The text of the amendment is as follows:

Page 27, line 3, strike ''and''.

Page 27, line 8, strike the period and insert ''; and''.

Page 27, after line 8, insert the following:

(5) for each item included in the list of equipment described in paragraph (3)—

(A) an updated average procurement unit cost for each year of the covered five-year period; and

(B) the updated total Army acquisition objective.

AMENDMENT NO. 17 OFFERED BY MR. POLIS OF COLORADO

The text of the amendment is as follows:

At the end of subtitle B of title III, add the following new section:

SEC. 3_. EXCEPTION TO ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended—

(1) by striking ''No Federal agency'' and inserting ''(a) REQUIREMENT.—Except as provided in subsection (b), no Federal agency''; and

(2) by adding at the end the following:

''(b) EXCEPTION.—Subsection (a) does not prohibit a Federal agency from entering into a contract to purchase a generally available fuel that is not an alternative or synthetic fuel or predominantly produced from a nonconventional petroleum source, if—

''(1) the contract does not specifically require the contractor to provide an alternative or synthetic fuel or fuel from a nonconventional petroleum source;

''(2) the purpose of the contract is not to obtain an alternative or synthetic fuel or fuel from a nonconventional petroleum source; and

''(3) the contract does not provide incentives for a refinery upgrade or expansion to allow a refinery to use or increase its use of fuel from a nonconventional petroleum source.''.

AMENDMENT NO. 18 OFFERED BY MR. DINGELL OF MICHIGAN

The text of the amendment is as follows:

Page 84, after line 24, insert the following:

SEC. 315. INFORMATION SHARING RELATING TO INVESTIGATION OF EXPOSURE TO DRINKING WATER CONTAMINATION AT CAMP LEJEUNE, NORTH CAROLINA.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of the Navy and Commandant of the Marine Corps are responsible for the identification and timely sharing of all relevant records relating to the Camp Lejeune base-wide drinking-water systems, including all records of which the Agency for Toxic Substances and Disease Registry (hereinafter in this section referred to as the ''ATSDR'') may not be aware and all records that are in the possession of the Department of Defense, and all contractors, sub-contractors, and consultants of the Department but may no longer be located at the Camp Lejeune base.

(2) On April 28, 2009, during a Camp Lejeune Community Assistance Panel (hereinafter in this section referred to as ''CAP'') meeting, it was stated by the ATSDR that it had recently discovered electronic data on a ''hundred or more underground storage and above-ground storage tanks'' housed on a Naval Facilities Engineering Command Internet web portal.

(3) This revelation occurred after the ATSDR requested in 2005 that all relevant data for its health studies be turned over from the Department of Defense to the agency, and the response by the Department's CAP representative was that the information was ''not new, just newly found.''

(4) On March 22, 2010, the ATSDR stated in a letter to the Navy and Marine Corps that the ATSDR was informed for the first time of an electronic database containing approximately 700,000 records of analytical data.

(5) In a response letter, dated March 26, 2010, the Navy stated that ''the Marine Corps is neither in a position to determine the relevance of information nor does it have the subject matter expertise to determine the relevance of documents in all cases.''.

(6) It is necessary that the Secretary of the Navy be required to add or assign personnel with the relevant expertise to complete the transfer of all documents and materials pertaining to the contaminated drinking water at Camp Lejeune.

(7) Discovery of such records must not rely on specific requests from the ATSDR but on a shared goal of ensuring the scientific accuracy of the current health study and the responsibility of the Secretary of Defense to provide such information.

(b) REQUIREMENT.—By not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide ATSDR with an electronic inventory of all existing documents, records, and electronic data pertaining to the CERCLA listed and RCRA listed contamination sites at Camp Lejeune and all existing documents, records, and electronic data pertaining to the contaminated drinking water at Camp Lejeune. If after the date of enactment of this Act, the Secretary of Defense generates new documents, records and electronic data, or comes into possession of existing documents, records or electronic data not previously included in the electronic inventory, the Secretary of the Navy shall provide ATSDR with an updated electronic inventory incorporating the newly located or generated documents, records and electronic data. The Secretary of the Navy shall ensure that Department of Defense personnel with appropriate experience and expertise, including in the area of environmental engineering and the conduct of water modeling, working in conjunction with ATSDR, are utilized to identify, compile, and submit existing and new documents, records, and electronic data

in Navy and Marine Corps records and electronic libraries that would assist the ATSDR in gathering data relating to the contamination and remediation of Camp Lejeune basewide drinking-water systems.

AMENDMENT NO. 25 OFFERED BY MS. JACKSON LEE OF TEXAS

The text of the amendment is as follows:

Page 284, after line 22, insert the following:

SEC. 727. POST-TRAUMATIC STRESS DISORDER COUNSELING FOR CIVILIAN VICTIMS OF THE FORT HOOD SHOOTING AND OTHER SIMILAR INCIDENTS.

The Secretary of Defense shall make available to each civilian victim of a shooting on a military installation in the United States, including the shooting at Fort Hood on November 5, 2009, extensive counseling for post-traumatic stress disorder.

AMENDMENT NO. 28 OFFERED BY MR. ETHERIDGE OF NORTH CAROLINA

The text of the amendment is as follows:

Page 633, after line 10, add the following:

SEC. 2815. CLARIFICATION OF AUTHORITY OF SECRETARY TO ASSIST WITH DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH THE ESTABLISHMENT OR EXPANSION OF A MILITARY INSTALLATION.

Section 2391(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following:

''If the proposed or actual establishment or expansion of a military installation would otherwise qualify a State or local government for assistance under this paragraph and is the result of base realignment and closure activities authorized by the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), the Secretary may make grants, conclude cooperative agreements, and supplement funds available under Federal programs administered by agencies other than the Department of Defense in order to assist the State or local government with development of the public infrastructure (including construction) required by the proposed or actual establishment or expansion.''; and

(2) in paragraph (5)(A), by striking ''in planning community adjustments and economic diversification'' and inserting ''as provided in paragraph (1)''.

AMENDMENT NO. 35 OFFERED BY MR. PUTNAM OF FLORIDA

The text of the amendment is as follows:

At the end of subtitle F of title X, insert the following new section:

SEC. 1065. SENSE OF CONGRESS REGARDING RECREATIONAL HUNTING AND FISHING ON MILITARY INSTALLATIONS.

It is the sense of the Congress that—

(a) military installations that permit public access for recreational hunting and fishing should continue to permit such hunting and fishing where appropriate;

(b) permitting the public to access military installations for recreational hunting and fishing benefits local communities by conserving and promoting the outdoors and establishing positive relations between the civilian and defense sectors;

(c) any military installations that make recreational hunting and fishing permits available for purchase should provide a discounted rate for active and retired members of the Armed Forces and veterans with disabilities; and

(d) the Department of Defense, all of the service branches, and military installations that permit public access for recreational hunting and fishing should promote access to such installations by making the appropriate accommodations for members of the Armed Forces and veterans with disabilities.

AMENDMENT NO. 37 OFFERED BY MR. CHANDLER OF KENTUCKY

The text of the amendment is as follows:

Page 599, strike lines 8 through 13.

AMENDMENT NO. 44 OFFERED BY MS. RICHARDSON OF CALIFORNIA

The text of the amendment is as follows:

Page 99, after line 23, insert the following:

SEC. 336. REQUIREMENT TO UPDATE STUDY ON STRATEGIC SEAPORTS.

The Commander of the United States Transportation Command shall update the study entitled ''PORT LOOK 2008 Strategic Seaports Study''. In updating the study under this section, the commander shall consider the infrastructure in the vicinity of a strategic port, including bridges, roads, and rail, and any issues relating to the capacity and condition of such infrastructure

AMENDMENT NO. 18 OFFERED BY MR. DINGELL OF MICHIGAN, AS MODIFIED

The Acting CHAIR. The Clerk will report the modification to amendment No. 18.

The Clerk read as follows:

Page 84, after line 24, insert the following:

SEC. 315. INFORMATION SHARING RELATING TO INVESTIGATION OF EXPOSURE TO DRINKING WATER CONTAMINATION AT CAMP LEJEUNE, NORTH CAROLINA.

By not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide the Agency for Toxic Substances and Disease Registry with an electronic inventory of all existing documents, records, and electronic data pertaining to the CERCLA listed and RCRA listed contamination sites at Camp Lejeune and all existing documents, records, and electronic data pertaining to the contaminated drinking water at Camp Lejeune. If after the date of enactment of this Act, the Secretary of Defense generates new documents, records and electronic data, or comes into possession of existing documents, records or electronic data not previously included in the electronic inventory, the Secretary of the Navy shall provide the Agency for Toxic Substances and Disease Registry with an updated electronic inventory incorporating the newly located or generated documents, records and electronic data. The Secretary of the Navy shall ensure that Department of Defense personnel with appropriate experience and expertise, including in the area of environmental engineering and the conduct of water modeling, working in conjunction with the Agency for Toxic Substances and Disease Registry, are utilized to identify, compile, and submit existing and new documents, records, and electronic data in Navy and Marine Corps records and electronic libraries that would assist the Agency for Toxic Substances and Disease Registry in gathering data relating to the contamination and remediation of Camp Lejeune basewide drinking-water systems.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. MCKEON) each will control 10 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of the en bloc amendments to the National Defense Authorization Act and in support of the underlying bill.

We in North Carolina are rightly proud of our military, and we understand that as they serve us, we must provide them with what they need to get their job done. This bill does just that, authorizing funds for troops, for our veterans, and for our military families.

My amendment, which I offered with my colleagues Mr. KISSELL and Mr. BISHOP of Georgia, would enhance our support for the military and the communities they live in. It would reinforce Congress' commitment to the quality of life for America's soldiers, officers, civilians, and their families.

Supporting our troops means supporting military families and the communities they call home. Military facilities bring significant benefits to our communities, but they also bring significant strain on those communities. Our amendment clarifies that when the military plans rapid growth in an area, the Department can join with the affected community to prepare for that growth. It empowers our communities to make strategic planned investments to respond to the strategic planned transition for BRAC.

I thank the chairman for including it in the en bloc amendment, and I urge my colleagues to support the amendment and the authorization bill.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. PUTNAM), who is the author of one of the amendments.

Mr. PUTNAM. I thank the ranking member and the chairman from Missouri for their support of this and their inclusion of it in the en bloc amendment.

It is a small change in the big scheme of things, but one which I believe will have a tremendous impact, not only on our active duty personnel, but on our men and women who are returning.

It is rooted in an experience in watching the success of these wounded warrior projects, where we have special opportunity hunts for men and women who are returning back to the States and getting reacquainted with the sport that they love so much.

There are over 400 military installations across the country that allow for recreational hunting and fishing on their property. They are managed individually by the local commanders.

They allow the public to access these areas by providing a tremendous benefit to those neighboring communities by allowing them to share in the natural resources. By allowing the public to access these areas and enjoy these lands, the Department of Defense helps to establish positive relationships between the Department and the civilian population.

Last month, the President launched his great outdoors conservation initiative, where recreational hunters and fishermen are recognized for having led the charge in the area of conservation, and the benefit of these military installations should be considered in that initiative. The greater access we have to enjoy the outdoors and promote these activities will help to promote conservation for future generations and healthier lifestyles.

I want to point out that in addition to the access, you have the accessibility issues. Hydraulic lifts, wheelchair-accessible duck blinds, docks, hunting stands, are minor improvements that mean a great deal to those men and women who are coming home. Only 20 of those 400 sites though are currently accessible for our disabled, and I believe we cannot underestimate the value of making those improvements to give them the opportunity to share in those outdoor experiences.

Mr. Chairman, we should support the military installations which provide these opportunities for the public and for our veterans and encourage them to continue to do so, where appropriate, and urge the Department of Defense to make more of these facilities accessible for our veterans.

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

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

I rise in support of the bill for the purpose of engaging in a colloquy with the chairman. I would like to discuss the important role the National Aeronautics and Space Administration plays in our national security. In fact, I had legislation that established NASA as a national security asset.

Chairman SKELTON, would you agree that our national security space programs are closely linked to NASA and that termination of the human spaceflight program could result in serious consequences for our space launch?

Further, do you agree that NASA's space programs have made important contributions to our national and homeland security, economic security, international standing, and technological competitiveness?

Finally, it is my hope that the Department of Defense will carefully assess the national security assets that may be possessed by NASA.

Mr. SKELTON. I certainly thank the gentlelady from Texas for her observations.

Yes, of course, I agree that NASA space programs have made important contributions to our national security. In specific response to your concern, the industrial base required for reliable space launch could be placed at risk by the proposed changes in the human spaceflight program. Further, I understand the department is carefully evaluating the impact of those changes.

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

My colleagues and I who are working on this issue appreciate your view. Transferring funds from the human spaceflight program to unproven commercial space efforts designed to carry humans and cargo into space is unreasonable and may be an unreasonable risk that this country should not take at this time. I hope that we can work together on this issue to ensure the continuation of human spaceflight programs.

Thank you, Mr. SKELTON, for supporting NASA.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Chairman, we heard our colleague across the aisle talking about the Don't Ask, Don't Tell. Obviously, this is supposed to be about a block of amendments, and I don't have objection to those, so I would like to use this time to address that issue.

This body, leaders in this body, the White House, from the President to the Chairman of the Joint Chiefs and the Secretary of Defense, have promised our men and women who wear the uniform that their opinion will be considered.

□ 1800

A survey and study are being done.

Now, we've heard about individual cases where this person ended up getting out. As we heard, he couldn't keep his sexual urges private, and so he had to make them overt and therefore he was out-processed.

The policy has been, as long as the sexuality is a private matter, then it doesn't damage the mission of the military. But when it becomes overt, whether it's an officer having a heterosexual affair, or whether it's overt homosexuality, through the history of the military, it has been a problem to the ongoing morale of the military and accomplishment of the mission. Anything that detracts from the mission should be eliminated.

So the message here is, the hundreds of people that have urged me, please fight for us and what we believe in, because I've heard from so many, if you push this through, we're out. We're done.

We hear some isolated cases, but please, let's don't do damage to the military and break our promise to them, let's wait till the study is completed.

Mr. SKELTON. Mr. Chairman, pursuant to section 4 of House Resolution 1404, I hereby give notice that the amendments numbered 15 and 62 may be offered out of order.

The Acting CHAIR (Mr. POMEROY). The gentleman's request is noted.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN), my friend and colleague.

Mr. COHEN. Mr. Chairman, before I begin, I would like to Commend Congressmen POLIS and LANGEVIN for their work on this important amendment.

The amendment we've offered will play an important role in safeguarding a healthy American environment and ensuring American taxpayers are not forced to subsidize the production of highly polluting energy resources.

Let me be clear. This amendment in no way restricts Federal agencies' ability to procure readily available fuels. Instead, it clarifies that under section 526 of the 2007 Energy Independence and Security Act, Federal agencies may purchase fuel that is not predominantly derived from higher carbon content sources like tar sands and coal to liquid.

Turning coal into liquid fuel produces up to twice as much greenhouse gas pollution per unit of energy as conventional petroleum fuel, and fuel processed from tar sands generates 14–42 percent more greenhouse gas pollution per unit of energy compared to production of conventional petroleum fuels.

Further, the extraction or production of these fuels is also incredibly destructive to an environment that is already suffering.

The Federal Government should not play an inappropriate role subsidizing the production of these outdated, dirty energy sources, especially as we work to move our Nation toward a clean energy future.

However, today most, if not all, publicly available fuel containing tar sands oil contains only small amounts of that resource. Therefore, this amendment would not affect the ability of the Defense Department or other Federal agencies to continue to process tar sands oil.

However, section 526 has successfully protected taxpayers from costly and destructive subsidies of highly polluting fuel production and will continue to encourage deployment of clean energy production from domestic sources.

This amendment passed by unanimous recorded vote last year, and I, along with my colleagues, Congressmen POLIS and LANGEVIN, urge a ''yes'' vote today.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Chairman, it's a treat to be able to rise and say the en bloc amendment is fine, just as most of what is in the bill is fine.

Unfortunately, there is an amendment that's being offered which threatens to poison the entire package and to do great damage to our military, and that is an issue that you've heard from earlier this day, the idea of repealing the Don't Ask, Don't Tell legislation.

Now, the way it works currently in the military is that if you happen to be homosexual and you want to serve in the military, that's fine. And as long as your particular sexual tastes don't get in the way of performing the mission, there's no problem.

The point is that the military has a job to protect our citizens, and we don't want things getting in the way of that. If you were to commit adultery, you could be discharged because that gets in the way of our performing our mission.

Now, we face an amendment here, which is opposed by all of our military leadership, which says we're going to repeal Don't Ask, Don't Tell.

What, then, does that look like?

I mean, currently the policy is you could be gay, and as long as it doesn't get in the way of doing your job, everything is fine.

So now we're going to repeal Don't Ask, Don't Tell. So what exactly are we asking?

Are we asking the military then to protect or condone homosexual behavior if it does get in the way of performing the mission?

What exactly are we talking about?

Are we talking about creating separate dormitories, for instance, if we have sexual harassment?

What will this have to do with recruitment? People that have a 17-year-old kid that may be wanting to sign up, what will this do to recruitment?

What's it going to do to the morale of the troops?

What's it going to do to small-unit cohesion?

And, also, the other piece of the military is about these soldiers that are giving their time and lives are confined to very tight areas and pushed together in very difficult circumstances over long periods of time. What is the effect of that?

And all of these questions are sitting out there, and the military leadership is saying, yeah, we don't know the answer to those questions. Give us some time to take a look at it. We don't want you to pass this until we can see what's going on with this.

Now, I have three sons. They've graduated Naval Academy. All of them went Marine Corps. One survived his experience in 2005 in Fallujah.

And when our sons and daughters are serving and laying their lives or their bodies on the line so that we can live in peace and freedom, that is a very sacred kind of sacrifice they're making for us. So why would we belittle that by jumping into something?

We're being asked to pass something that we don't even know what we're passing. We don't understand the implications or how it would look. And yet we're going to jump into this for, what, some sort of political deal to satisfy some vocal but small minority using the lives of our own children?

I will not have any part of betraying the interest of our kids just for political purposes.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL), my friend and colleague.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, I thank my good friend from Missouri for his kindness to me, for his support of this amendment, and for the yielding of this time.

This is an amendment which is to deal with a very important injustice done to marines by the Department of the Navy, and you may read more about it in my remarks as they are extended.

In a nutshell, people in the Marine Corps are being hurt, injured, poisoned, given cancer and other things by the way the Department of the Navy has run the posts and has provided contaminated water to the members of the Marine Corps and to their families. This will at least begin the process of getting information to these marines about what has happened and why it is that they are suffering this way, and see to it that we are taking a step forward to have the Marine Corps deliver some of the information that they're supposed to deliver under agreement.

I urge my colleagues to vote for the amendment, and I thank my friend from Missouri.

Mr. Chair, I rise today to urge my colleagues to support the amendment I have offered with my colleagues, Congressmen STUPAK and MILLER, pertaining to the historic water contamination at Marine Corps Base Camp Lejeune.

I would like to thank Chairman SKELTON for his willingness to work with me on this important issue.

Mr. Chair, I am offering this amendment on behalf of the marines and veterans that were exposed to the toxic drinking water at Camp Lejeune between 1957 and 1987 and whose lives have been forever changed because of it. There's Jerry Ensminger, whose daughter Janey was carried to term at Camp Lejeune and died at age 9 after a long and heart-wrenching battle with childhood leukemia. There's Jim Fontella and Mike Partain, two among the dozens of former Lejeune residents battling breast cancer, a disease rarely found among males. These are the poisoned patriots who have lent their stories and their voices to the others who have not spoken out. They want answers about the water contamination and our amendment will help provide them.

Put simply, our amendment would require the Department of the Navy to fulfill its obligation under an existing memorandum of understanding with the Department of Health and Human Services' Agency for Toxic Substances and Disease Registry—that is, to share all relevant environmental information pertaining to historic water contamination at Camp Lejeune. In addition, it requires the Navy to use its in-house experts to help ATSDR gather this information.

This amendment constitutes a small piece of a larger quest to get answers for our former marines and their families who were exposed to the highly toxic chemicals, TCE, PCE, and benzene. The fact is, 23 years after the contaminated wells were shut down, there is still much unknown. How much and to what extent were housing areas exposed to the contaminants? When did the contamination take place? What is the extent of the exposure to the specific chemicals? And finally, is there a link between the exposure to the toxic water and illnesses experienced by former Camp Lejeune residents? Our amendment will ensure that ATSDR—mandated by the Comprehensive Environmental Response, Compensation and Liability Act to assess human health effects of exposures to toxic chemicals at Superfund sites—has the information it needs to complete its studies and answer these questions.

Mr. Chair, it is unfortunate we must require something as simple this by statute. But after 23 years, we have had enough delay from the Defense Department. Ironically, I first came to know about this problem when the Defense Department came before the Energy and Commerce Committee seeking broad exemptions from the Clean Air Act, the Solid Waste Disposal Act, and CERCLA, among others. The military wanted these exemptions in the name of readiness, public health be damned. To say the least, it is troubling to think about where ATSDR's studies would be or what terrible tragedies would await our servicemembers in the future if the Department of Defense were exempt from CERCLA.

In closing, I'd ask my colleagues to look at the bigger picture when considering this amendment. With Memorial Day approaching this weekend, what could be a more fitting tribute to our servicemembers and veterans than to uphold the sacred trust they place in our Government when they sign up to serve and potentially make the ultimate sacrifice for our Nation?

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

I have another letter to read, and I'd like to insert it into the RECORD.

This is from General Carl E. Mundy, Jr., United States Marine Corps, Retired. He sent an identical letter, I believe, to the chairman.

He says: ''I write to convey my appreciation for your strong stance relative to efforts to repeal the current law which exclude homosexuals from serving openly in the armed services. You and I both know that such action is not in the best interest of our Nation or its Armed Forces. While each member of the HASC has many constituencies to serve, some very vocal, it may be that your largest is the 2.8 million men and women in uniform, together with the family members who support them and who number at least that many. In sharp contrast to homosexual activists, these volunteers in uniform serve silently and obediently and rely on the reasoned judgment of their leaders and even more so, perhaps, of those empowered to 'raise armies, provide and maintain a navy, and to make the rules for the governance thereof' to speak and to represent them.

''Secretary Gates has put into motion an effort to at least give this element of your constituents an opportunity to be heard relative to their concerns about implementation. The

very large majority of servicemembers who are not homosexual, at least 97 percent or more, deserve to be heard before any peremptory, uninformed action is taken to impose the sexuality of a minority on them. I believe strongly that a moratorium on discharges being advocated by some in the Senate and on your committee as well could be tantamount to muzzling those most affected by such peremptory action. I appreciate the stand you have taken to prevent this.''

I would like to enter General Mundy's letter into the RECORD.

Mr. Chairman, there have been comments made that perhaps the Chiefs support this action that will be taking place tonight on this vote, tonight or tomorrow, whenever we get to that amendment. But I must reiterate, I spoke to them on the phone and they followed up with a letter and, to a person, they all oppose us taking action before the recommended procedure that the Secretary has set in place.

GENERAL CARL E. MUNDY, JR.,
UNITED STATES MARINE CORP (RET.),
May 19, 2010.

Hon. ''BUCK'' MCKEON,
Ranking Member, House Armed Services Committee, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN MCKEON: I write to convey my appreciation for your strong stance relative to efforts to repeal the current law which excludes homosexuals from serving openly in the Armed Services. You and I both know that such action is not in the best interests of our nation or its Armed Forces. While each member of the HASC has many constituencies to serve—some very vocal—it may be that your largest is the 2.8 million men and women in uniform together with the family members who support them and who number at least that many. In sharp contrast to homosexual activists, these volunteers in uniform serve silently and obediently and rely on the reasoned judgment of their leaders and even more so, perhaps, of those empowered to ''. . . raise armies, provide and maintain a navy, and to make the rules for the governance thereof' to speak for and to represent them.

Secretary Gates has put into motion an effort to at least give this element of your constituents an opportunity to be heard relative to their concerns about implementation. The very large majority of servicemembers who are not homosexual—at least 97% or more—deserve to be heard before any peremptory, uninformed action is taken to impose the sexuality of a minority on them. I believe strongly that a moratorium on discharges being advocated by some in the Senate and on your Committee as well would be tantamount to muzzling those most affected by such peremptory action. I appreciate the stand you have taken to prevent this.

Last year, my Service, the Marine Corps, discharged something over 32,400 men and women from active service. Seventy-eight of those were discharged for matters related to homosexuality—less than one-quarter of one percent. Within that small number, more than half were still in Entry Level Training with less than a year in service—young trainees still in the reality-shock of Boot Camp or the immediate months following—who can barely be considered qualified, much less skilled or even of a maturity old enough to drink alcohol. And within that small number, three were discharged without any active service at all while still in the Delayed Entry Program awaiting assignment to active duty. Claims of a hemorrhage of skills due to the injustice of the law are simply not supported by cases like these. And in my experience, if not by admission of homosexuality—factual, or not at their still emerging state of maturity—most of these young people—homesick, disillusioned, or stunned by the shock of Recruit Training—would seek another means of gaining discharge.

As a final note, let me convey my concern that in counter-balance to whatever number of homosexual advocate voices you hear, the voices of the thousand retired military officers who gave their advice professionally and with dignity and respect to the President and members of Congress on this subject last year—together with the 160 more who have lent their names since—should not be ignored. This is the largest number of officers to have collectively conveyed their views and recommendations in the history of our nation. And in spite of the efforts of activists to impugn the character and legitimacy of these officers as out of touch, a number of those offering their advice commanded Divisions in combat or held other significant command or staff positions as recently as the wars in Iraq and Afghanistan. This body of professional advice matters, since the signers base our judgments on experience, and have no special interest agenda other than the effectiveness of our Armed Forces.

I want to again offer my admiration for your courageous and principled stand on behalf of the men and women of our armed services on this issue. I hold the strongest hope that you will continue to allow the voices of those in uniform to be heard on this important subject, and will continue to oppose efforts to impose a moratorium on discharges, which is tantamount to de-facto repeal of a law that has, and does serve the armed forces well.

Sincerely,

CARL E. MUNDY, JR.

Mr. SKELTON. Mr. Chairman, pursuant to section 4 of House Resolution 1404, I hereby give notice that amendment Nos. 68 and 81 may be offered out of order.

The Acting CHAIR. The gentleman's request is noted.

Mr. SKELTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Chairman, I rise today, as we debate the defense authorization bill, to discuss the concept of humanity because I believe the men and women of the United States military have a sense of compassion for humanity and courage, and the broadness of their humanity causes them to sacrifice on behalf of the American people. Today I stand here and thank them.

And then I want to acknowledge, as well, the vast civilian support staff that are found on the Nation's military bases and bases around the world. I got a good sense of that when I joined, sadly, my fellow colleagues at Ft. Hood a few months ago, mourning the loss of a civilian and soldiers at the hands of a terrorist. I was able to see civilians and soldiers coming together expressing concern for each other.

I saw the mourning of those families who had lost their fallen heroes, their soldiers. And, yes, I saw the civilian staff mourn, as well, over the losses that had occurred amongst their fellow workers and colleagues, soldiers, and a civilian, and those who were also injured.

As we mourned, it came to my attention that we must take care of all of them. Sergeant Kimberly Munley, who was a sergeant, a Fort Hood police sergeant to whom was attributed the success of bringing down this particular dangerous person, despite being shot herself; or a 19-year-old nutritionist who put a tourniquet on a wounded soldier and carried them out for medical care, even though she was also wounded.

So I am grateful that the committee has accepted my amendment, and I ask my colleagues to support the idea of more or continued post-traumatic stress disorder counseling for the civilians on this base, and to ensure that that happens, if ever such a tragedy occurs again, to be able to provide Airborne staff on military bases with that kind of support system. I have promised the Fort Hood community that I would return, and I intend to do so to check on how they're doing.

But it is important that we stand here today as we look toward Memorial Day, mourning those lost, to be able to say to those here that we will counsel or provide them with the services necessary to support those possibly suffering from post-traumatic stress disorder and other mental health issues due to work-related violence on our military installations.

I started out quickly, Mr. Chairman, by talking about humanity, and I finish by saying, I've heard all of the talk about Don't Ask, Don't Tell. It is interesting to note that the Secretary of Defense, the Chairman of the Joint Chiefs, as well as the President, recognize the importance of acknowledging this necessary change in our military.

But I am reminded of the history of integrating the military when President Truman said it was the right thing to do to provide the opportunity for Americans who happened to be of African American heritage to serve.

We know it is distinctive, but there is a reason for Don't Ask, Don't Tell to be eliminated, and it is that every decent human being needs the right to serve his or her country if they are willing to take the Oath of Service.

This is the right thing to do. Repeal it. It's time. The Murphy amendment is right and the process is in keeping with the respect of the opinion of those active duty soldiers who will be surveyed for their view. However now is the time to end this discrimination. My constituent Ensign Provost might have lived if his sexual orientation had not been misused to create an atmosphere that it was alright to take his life because he lived in fear of reprimand and dismissal. He was willing to serve his country but our country did not respect his humanity or his service.

Mr. Chairman, I rise in support of my amendment (#25) to H.R. 5136—"National

Defense Authorization Act for Fiscal Year 2011.''

My amendment would make available post-traumatic stress counseling for civilian victims of a shooting on a military installation base in the United States, including the shooting at Fort Hood.

Every branch of the United States Armed Forces has a civilian workforce. The civilian workforce, also called ''civil service,'' provides stability in various types of jobs at a military installation. That allows for the continuation of military operations in a peace or wartime environment. Civil service personnel serve in roles that provide an important support system allowing the Armed Services to operate at the highest levels.

There are many ways to serve our country without actually enlisting in the military. One of those ways is to work in a military civilian job with the Armed Services. There are many, many thousands of individuals serving in jobs in fields such as medicine, recreation, education, engineering, food services, and many other important areas in which civilians provide valuable support for our military operations. The Army alone employs more that 250,000 civilians on its bases and installations around the world.

Civilians, like soldiers, are sometimes placed in harm's way and many work in challenging environments. One incident that recently presented unimaginable challenges and consequences for both soldiers and civilians was the shooting at Fort Hood. We understand that civilians stand in the same vulnerable shoes as soldiers when events like the Fort Hood event occur.

Enlisted personnel, National Guards, reservists and veterans with PTSD have lived through traumatic events that caused them to fear for their lives, bear witness to horrible things, and feel helpless and hopeless. PTSD symptoms usually start soon after the traumatic event, but they may not manifest until months or years later. If provided proper medical care, about half, 40 percent to 60 percent, of people who develop PTSD get better at some time.

Although veterans who served in combat are most frequently afflicted by PTSD, events such as the Fort Hood shooting highlight the physical and psychological dangers facing military personnel in all roles. Consequently, it is vital to extend to our civilian personnel the same benefits and support that we give to our active duty military. Civilians and military members on Fort Hood have equal responsibility to protect our Nation and, as such, it is morally imperative that we honor these civilians by providing them with equal support in the aftermath of such traumatic incidents.

Mr. Chairman, I urge my colleagues to support this simple but important amendment.

Mr. MILLER of North Carolina. Mr. Chair, for 30 years, the water that our former Marines and their families drank, cooked with, and bathed in at the Marine Corps Base Camp Lejeune was contaminated with highly toxic chemicals, including benzene, TCE, and PCE.

The Agency for Toxic Substances and Disease Registry, ATSDR, at the Centers for Disease Control is currently working on several health studies to determine just what effect this water had on the men and women serving at Lejeune.

For years the discussion about Camp Lejeune centered on TCE and PCE exposure, but recently the conversation turned to benzene. Benzene is a known carcinogen. This new emphasis on benzene has come about because new documents, recently discovered, show that marines' exposure to benzene at Camp Lejeune was far greater than previously thought.

And these documents are not the only ''newly found'' documents.

ATSDR's health studies must rely on having accurate data about what people were exposed to, as well as where and when these toxins were in the water. If you don't get the water modeling right, you can't do the rest of the studies. We are at a crucial point—we must get this right now.

In every memorandum of understanding between the Navy and ATSDR, the Navy was supposed to provide ATSDR with an inventory of all available data related to water contamination at Camp Lejeune; that inventory has never been provided.

Nobody disputes that the Navy has provided open access to their library and records to ATSDR, but access is not enough. The Navy is the expert on what documents they have and they must take responsibility for ensuring that all relevant documents are provided to ATSDR.

This amendment will ensure that no crucial documents will surface after these health studies have been completed.

Mr. STUPAK. Mr. Chair, I urge Members to support the Dingell/Stupak/Miller amendment to H.R. 5136, the Defense Authorization Act. I wish to thank my colleagues Congressmen DINGELL and MILLER for their work to bring this amendment to the floor.

As Chairman of the Energy and Commerce Committee's Oversight and Investigations Subcommittee, I held a hearing in 2007 on the contaminated water wells at Camp Lejeune and how the Department of Defense did not appropriately respond to the discovery of volatile organic compounds within the drinking water from 1957 to 1987.

During the hearing, we listened to soldiers formerly stationed at Camp Lejeune who, along with members of their families who lived on the base, have encountered significant health problems they believe is tied to their exposure to TCE, PCE, benzene and other toxins.

These volatile organic compounds may be the cause of increased incidences of cancer and birth defects among women, children, employees, and soldiers stationed at Camp Lejeune.

Because Camp Lejeune is a Superfund site, the Agency for Toxic Substances and Disease Registry, ATSDR, is responsible for conducting health studies to determine the connections between the contaminated drinking water and incidences of cancer and birth defects.

Now, even after more than six years of data discovery efforts by ATSDR, a complete record of available data necessary for ATSDR's health studies appears to remain incomplete.

This situation is unacceptable and I hope my colleagues will support our amendment to send a clear message that Congress expects this issue to be resolved expeditiously.

Our amendment requires the Navy to provide ATSDR with a complete inventory of all relevant data by putting in place additional personnel with experience and expertise in water modeling and environmental engineering who will work with ATSDR to bring this matter to a close.

This information sharing task is a shared goal between the agencies because it will ensure the scientific accuracy of the health studies ATSDR is tasked with completing.

I ask Members to support our amendment and send a clear signal on what we expect from Federal agencies in responding to our service men and women who have suffered from the Camp Lejeune legacy.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Missouri (Mr. SKELTON).

The amendments en bloc were agreed to.

AMENDMENT NO. 21 OFFERED BY MR. GUTIERREZ

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 111–498.

Mr. GUTIERREZ. 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. 21 offered by Mr. GUTIERREZ:

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

SEC. 839. DEBARMENT OF BP AND ITS SUBSIDIARIES.

(a) CONTRACTS WITH BP AND ITS SUBSIDIARIES.—If the Secretary of Defense determines that BP or any of its subsidiaries performing any contract with the Department of Defense is no longer a responsible source (as defined in section 2302 of title 10, United States Code), the Secretary shall determine, not later than 90 days after making such determination, whether BP or its subsidiaries should be debarred from contracting with the Department of Defense.

(b) DEBAR.—In this section, the term ''debar'' has the meaning given that term by section 2393(c) of title 10, United States Code.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from Illinois (Mr. GUTIERREZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Chairman, in 2009 the Occupational Safety and Health Administration fined BP $87 million for hundreds of safety violations at a Texas City refinery, many of which were originally identified after the 2005 explosion and then ignored there.

As recently as 2 months ago, BP was fined another $3 million for violations at the Toledo, Ohio, refinery similar to those identified in the 2005 Texas City refinery explosion. Again, just like in 2005, no steps were taken to correct the safety violations.

This blatant disregard for workers' lives shows that BP is a bad partner for the U.S. Government.

I rise today to say that BP stands for too many broken promises, too many broken lives and too many broken laws.

My amendment is a simple, commonsense amendment that would require that the Secretary of Defense consider disbarring BP if it finds that BP is not a responsible source.

As a Federal contractor, BP must meet Federal acquisition regulation standards as a responsible source. What's the definition of a responsible source? It includes the provision that a prospective contractor must have ''a satisfactory record of integrity and business ethics.'' As we've already defined, they do not uphold that standard.

As well, they must have a satisfactory performance record. To take that definition from the Webster's dictionary, integrity is ''firm adherence to a code or standard of values.'' BP clearly does not meet the standard set by even the lowest code of values.

The history that I've talked about cannot be ignored. In March of 2005, before the recent explosion, at a BP Texas refinery, 15 people lost their lives; 180 were injured. Investigators from the U.S. Chemical Safety and Hazard Protection Board believed this explosion could have been avoided had it not been for organizational and safety deficiencies at all levels of BP Corporation.

And when they polluted in Alaska, the EPA and every government official encouraged the U.S. Attorney to indict them criminally for their abuse of safety standards.

Now, let me just say, this comes straight, straight from BP's code of conduct. BP code of conduct. It's right here. I've got it right down from the Internet, and here's what it says.

□ 1815

Our code of conduct is the cornerstone of our commitment to integrity. Integrity?

An important consideration is how BP addresses integrity. Quote—this comes from right here. It says, ''code of conduct is the cornerstone of our commitment to integrity.'' Moreover, within their code of conduct, BP states that they are ''committed to providing all BP employees . . . with a safe and secure work environment where no one is subject to unnecessary risk.''

You know what it further says here right from their manual and code of conduct? It says right here on page 72, it says right here, Make sure you know what to do if an emergency occurs at your place of work.

Right from their BP manual and code of conduct. Clearly, they are not meeting their code of conduct.

But it gets worse. This comes from this very manual, which I am going to add to the RECORD. Quote, ''We aim for no accidents, no harm to people, and no damage to the environment.''

Zero for three. I didn't make this up. It's in their code of conduct.

And if we are supposed to be responsible and make sure that contractors—$2 billion we buy from BP every year. I say we buy not $1 more of their oil. They have been irresponsible, and they don't even meet their own code of conduct that comes down from their own Web site.

Mr. Chair, I think we have an obligation, a responsibility to the American taxpayers to respond. And what does my simple amendment say? It says the Secretary of Defense should consider disbarring them if he finds they don't meet the code of conduct which should be administered to every provider of goods to the American people on which we spend the American taxpayers' dollars.

OUR COMMITMENT TO INTEGRITY

HEALTH, SAFETY AND SECURITY

BP is committed to providing all Bp employees—and those of other companies working on our premises—with a safe and secure work environment where no one is subject to unnecessary risk.

We recognize that safe operations depend not only on technically sound plant and equipment, but also on competent people and an active HSSE culture. No activity is so important that it cannot be done safely.

Simply obeying safety rules is not enough. BP's commitment to safety means each of us needs to be alert to safety risks as we go about our jobs.

BASIC RULES YOU MUST FOLLOW

ALWAYS

Comply with the requirements of the HSSE management system at your work location—including the use of relevant standards, instructions and processes—and with the golden rules of safety.

Stop any work that becomes unsafe.

Only undertake work for which you are trained, competent, medically fit and sufficiently rested and alert to carry out.

Make sure you know what to do if an emergency occurs at your place of work.

Help ensure that those who work with you—employees, contractors and other third parties—act consistently with BP's HSSE commitments.

Promptly report to local BP management any accident, injury, illness, unsafe or unhealthy condition, incident, spill or release of material to the environment, so that steps can be taken to correct, prevent or control those conditions immediately. Never assume that someone else will report a risk or concern.

Seek advice and help if: You are ever unclear about your HSSE obligations; You have a concern about a potential or actual breach of HSSE law or a BP HSSE requirement.

NEVER

Undertake work when your performance is impaired by alcohol or other drugs, legal or illegal, prescribed or otherwise.

Possess, use or transfer illegal drugs or other substances on company premises.

Use threats, intimidation or other violence at work, or bring weapons—including those carried for sporting purposes—onto company premises.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to seek the time in opposition although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I would just like to make a couple of points.

The Secretary would first have to determine that BP was not a responsible source. If the Secretary determines that BP was not a responsible source, the Secretary would already be authorized to consider debarment. The Secretary is not obligated to debar BP or any of its subsidiaries in any circumstance.

Having said that, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 42 OFFERED BY MS. ESHOO

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in House Report 111–498.

Ms. ESHOO. 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. 42 offered by Mr. ESHOO:

At the end of subtitle C of title IX, add the following new section:

SEC. 923. AUDITS OF INTELLIGENCE COMMUNITY BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) AUDITS.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding at the end the following new section:

''AUDITS OF INTELLIGENCE COMMUNITY BY GOVERNMENT ACCOUNTABILITY OFFICE

''SEC. 508. (a) IN GENERAL.—Except as provided in subsection (b), the Director of National Intelligence shall ensure that personnel of the Government Accountability Office designated by the Comptroller General are provided with access to all information in the possession of an element of the intelligence community that the Comptroller General determines is necessary for such personnel to conduct an analysis, evaluation, or investigation of a program or activity of an element of the intelligence community that is requested by one of the congressional intelligence committees.

''(b) AUDITS OF PROGRAMS INVOLVING SOURCES AND METHODS.—(1) If the Director of National Intelligence determines that a portion of an analysis, evaluation, or investigation to be conducted by the Comptroller General that is requested by a committee of Congress with jurisdiction over the subject of such analysis, evaluation, or investigation involves a matter that is subject to the reporting requirements of section 503 or intelligence sources or methods, such portion may be redacted from such analysis, evaluation, or investigation and provided exclusively to the congressional intelligence committees.

''(2) If the Director of National Intelligence redacts a portion of an analysis, evaluation, or investigation under paragraph (1), the Director shall inform the committee of Congress that requested such analysis, evaluation, or investigation of the redaction.

''(c) NOTICE OF ANALYSIS, EVALUATION, OR INVESTIGATION AND PROCEDURES.—Not later than 15 days before initiating an analysis, evaluation, or investigation of an element of the intelligence community, the Comptroller General shall submit to the congressional intelligence committees a notice that includes—

''(1) a description of the analysis, evaluation, or investigation to occur and the purposes of such analysis, evaluation, or investigation;

''(2) the names of the personnel who will conduct such analysis, evaluation, or investigation and the level of security clearance possessed by such personnel; and

''(3) the procedures to be used in the course of such analysis, evaluation, or investigation for examining classified information, including a description of all facilities and materials that will be used.

''(d) DISCUSSION OF PROCEDURES.—(1) Prior to initiating an analysis, evaluation, or investigation of an element of the intelligence community, the Comptroller General, in consultation with the congressional intelligence committees, shall discuss with the Director of National Intelligence the procedures for conducting such analysis, evaluation, or investigation.

''(2) Not later than five days after the discussion referred to in paragraph (1), the Director of National Intelligence may submit to the Comptroller General a written comment suggesting any changes or modifications to the procedures referred to in paragraph (1).

''(e) CONFIDENTIALITY.—The Comptroller General shall maintain the same level of confidentiality for a record made available during the course of an analysis, evaluation, or investigation involving sources or methods as is required of the head of the element of the intelligence community from which such record is obtained. An officer or employee of the Government Accountability Office shall be subject to the same statutory penalties for unauthorized disclosure or use of a record as an officer or employee of the element of the intelligence community that provided the Comptroller General or such officer or employee of the Government Accountability Office with access to such record.

''(f) WORKPAPERS.—All workpapers of the Comptroller General and all records and property of any element of the intelligence community that the Comptroller General uses during the course of an analysis, evaluation, or investigation involving sources or methods shall remain in facilities provided by the element of the intelligence community providing such records and property.

''(g) PROVISION OF SUPPLIES.—The head of each element of the intelligence community that is a subject of an analysis, evaluation, or investigation by the Comptroller General involving sources or methods shall provide the Comptroller General with suitable and secure offices and furniture, telephones, and access to copying facilities, for purposes of such analysis, evaluation, or investigation.

''(h) PROCEDURES FOR PROTECTION OF INFORMATION.—The Comptroller General, in consultation with the congressional intelligence committees, shall establish procedures to protect from unauthorized disclosure all classified and other sensitive information furnished to the Comptroller General in the course of conducting an analysis, evaluation, or investigation involving sources and methods.

''(i) SUBMISSION OF NAMES OF PERSONNEL CONDUCTING ANALYSIS, EVALUATION, OR INVESTIGATION.—Prior to initiating an analysis, evaluation, or investigation involving sources and methods, the Comptroller General shall provide the Director of National Intelligence and the head of each element of the intelligence community that is a subject of such analysis, evaluation, or investigation with the name of each officer and employee of the Government Accountability Office who has obtained appropriate security clearance and to whom, upon proper identification, the head of such element shall make available records and information during the course of such analysis, evaluation, or investigation.

''(j) COOPERATION.—The head of each element of the intelligence community that is a subject of an analysis, evaluation, or investigation shall cooperate fully with the Comptroller General and provide timely responses to requests by the Comptroller General for documentation and information made pursuant to this section.

''(k) RULE OF CONSTRUCTION.—Except as provided in subsection (b), nothing in this section or any other provision of law shall be construed to restrict or limit the authority of the Comptroller General to audit, evaluate, or obtain access to the records of an element of the intelligence community absent specific statutory language restricting or limiting such audits, evaluations, or access to records.''.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. Mr. Chairman, I rise to offer my amendment No. 42 to this National Defense Authorization Act.

Mr. Chairman, what brings me to the floor is something that I think should concern every single Member of the House. We all know that our number one obligation as Members of Congress is to secure our country. And as a member of the House Intelligence Committee, it matters not Republican or Democrat, we stand shoulder to shoulder. We may debate different things. We all know, and the full House knows, that this is our first and top obligation. In order to carry that obligation out, that duty done well, as a member of the House Intelligence Committee we must do effective oversight. We have to do investigations. It is the way we do our work.

The reason I offer this amendment is because, unlike all the rest of the committees of the House who can use the GAO, dispatch the Government Accountability Office into the executive branch to make the kinds of determinations on financial issues, financial management, personnel, acquisitions, information technology, whatever it might be, the House Intelligence Committee is not allowed to do that. And in attempting to do it, it has drawn the ire of the administration.

Now, I am a Democrat. We have a Democratic administration. I think the administration is ill-advised in this. These are the prerogatives of the Congress and the jurisdictions of our committees. I think that we need to be able to have the tools that the GAO has, with all of the safeguards in place relative to sources and methods and those things that are the most sensitive in the intelligence community. But I don't believe that the executive branch should be telling the legislative branch what tools we should have and to make that decision for us. That speaks to the separation of powers, and it also speaks to what we, as Members of Congress, in terms of our duty have to carry out and to do.

So my amendment really corrects this flaw, and I think it's an important provision that would restore the GAO's role in congressional oversight. I don't think this is a question of whether the information is too sensitive for the GAO. They have the security clearances. They have dealt with things before, and nothing has ever happened.

So as I said, I believe this issue goes directly to the heart of one of the most important functions of the Congress, and that is effective oversight. That's what this amendment is about.

I want to thank, in particular, Chairman HOWARD BERMAN for his work on this issue from the House Foreign Affairs Committee, and also my colleagues from the House Intelligence Committee who are sponsoring this amendment: Congressman HOLT, Congressman TIERNEY of Massachusetts, Congressman THOMPSON of California, and Congresswoman SCHAKOWSKY of Illinois.

I rise to offer my amendment #42, to the FY2011 National Defense Authorization Act. This Amendment would require the Director of National Intelligence to cooperate with GAO inquiries initiated by committees of jurisdiction.

Oversight of matters in the intelligence community—including financial management, personnel systems, acquisitions, and information technology—is a fundamental prerogative of Congress. GAO plays a critical role helping committees examine the functions of government agencies in an objective, thorough manner.

But despite this expertise, the intelligence community refuses to allow GAO in the door, even when the intelligence committees—the committees that have jurisdiction over them—have asked them to investigate. The Administration has even threatened to veto the Intelligence Authorization Bill because it contained a provision that would restore GAO's role in Congressional oversight.

The co-sponsors of this amendment have joined me in rejecting the Administration's flawed legal analysis that would exempt the intelligence community from GAO's review—even though they review every other federal agency.

This is not a question of whether the information is too sensitive for GAO. GAO has evaluated a number of national security programs, including ones that have sensitive intelligence implications like Intelligence Surveillance and Reconnaissance programs which are known as ISR platforms. GAO has issued classified reports on the Iraq war and parts of the Comprehensive National Cybersecurity Initiative. Their personnel have the appropriate security clearances and they know how to safeguard sensitive information.

In an abundance of caution, the amendment lays out additional safeguards that GAO must follow to be able to have access to our nation's intelligence information.

I believe this issue is one that goes directly to the heart of one of the most important functions of the Congress, and that is oversight. This also goes to the very core of the principle of Separation of Powers.

My amendment would make clear to the intelligence community that they cannot bar the door to Congressional oversight, and it is Congress, not the Executive branch that determines which tools we get to use.

In particular, I'd like to thank Chairman BERMAN of the House Foreign Affairs Committee and HPSCI members Representatives HOLT, TIERNEY, THOMPSON of California, and SCHAKOWSKY for co-sponsoring this amendment. I urge the adoption of the amendment.

At this point I would like to yield to Mr. BERMAN, my trusted and distinguished colleague from California.

The Acting CHAIR. The gentleman is recognized for the 1½ minutes remaining in favor of the amendment.

Mr. BERMAN. Mr. Chairman, the Eshoo amendment cuts right to the heart of our constitutional authority: Congressional oversight of matters, in this case, within the intelligence community—basic functions, financial management, acquisitions, information technology—a fundamental prerogative of this body, a prerogative that should not be limited to the intelligence committees.

Bottom line, GAO plays a critical role in helping the committees examine day-to-day functions of government agencies within their jurisdiction, and its expertise needs to be brought to bear on the intelligence community. This is particularly true after the 2004 reforms that established the ODNI. There is no community that has undergone more bureaucratic overhaul and tumult, any agency within the Federal Government, than within the intelligence community.

The notion that committees of appropriate jurisdiction are blocked from investigating areas within their domain for oversight purposes, having nothing to do—we clearly exempt the sources and methods issues from this oversight—makes no sense. It is an insult to the prerogatives of the Congress. And to the extent that the administration argues this should be solely within their prerogative, they don't fully understand our institutional role in Congress.

I don't understand how anyone in this body who is interested in dealing with waste, with fraud, with duplication would want to limit the GAO's authority to go into appropriate areas within the intelligence community.

I urge an ''aye'' vote.

□ 1830

Mr. THORNBERRY. Mr. Chairman, I seek the time in opposition.

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

Mr. THORNBERRY. Mr. Chairman, I think the first and probably most important point to make on this amendment is that it does not belong on this bill and it imperils the whole bill.

This issue about whether to expand GAO's authority to be able to investigate the intelligence community, which has been an issue in the fiscal year 2010 intelligence authorization bill, has been the subject of veto threats from the administration and is one of, if not the reason, here 4 months before the end of the fiscal year we still do not have an intelligence authorization bill.

So it does not belong here. This is the DOD authorization bill. It is being discussed in another forum where it should, the intelligence authorization bill, and if it gets added to the DOD authorization bill, it puts in danger this entire bill because just today, the administration sent another email which confirmed the veto threat over this provision.

So however Members feel about the particular issue one way or another, I would suggest that you ought to be very careful about endangering the whole bill over this provision.

Second point I'd make is this is not a change to be taken lightly. As the gentlelady, my colleague on the Intelligence Committee mentioned, the GAO has not had this power, authority before since the modern intelligence community has existed. Congress after Congress of both parties, President after President of both parties have rejected this, I would suggest, for some very good reasons.

So this is not a step to be taken lightly.

I think the only argument one can make is that the current intelligence committees are incapable of performing their oversight responsibilities and therefore they have to get this other entity, GAO, in to help them do that. I don't agree with that position. I think the intelligence committees in the House and the Senate are capable of performing their job. Now, I get frustrated. I don't agree with everything that the majority chooses to do, but I believe that the committee is perfectly capable of oversight of the intelligence community as we were tasked to do in the House rules and by statute.

These committees were created in the 1970s to fill a very unique role, and to undermine them by saying they are incapable of performing their job which, without bringing GAO and investigators and so forth, I think is a mistake.

I also believe, Mr. Chairman, that this amendment may undermine the role of the DNI at a time that is very sensitive for the role of the DNI. Because if you look at the amendment itself, it says the Comptroller General decides what he needs access to, has control over how these investigations will be conducted. Now, the amendment says that you can have discussions with the DNI, but the decision is with the Comptroller General, further undermining the DNI's control over classified material. I think that's a mistake.

There are other flaws, in my view, in this amendment. But the bottom line is it undermines the bill. It does not belong here. And it is a step that previous Congresses, previous Presidents have not chosen to take because of the sensitivity of the material and the unique role that the select committees on intelligence play.

Therefore, I hope my colleagues on both sides of the aisle will reject this amendment. I urge them to do so.

I yield back the balance of my time.

The Acting CHAIR. All time for debate on the amendment has expired.

Mr. ANDREWS. Is it in order to propound a unanimous consent request at this point?

The Acting CHAIR. Any request to extend time must be congruent on both sides.

Mr. ANDREWS. I would make a unanimous consent request to extend for each side 1 minute.

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

There was no objection.

Mr. ANDREWS. I would yield 1 minute to the Speaker of the House, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding and his leadership on this important bill before us.

I commend Congresswoman ESHOO for her attention to this important matter, her leadership in bringing this amendment to the floor.

Mr. Chairman, as you all know, protecting American people is our first responsibility. Their security is what we take an oath to uphold, protect, and defend. In order to do that, we recognize the importance of intelligence gathering to preventing violence and to protecting the American people, especially in this age when we're fighting terrorism at home and abroad.

The issue before us is if the responsibilities of Congress can be honored without the knowledge that we are entitled to. This is a very important issue. We all recognize, as the gentleman said, the importance of having information be kept secret when it's in our national security interest to do so. Not to overdo that to the extent of having Congress not have the information it needs to do its job of proper oversight to protect the American people.

We are preventing harm. And if we're going to prevent harm, we have to have information to do so. And the members of the Intelligence Committee have a responsibility to hold that information close. This doesn't apply to every piece of information of intelligence that comes to the committee, but it does say that the GAO has a proven track record of conducting thorough and professional investigations. Their work has informed the Congress and led to significant changes that have enhanced our government's effectiveness. GAO staff are professionals who protect information held by the intelligence community. A vote for this amendment is a vote for enhancing intelligence oversight. It is a vote for Congress.

I urge our colleagues to support the Eshoo amendment.

Mr. THORNBERRY. Mr. Chairman, I certainly agree with the distinguished Speaker about the importance of our role in national security and the importance of Congress' role in overseeing the intelligence community. I agree that national security is the first job of the Federal Government.

I also agree with both the gentleladies from California that oversight can be improved from the Congress. As a matter of fact, I've had legislation, which has not been allowed to be voted on the floor, to make clear the notification requirements and statute about what any administration must notify Congress about, the information it must give us.

I'd also have to point out that the 9/11 Commission made a number of very important recommendations on how we can improve oversight in this Congress. Unfortunately, that have not been adopted. Now, they adopted a kind of a hybrid panel of the Appropriations Committee, but that was not at all what the 9/11 Commission, the WMD Commission recommend we do to improve oversight.

I think we should focus on making our committees of oversight more effective rather than bringing in this other entity, the General Accounting Office, that has historically never had a role with the intelligence community, and that the President says he will veto the bill over if we allow it to happen.

Let's look at ourselves, improve ourselves first before we start bringing in others.

Mr. TOWNS. Mr. Chair, as Chairman of the Oversight and Government Reform Committee, I support the amendment offered by Ms. ESHOO because it will strengthen government accountability and enhance critical oversight of the intelligence community. The amendment provides necessary clarification regarding the authority of the General Accountability Office, GAO, to receive information from the intelligence community. Congress relies on the GAO as a force multiplier in carrying out the investigative and oversight functions vested in the Legislative Branch. The GAO helps inform the Congress and all Executive agencies about areas and programs within the federal government that are performing well, and those that need to be improved or are vulnerable to waste, fraud, and abuse.

This amendment will allow GAO to carry out these vital functions without unwarranted interference from intelligence community agencies. As Acting Comptroller General Gene Dodaro previously noted, this authority does not represent an overhaul of existing oversight mechanisms for the intelligence community. Instead, "The proposed legislative provisions in essence reaffirm GAO's existing authority in order to address the lack of cooperation GAO has received from certain elements of the IC [intelligence community] in carrying out work at the specific request of the intelligence committees, and other committees of jurisdiction as defined by the rules of the Senate and House." The intelligence community will function more effectively, and better protect the security of this country if this amendment is adopted.

Despite my strong support for the amendment and its important goals, I should note my concern with the way in which the amendment is drafted. This provision should clearly identify the authority of any committee of Congress with jurisdiction over the identified subject to request evaluation or analysis of an intelligence community component, not only the congressional intelligence committees, except in the case of matters concerning intelligence sources and methods.

I thank Ms. ESHOO and the other sponsors of this important amendment for bringing it before the House, and I urge all Members to support it.

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

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

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

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

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

AMENDMENT NO. 47 OFFERED BY MR. SARBANES

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in House Report 111–498.

Mr. SARBANES. 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. 47 offered by Mr. SARBANES:

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

SEC. 839. OFFICE OF FEDERAL PROCUREMENT POLICY ACT AMENDMENTS.

(a) SERVICE CONTRACT INVENTORY REQUIREMENT.—

(1) IN GENERAL.—The Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.) is amended by adding at the end the following new section:

"SEC. 45. SERVICE CONTRACT INVENTORY REQUIREMENT.

"(a) SERVICE CONTRACT INVENTORY REQUIREMENT.—

"(1) GUIDANCE.—The Director of the Office of Management and Budget shall develop and disseminate guidance to aid executive agencies in establishing systems for the collection of information required to meet the requirements of this section and to ensure consistency of inventories across agencies.

"(2) REPORT.—The Director of the Office of Management and Budget shall submit a report to Congress on the status of efforts to enable executive agencies to prepare the inventories required under paragraph (3), including the development, as appropriate, of guidance, methodologies, and technical tools.

"(3) INVENTORY CONTENTS.—Not later than December 31, 2010, and annually thereafter, the head of each executive agency required to submit an inventory in accordance with the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note), other than the Department of Defense, shall submit to the Office of Management and Budget an annual inventory of service contracts awarded or extended through the exercise of an option or a task order, for or on behalf of such agency. For each service contract, the entry for an inventory under this section shall include, for the preceding fiscal year, the following:

"(A) A description of the services purchased by the executive agency and the role the services played in achieving agency objectives, regardless of whether such a purchase was made through a contract or task order.

"(B) The organizational component of the executive agency administering the contract, and the organizational component of the agency whose requirements are being met through contractor performance of the service.

"(C) The total dollar amount obligated for services under the contract and the funding source for the contract.

"(D) The total dollar amount invoiced for services under the contract.

"(E) The contract type and date of award.

"(F) The name of the contractor and place of performance.

"(G) The number and work location of contractor and subcontractor employees, expressed as full-time equivalents for direct labor, compensated under the contract, using direct labor hours and associated cost data collected from contractors.

"(H) Whether the contract is a personal services contract.

"(I) Whether the contract was awarded on a noncompetitive basis, regardless of date of award.

"(b) FORM.—Reports required under this section shall be submitted in unclassified form, but may include a classified annex.

"(c) PUBLICATION.—Not later than 30 days after the date on which the inventory under subsection (a)(3) is required to be submitted to the Office of Management and Budget, the head of each executive agency shall—

"(1) make the inventory available to the public; and

"(2) publish in the Federal Register a notice that the inventory is available to the public.

"(d) GOVERNMENT-WIDE INVENTORY REPORT.—Not later than 90 days after the deadline for submitting inventories under subsection (a)(3), and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress and make

publicly available on the Office of Management and Budget website a report on the inventories submitted. The report shall identify whether each agency required to submit an inventory under subsection (a)(3) has met such requirement and summarize the information submitted by each executive agency required to have a Chief Financial Officer pursuant to section 901 of title 31, United States Code.

''(e) REVIEW AND PLANNING REQUIREMENTS.—Not later than 180 days after the deadline for submitting inventories under subsection (a)(3) for an executive agency, the head of the executive agency, or an official designated by the agency head shall—

''(1) review the contracts and information in the inventory;

''(2) ensure that—

''(A) each contract in the inventory that is a personal services contract has been entered into, and is being performed, in accordance with applicable laws and regulations;

''(B) the contracts do not include to the maximum extent practicable functions that are closely associated with inherently governmental functions;

''(C) the agency is not using contractor employees to perform inherently governmental functions;

''(D) the agency has specific safeguards and monitoring systems in place to ensure that work being performed by contractors has not changed or expanded during performance to become an inherently governmental function;

''(E) the agency is not using contractor employees to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations; and

''(F) there are sufficient internal agency resources to manage and oversee contracts effectively;

''(3) identify contracts that have been poorly performed, as determined by a contracting officer, because of excessive costs or inferior quality; and

''(4) identify contracts that should be considered for conversion to—

''(A) performance by Federal employees of the executive agency in accordance with agency insourcing guidelines required under section 736 of the Financial Services and General Government Appropriations Act, 2009 (Public Law 111–8, division D) and section 46 of this Act; or

''(B) an alternative acquisition approach that would better enable the agency to efficiently utilize its assets and achieve its public mission.

''(f) REPORT ON ACTIONS TAKEN IN RESPONSE TO ANNUAL INVENTORY.—Not later than one year after submitting an annual inventory under subsection (a)(3), the head of each executive agency submitting such an inventory shall submit to the Office of Management and Budget a report summarizing the actions taken pursuant to subsection (e), including any actions taken to consider and convert functions from contractor to Federal employee performance. The report shall be included as an attachment to the next annual inventory and made publicly available in accordance with subsection (c).

''(g) SUBMISSION OF SERVICE CONTRACT INVENTORY BEFORE PUBLIC-PRIVATE COMPETITION.—Notwithstanding any other provision of law, beginning in fiscal year 2011, if an executive agency has not submitted to the Office of Management and Budget the inventory required under subsection (a)(3) for the prior fiscal year, the agency may not begin, plan for, or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation or directive until such time as the inventory is submitted for the prior fiscal year.

''(h) GAO REPORTS ON IMPLEMENTATION.—

''(1) REPORT ON GUIDANCE.—Not later than 120 days after submission of the report by the Director of the Office of Management and Budget required under subsection (a)(2), the Comptroller General of the United States shall report on the guidance issued and actions taken by the Director. The report shall be submitted to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives.

''(2) REPORTS ON INVENTORIES.—

''(A) INITIAL INVENTORY.—Not later than September 30, 2011, the Comptroller General of the United States shall submit a report to the Committees named in the preceding paragraph on the initial implementation by executive agencies of the inventory requirement in subsection (a)(3) with respect to inventories required to be submitted by December 31, 2010.

''(B) SECOND INVENTORY.—Not later than September 30, 2012, the Comptroller General shall submit a report to the same Committees on annual inventories required to be submitted by December 31, 2011.

''(3) PERIODIC BRIEFINGS.—The Comptroller General shall provide periodic briefings, as may be requested by the Committees, on matters related to implementation of this section.

''(i) EXECUTIVE AGENCY DEFINED.—In this section, the term 'executive agency' has the meaning given the term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).''.

(2) CLERICAL AMENDMENT.—The table of sections in section 1 of such Act is amended by adding at the end the following new item:

''Sec. 45. Service contract inventory requirement.''.

(3) REPEAL OF SUPERSEDED LAW.—Section 743(c) of the Financial Services and General Government Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3216) is amended by striking ''and annually thereafter,''.

(b) PROHIBITION AGAINST DIRECT CONVERSIONS.—

(1) IN GENERAL.—Section 43(a)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 439) is amended by striking ''10 or more''.

(2) GUIDANCE.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidance to all Federal agencies other than the Department of Defense to ensure that no function last performed by Federal employees is converted to contractor performance without complying with the requirements of section 43 of such Act, as amended by this section.

(c) GUIDELINES ON INSOURCING NEW AND CONTRACTED OUT FUNCTIONS.—

(1) IN GENERAL.—The Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.), as amended by subsection (a), is further amended by adding at the end the following new section:

''SEC. 46. GUIDELINES ON INSOURCING NEW AND CONTRACTED OUT FUNCTIONS.

''(a) GUIDELINES REQUIRED.—(1) The heads of executive agencies subject to the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note) shall devise and implement guidelines and procedures to ensure that consideration is given to using, on a regular basis, Federal employees to perform new functions and functions that are performed by contractors and could be performed by Federal employees.

''(2) The guidelines and procedures required under subparagraph (A) may not include any specific limitation or restriction on the number of functions or activities that may be converted to performance by Federal employees.

''(b) SPECIAL CONSIDERATION FOR CERTAIN FUNCTIONS.—The guidelines and procedures required under paragraph (1) shall provide for special consideration to be given to using Federal employees to perform any function that—

''(1) is performed by a contractor and—

''(A) has been performed by Federal employees at any time during the previous 10 years;

''(B) is a function closely associated with the performance of an inherently governmental function;

''(C) has been performed pursuant to a contract awarded on a non-competitive basis; or

''(D) has been performed poorly, as determined by a contracting officer during the 5-year period preceding the date of such determination, because of excessive costs or inferior quality; or

''(2) is a new requirement, with particular emphasis given to a new requirement that is similar to a function previously performed by Federal employees or is a function closely associated with the performance of an inherently governmental function.

''(c) EXCLUSION OF CERTAIN FUNCTIONS FROM COMPETITIONS.—The head of an executive agency may not conduct a public-private competition under Office of Management and Budget Circular A–76 or any other provision of law or regulation before—

''(1) in the case of a new agency function, assigning the performance of the function to Federal employees;

''(2) in the case of any agency function described in paragraph (2), converting the function to performance by Federal employees; or

''(3) in the case of an agency function performed by Federal employees, expanding the scope of the function.

''(d) DEADLINE.—(1) The head of each executive agency shall implement the guidelines and procedures required under this subsection by not later than 120 days after the date of the enactment of this subsection.

''(2) Not later than 210 days after the date of the enactment of this subsection, the Government Accountability Office shall submit a report on the implementation of this subsection to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(e) DEFINITIONS.—In this subsection:

''(1) The term 'inherently governmental functions' has the meaning given such term in subpart 7.5 of part 7 of the Federal Acquisition Regulation.

''(2) The term 'functions closely associated with inherently governmental functions' means the functions described in section 7.503(d) of the Federal Acquisition Regulation.

''(f) APPLICABILITY.—This subsection shall not apply to the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections in section 1 of such Act, as amended by subsection (a), is further amended by adding at the end the following new item:

''Sec. 46. Guidelines on insourcing new and contracted out functions.''.

(3) REPEAL OF SUPERSEDED LAW.—Subsection (b) of section 739 of division D of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2030) is repealed.

(d) CONVERSION OF FUNCTIONS TO PERFORMANCE BY FEDERAL EMPLOYEES.—

(1) DECISION TO INSOURCE.—The Office of Management and Budget shall not establish any numerical goal, target, or quota for the conversion to performance by Federal employees of functions previously performed by contractors unless such goal, target, or quota is based on considered research and analysis.

(2) REPORTS.—

(A) REPORT TO CONGRESS.—The Office of Management and Budget shall submit to Congress a report on the aggregate results of the efforts of each Federal agency to convert functions from contractor performance to performance by Federal agency employees made during fiscal year 2010. Such report shall include—

(i) agency decisions for converting such functions to Federal employee performance;

(ii) the basis and rationale for the agency decisions;

(iii) the number of contractor employees whose functions were converted to performance by Federal employees.

(B) COMPTROLLER GENERAL REPORT.— Not later than 120 days after the submittal of the report under paragraph (1), the Comptroller General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of the report.

(3) DEPARTMENT OF DEFENSE.—Nothing in this subsection shall apply to the Department of Defense.

The Acting CHAIR. Pursuant to House resolution 1404, the gentleman from Maryland (Mr. SARBANES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. SARBANES. Thank you, Mr. Chair.

This amendment, amendment number 47, I believe, in the queue, would bring standards of good government and good government practice to procurement across the Federal agencies. What it does, in fact, is it takes a set of standards that has been put in place already with respect to the Department of Defense as a result of the DOD authorization bill of 2008, as well as standards that were built into appropriations bills applying to other agencies over the last couple of years, and it makes it clear that those are going to be authorized standards going forward to apply to non-DOD agencies as well now as to DOD agencies.

As many people know, over the last few years, the impulse to contract services out on the part of the Federal Government went too far. And in fact, studies have demonstrated that, for example, the Department of Defense's service contractor workforce grew from 732,000 in 2000 to 1.3 million in 2006, a huge increase. And this kind of phenomenon was not limited to the Department of Defense. We saw it in other agencies—the Department of Homeland Security and other places across the Federal workforce.

Secretary Gates, recognizing that things have gone too far in this direction, is looking for a better balance and has already declared that DOD will examine this reliance on contractors and begin to bring more of a balance back into the equation. So what this amendment would do is take that same approach, those same standards and apply them across the board to non-DOD agencies.

It includes a number of provisions. Very briefly, I will go over those.

The first is it would close a loophole that allowed certain work performed by Federal employees to be contracted out without determining whether in fact that would result in any savings. Well, that's the kind of analysis that needs to be done. And so we would close that loophole.

It would create a contractor inventory. Right now we don't really have a sense of which contracts are out there, what kind of outsourcing has been done. We need to get a handle on that, have an inventory, so we can make better decisions and informed judgements going forward.

It would also seek to bring some analysis as to when it's appropriate to bring back in-house some of these functions and operations that have been outsourced according to very reasonable and rational standards.

And the last thing it would do is improve oversight and transparency. It would prevent any agency from establishing arbitrary quotas or targets or numerical goals with respect to what should be outsourced or not. In other words, what this seeks to do is bring a rational analysis back to whether something should be outsourced or not outsourced. It doesn't try to tilt the presumption in one direction or another. It just says let's look at this on a careful basis and determine when it makes sense, when it can generate savings, when it's a good thing for the Federal Government to do, and when it may not be such a good thing to do.

So I urge support of this amendment because I do believe it will bring commonsense good government provisions back into the mix and will make those permanent for all government agencies across the board.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chair, I seek time in opposition.

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

Mr. LAMBORN. At this time I'd like to yield 3 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. SARBANES, I am sure, is well-intended with this amendment. But I hope the Chair will take note that this amendment is wholly outside the jurisdiction of this committee. And for that reason, it would be subject to a rule, if the rule allowed it.

More importantly, it is very clear that although well-intended, it falls short of its intended mark. Mr. SARBANES in his comments, rightfully so, said he wanted to establish standards. But I am sure the gentleman wants to establish a standard.

□ 1845

This amendment would establish every agency having a different standard. We already have the Office of Management and Budget and other agencies working to define inherently governmental in a uniform way, and that is critical. We do not want to bring in anything which is less expensive to do out-of-house and is not necessary to bring in-house.

I share with the gentleman the desire to make sure that which must be done by the government, that which is so special that we definitely do not want profit fitting into the equation, we want it done by the government.

I never again want to consider anything being outsourced simply because we don't have the will to build the resources in-house, particularly when it often can cost more, not less, to outsource.

So I would hope that the gentleman would withdraw his amendment, one, because it's outside the jurisdiction of this committee; and, two, because there is a time and a place to get a standard. We already have an effort under way by this administration to establish a single standard, one that could be uniformly executed that would save money and save confusion.

Mr. SARBANES. Mr. Chairman, may I inquire how much time is remaining?

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

Mr. SARBANES. I yield 45 seconds to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding. I rise in support of the amendment offered by my friend and colleague, Mr. SARBANES of Maryland.

This amendment ensures due diligence on the part of Federal agencies by requiring cost comparisons before any work can be awarded to contractors at non-Department of Defense agencies.

I just want to point out that this is what DOD is doing now, and those of us on the Oversight Committee, who saw the problems that were created by recklessly contracting out core government responsibilities in the Iraq reconstruction era, think this is a great idea. We think that this is an idea that will make sure that we do effective cost analysis and also measure the appropriateness of whether or not a core government's function should be contracted out to begin with.

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

The trouble is, this is not working so great for the Department of Defense, and to take it to all the other departments of government is not a good idea.

We were promised that we would have a cost analysis that the validity of analysis and cost models would be provided, and that really hasn't been provided. So we have these glowing claims that this is going to save money, but we haven't seen the analysis backing that up.

What we do know is that there will be people in the private sector losing

their jobs. Now, sure, it will get transferred to the government service, but are we comparing apples to apples or apples to oranges?

The claims that this will save money, I am not sure they take into account such things as health care coverage and pensions and things like that that a Federal employee would receive on top of their salary.

I also question the long-term strategic use, especially in the Defense Department, of the great amounts of insourcing that are being talked about, because the most innovation that we get comes historically from the private sector.

People that are in government are well-intentioned, they do their best, but there just sometimes is not that same cutting-edge innovation and technology improvement in government service that we see with people working in the private sector.

The competition is so intense, that can drive innovation in the private sector. So to give that up for core competencies, core things that should be done by the private sector is something that I see as not good for the long-term strategy of the defense industry.

For that reason, too, I really have to question this impulse to take something that's really not working that great and apply it to all of government just because you know of a few examples where maybe a contractor was paid too much.

I agree with Representative ISSA. We need to first of all step back and see if this is even working in the Department of Defense. And to assume that it is, on very skimpy or scant evidence, and apply it to the entire government is just way too premature and hasty. I would urge a ''no'' vote on this amendment.

I know it's well-intentioned, but I would urge strongly everyone to oppose it.

I yield back the balance of my time.

Mr. SARBANES. I yield the balance of my time to my colleague from New Jersey (Mr. ANDREWS).

The Acting CHAIR. The gentleman is recognized for 15 seconds.

Mr. ANDREWS. The committee supports this amendment because we support Mr. SARBANES' approach of merit-driven decision-making. The OMB will oversee this process. We believe it will improve quality and protect the taxpayers. We support the amendment.

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

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

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

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

AMENDMENTS EN BLOC NO. 5 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, pursuant to House Resolution 1404, as the designee of the chairman of the Committee on Armed Services, I offer amendments en bloc No. 5.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 offered by Mr. ANDREWS consisting of amendments numbered 5, 6, 7, 11, 14, 19, 31, and 33 printed in House Report 111–498:

AMENDMENT NO. 5 OFFERED BY MS. BORDALLO OF GUAM

The text of the amendment is as follows:

At the end of division A of the bill, insert the following new title:

TITLE XVII—GUAM WORLD WAR II LOYALTY RECOGNITION ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Guam World War II Loyalty Recognition Act''.

SEC. 1702. RECOGNITION OF THE SUFFERING AND LOYALTY OF THE RESIDENTS OF GUAM.

(a) RECOGNITION OF THE SUFFERING OF THE RESIDENTS OF GUAM.—The United States recognizes that, as described by the Guam War Claims Review Commission, the residents of Guam, on account of their United States nationality, suffered unspeakable harm as a result of the occupation of Guam by Imperial Japanese military forces during World War II, by being subjected to death, rape, severe personal injury, personal injury, forced labor, forced march, or internment.

(b) RECOGNITION OF THE LOYALTY OF THE RESIDENTS OF GUAM.—The United States forever will be grateful to the residents of Guam for their steadfast loyalty to the United States of America, as demonstrated by the countless acts of courage they performed despite the threat of death or great bodily harm they faced at the hands of the Imperial Japanese military forces that occupied Guam during World War II.

SEC. 1703. PAYMENTS FOR GUAM WORLD WAR II CLAIMS.

(a) PAYMENTS FOR DEATH, PERSONAL INJURY, FORCED LABOR, FORCED MARCH, AND INTERNMENT.—Subject to the availability of appropriations authorized to be appropriated under section 1706(a), after receipt of certification pursuant to section 1704(b)(8) and in accordance with the provisions of this title, the Secretary of the Treasury shall make payments as follows:

(1) RESIDENTS INJURED.—The Secretary shall pay compensable Guam victims who are not deceased before any payments are made to individuals described in paragraphs (2) and (3) as follows:

(A) If the victim has suffered an injury described in subsection (c)(2)(A), $15,000.

(B) If the victim is not described in subparagraph (A) but has suffered an injury described in subsection (c)(2)(B), $12,000.

(C) If the victim is not described in subparagraph (A) or (B) but has suffered an injury described in subsection (c)(2)(C), $10,000.

(2) SURVIVORS OF RESIDENTS WHO DIED IN WAR.—In the case of a compensable Guam decedent, the Secretary shall pay $25,000 for distribution to eligible survivors of the decedent as specified in subsection (b). The Secretary shall make payments under this paragraph after payments are made under paragraph (1) and before payments are made under paragraph (3).

(3) SURVIVORS OF DECEASED INJURED RESIDENTS.—In the case of a compensable Guam victim who is deceased, the Secretary shall pay $7,000 for distribution to eligible survivors of the victim as specified in subsection (b). The Secretary shall make payments under this paragraph after payments are made under paragraphs (1) and (2).

(b) DISTRIBUTION OF SURVIVOR PAYMENTS.—Payments under paragraph (2) or (3) of subsection (a) to eligible survivors of an individual who is a compensable Guam decedent or a compensable Guam victim who is deceased shall be made as follows:

(1) If there is living a spouse of the individual, but no child of the individual, all of the payment shall be made to such spouse.

(2) If there is living a spouse of the individual and one or more children of the individual, one-half of the payment shall be made to the spouse and the other half to the child (or to the children in equal shares).

(3) If there is no living spouse of the individual, but there are one or more children of the individual alive, all of the payment shall be made to such child (or to such children in equal shares).

(4) If there is no living spouse or child of the individual but there is a living parent (or parents) of the individual, all of the payment shall be made to the parents (or to the parents in equal shares).

(5) If there is no such living spouse, child, or parent, no payment shall be made.

(c) DEFINITIONS.—For purposes of this title:

(1) COMPENSABLE GUAM DECEDENT.—The term ''compensable Guam decedent'' means an individual determined under section 1704(a)(1) to have been a resident of Guam who died or was killed as a result of the attack and occupation of Guam by Imperial Japanese military forces during World War II, or incident to the liberation of Guam by United States military forces, and whose death would have been compensable under the Guam Meritorious Claims Act of 1945 (Public Law 79–224) if a timely claim had been filed under the terms of such Act.

(2) COMPENSABLE GUAM VICTIM.—The term ''compensable Guam victim'' means an individual determined under section 1704(a)(1) to have suffered, as a result of the attack and occupation of Guam by Imperial Japanese military forces during World War II, or incident to the liberation of Guam by United States military forces, any of the following:

(A) Rape or severe personal injury (such as loss of a limb, dismemberment, or paralysis).

(B) Forced labor or a personal injury not under subparagraph (A) (such as disfigurement, scarring, or burns).

(C) Forced march, internment, or hiding to evade internment.

(3) DEFINITIONS OF SEVERE PERSONAL INJURIES AND PERSONAL INJURIES.—The Foreign Claims Settlement Commission shall promulgate regulations to specify injuries that constitute a severe personal injury or a personal injury for purposes of subparagraphs (A) and (B), respectively, of paragraph (2).

SEC. 1704. ADJUDICATION.

(a) AUTHORITY OF FOREIGN CLAIMS SETTLEMENT COMMISSION.—

(1) IN GENERAL.—The Foreign Claims Settlement Commission is authorized to adjudicate claims and determine eligibility for payments under section 1703.

(2) RULES AND REGULATIONS.—The chairman of the Foreign Claims Settlement Commission shall prescribe such rules and regulations as may be necessary to enable it to carry out its functions under this title. Such rules and regulations shall be published in the Federal Register.

(b) CLAIMS SUBMITTED FOR PAYMENTS.—

(1) SUBMITTAL OF CLAIM.—For purposes of subsection (a)(1) and subject to paragraph (2), the Foreign Claims Settlement Commission may not determine an individual is eligible for a payment under section 1703 unless the individual submits to the Commission a claim in such manner and form and containing such information as the Commission specifies.

(2) FILING PERIOD FOR CLAIMS AND NOTICE.—All claims for a payment under section 1703

shall be filed within one year after the Foreign Claims Settlement Commission publishes public notice of the filing period in the Federal Register. The Foreign Claims Settlement Commission shall provide for the notice required under the previous sentence not later than 180 days after the date of the enactment of this title. In addition, the Commission shall cause to be publicized the public notice of the deadline for filing claims in newspaper, radio, and television media on Guam.

(3) ADJUDICATORY DECISIONS.—The decision of the Foreign Claims Settlement Commission on each claim shall be by majority vote, shall be in writing, and shall state the reasons for the approval or denial of the claim. If approved, the decision shall also state the amount of the payment awarded and the distribution, if any, to be made of the payment.

(4) DEDUCTIONS IN PAYMENT.—The Foreign Claims Settlement Commission shall deduct, from potential payments, amounts previously paid under the Guam Meritorious Claims Act of 1945 (Public Law 79–224).

(5) INTEREST.—No interest shall be paid on payments awarded by the Foreign Claims Settlement Commission.

(6) REMUNERATION PROHIBITED.—No remuneration on account of representational services rendered on behalf of any claimant in connection with any claim filed with the Foreign Claims Settlement Commission under this title shall exceed one percent of the total amount paid pursuant to any payment certified under the provisions of this title on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section shall be fined not more than $5,000 or imprisoned not more than 12 months, or both.

(7) APPEALS AND FINALITY.—Objections and appeals of decisions of the Foreign Claims Settlement Commission shall be to the Commission, and upon rehearing, the decision in each claim shall be final, and not subject to further review by any court or agency.

(8) CERTIFICATIONS FOR PAYMENT.—After a decision approving a claim becomes final, the chairman of the Foreign Claims Settlement Commission shall certify it to the Secretary of the Treasury for authorization of a payment under section 1703.

(9) TREATMENT OF AFFIDAVITS.—For purposes of section 1703 and subject to paragraph (2), the Foreign Claims Settlement Commission shall treat a claim that is accompanied by an affidavit of an individual that attests to all of the material facts required for establishing eligibility of such individual for payment under such section as establishing a prima facie case of the individual's eligibility for such payment without the need for further documentation, except as the Commission may otherwise require. Such material facts shall include, with respect to a claim under paragraph (2) or (3) of section 1703(a), a detailed description of the injury or other circumstance supporting the claim involved, including the level of payment sought.

(10) RELEASE OF RELATED CLAIMS.—Acceptance of payment under section 1703 by an individual for a claim related to a compensable Guam decedent or a compensable Guam victim shall be in full satisfaction of all claims related to such decedent or victim, respectively, arising under the Guam Meritorious Claims Act of 1945 (Public Law 79–224), the implementing regulations issued by the United States Navy pursuant thereto, or this title.

SEC. 1705. GRANTS PROGRAM TO MEMORIALIZE THE OCCUPATION OF GUAM DURING WORLD WAR II.

(a) ESTABLISHMENT.—Subject to section 1706(b) and in accordance with this section, the Secretary of the Interior shall establish a grants program under which the Secretary shall award grants for research, educational, and media activities that memorialize the events surrounding the occupation of Guam during World War II, honor the loyalty of the people of Guam during such occupation, or both, for purposes of appropriately illuminating and interpreting the causes and circumstances of such occupation and other similar occupations during a war.

(b) ELIGIBILITY.—The Secretary of the Interior may not award to a person a grant under subsection (a) unless such person submits an application to the Secretary for such grant, in such time, manner, and form and containing such information as the Secretary specifies.

SEC. 1706. AUTHORIZATION OF APPROPRIATIONS.

(a) GUAM WORLD WAR II CLAIMS PAYMENTS AND ADJUDICATION.—For purposes of carrying out sections 1703 and 1704, there are authorized to be appropriated $126,000,000, to remain available for obligation until September 30, 2013, to the Foreign Claims Settlement Commission. Not more than 5 percent of funds made available under this subsection shall be used for administrative costs.

(b) GUAM WORLD WAR II GRANTS PROGRAM.—For purposes of carrying out section 1705, there are authorized to be appropriated $5,000,000, to remain available for obligation until September 30, 2013.

AMENDMENT NO. 6 OFFERED BY MR. COFFMAN OF COLORADO

The text of the amendment is as follows:

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

SEC. 839. DEFENSE INDUSTRIAL BASE PRIORITY FOR RARE EARTH NEODYMIUM IRON BORON MAGNETS.

(a) FINDINGS.—Congress finds the following:

(1) There is an urgent need to restore the United States capability to manufacture sintered neodymium iron boron magnets for use in defense applications and there is an urgent need to eliminate the domestic supply-chain vulnerability related to these key materials in the defense supply-chain.

(2) An April 14, 2010 report by the Government Accountability Office entitled ''Rare Earth Materials in the Defense Supply Chain'' demonstrates—

(A) the ''United States is not currently producing neodymium iron boron magnets,'' a key rare earth material;

(B) that future availability of neodymium is largely controlled by Chinese suppliers;

(C) that alternatives to rare earth materials could reduce the demand and dependence on rare earth materials in 10 to 15 years, but these materials might not meet current application requirements;

(D) where rare earth materials are used in defense systems, the materials are responsible for the functionality of the component and would be difficult to replace without losing performance;

(E) fin actuators used in precision-guided munitions are specifically designed around the capabilities of neodymium iron boron rare earth magnets, which are primarily available from Chinese suppliers;

(F) the DDG–51 Hybrid Electric Drive Ship Program uses permanent-magnet motors using neodymium magnets from China; and

(G) future generations of some defense system components, such as transmit and receive modules for radars, will continue to depend on rare earth materials.

(3) The United States has the technological capability to restore its neodymium iron boron manufacturing capability.

(4) Worldwide supplies or rare earth materials, including neodymium, are expected to tighten significantly within the next 3–5 years.

(5) A domestic effort to restore domestic sintered neodymium iron boron magnet manufacturing capability, including efforts to qualify those magnets for use in defense applications, will take between 3–5 years and should begin immediately to avoid future weapon system delivery disruption.

(b) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to establish a domestic source of sintered neodymium iron boron magnets for use in the defense supply chain.

(c) SINTERED NEODYMIUM IRON BORON MAGNETS.—For the purposes of subsection (b), the capability to manufacture sintered neodymium iron boron magnets includes the alloying, pressing, and sintering of magnet materials. It does not include manufacturing magnets from standard shapes or imported blocks of neodymium. The Secretary's plan shall not allow the grinding or reprocessing of neodymium to be considered a ''domestic source of sintered neodymium iron boron magnets''.

AMENDMENT NO. 7 OFFERED BY MS. SHEA-PORTER OF NEW HAMPSHIRE

The text of the amendment is as follows:

At the end of subtitle C of title X, add the following new section:

SEC. 1047. STUDY ON COMMON ALIGNMENT OF WORLD REGIONS IN DEPARTMENTS AND AGENCIES WITH INTERNATIONAL RESPONSIBILITIES.

(a) STUDY REQUIRED.—The President shall commission a study to assess the need for and implications of a common alignment of world regions in the internal organization of departments and agencies of the Federal Government with international responsibilities.

(b) PARTICIPATING DEPARTMENTS AND AGENCIES.—The following departments and agencies, at a minimum, shall participate in the study:

(1) The Department of Defense, including the combatant commands.

(2) The Department of State.

(3) The United States Agency for International Development.

(4) The Department of Justice.

(5) The Department of Commerce.

(6) The Department of the Treasury.

(7) The intelligence community.

(8) Such other departments and agencies as the President considers appropriate.

(c) COOPERATION AND ACCESS.—The heads of the departments and agencies participating in the study shall provide full cooperation with, and access to appropriate information to, the team carrying out the study.

(d) MATTERS COVERED.—The study required under subsection (a) shall, at a minimum, assess—

(1) the problems resulting from different geographic boundaries within the various departments and agencies;

(2) potential obstacles to implementing a common alignment;

(3) the advantages and disadvantages of a common alignment; and

(4) impediments to interagency coordination because of differing regional authority levels.

(e) REPORT.—The President shall submit to Congress a report on the study required under subsection (a) not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 11 OFFERED BY MR. KRATOVIL OF MARYLAND

The text of the amendment is as follows:

Page 406, after line 4, insert the following:

SEC. 1038. PROHIBITION ON USE OF FUNDS TO GIVE MIRANDA WARNINGS TO AL QAEDA TERRORISTS.

None of the funds authorized to be appropriated in this Act or otherwise made available to the Department of Defense shall be used in violation of section 1040 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2454; 10 U.S.C. 801 note).

AMENDMENT NO. 14 OFFERED BY MR. MC GOVERN OF MASSACHUSETTS

The text of the amendment is as follows:

At the end of subtitle B of title XII, add the following new section:

SEC. 12xx. LIMITATION ON AVAILABILITY OF FUNDS FOR ELECTIONS IN AFGHANISTAN.

(a) LIMITATION.—No funds authorized to be appropriated by this Act may be made available to support the holding of elections in Afghanistan unless and until the President submits a certification described in subsection (b) to the congressional officials specified in subsection (c).

(b) CERTIFICATION DESCRIBED.—A certification described in this subsection is certification in writing that contains a determination of the President of the following:

(1) The Afghanistan Independent Election Commission has the professional capacity, personnel, skills, independence, and legal authority to conduct and oversee free, fair, and honest elections.

(2) The Afghanistan Independent Election Commission, to the extent possible, has been purged of all members and staff who committed or were otherwise participants in any fraud of the 2009 presidential elections, including covering up the electoral fraud or otherwise were negligent in investigating allegations of electoral fraud.

(3) The Afghan Electoral Complaints Commission is a genuinely independent body with all the authorities that were invested in it under Afghanistan law as of December 31, 2009, and with no members appointed by President Hamid Karzai.

(c) CONGRESSIONAL OFFICIALS SPECIFIED.—The congressional officials specified in this subsection are the following:

(1) The Speaker and minority leader of the House of Representatives.

(2) The majority leader and minority leader of the Senate.

(3) The Chairman and ranking member of the Committee on Armed Services and the Chairman and ranking member of the Committee on Foreign Affairs of the House of Representatives.

(4) The Chairman and ranking member of the Committee on Armed Services and the Chairman and ranking member of the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 19 OFFERED BY MR. CONYERS OF MICHIGAN

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following new section:

SEC. 12xx. REPORT ON THE STRATEGIC IMPLICATIONS OF THE SUCCESSFUL NEGOTIATION OF AN INCIDENTS AT SEA AGREEMENT BETWEEN THE UNITED STATES AND THE GOVERNMENT OF IRAN.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report evaluating naval security in the Persian Gulf and the Strait of Hormuz.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include an assessment of the strategic benefits of the successful negotiation of a multilateral or bilateral Incidents at Sea military-to-military agreement including the United States and the Government of Iran aimed at defusing tension and preventing accidental naval conflict in the Persian Gulf and the Strait of Hormuz. Such an assessment should consider and evaluate the effect that such an agreement might have on commercial, military, and other naval traffic in the region, as well as other United States regional strategic interests.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 31 OFFERED BY MS. LEE OF CALIFORNIA

The text of the amendment is as follows:

Page 323, after line 11, insert the following:

SEC. 839. SENSE OF CONGRESS REGARDING COST SAVINGS THROUGH REDUCTIONS IN WASTE, FRAUD, AND ABUSE.

(a) FINDINGS.—Congress finds the following:

(1) The Secretary of Defense has undertaken meaningful efforts to eliminate waste, fraud, and abuse through contractor oversight and new policies and procedures aimed at increasing emphasis on ethics, governance, and fraud prevention.

(2) The Government Accountability Office report dated December 16, 2009, on the status of 3,099 recommendations made to the Department of Defense by the Government Accountability Office between 2001 and 2008, indicates that the Department of Defense has implemented 1,871, or 61 percent, of the recommendations.

(3) The Government Accountability Office estimates that the implementation of these recommendations yielded the Federal Government a savings of $89 billion from 2001 through 2007, averaging $12.7 billion in annual financial benefit.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there is potential for additional and significant cost savings through further reductions by the Secretary of Defense in waste, fraud, and abuse, particularly with regard to contracting processes; and

(2) the Secretary of Defense should make implementation of the remaining Government Accountability Office recommendations an utmost priority of the Department of Defense.

AMENDMENT NO. 33 OFFERED BY MS. SCHAKOWSKY OF ILLINOIS

The text of the amendment is as follows:

At the end of subtitle B of title XII, add the following new section:

SEC. 12xx. RECOMMENDATIONS ON OVERSIGHT OF CONTRACTORS ENGAGED IN ACTIVITIES RELATING TO AFGHANISTAN.

(a) RECOMMENDATIONS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Special Inspector General for Afghanistan Reconstruction shall, in consultation with the Inspector General of the Department of Defense, the Inspector General of the United States Agency for International Development, and the Inspector General of the Department of State—

(1) issue recommendations on measures to increase oversight of contractors engaged in activities relating to Afghanistan that have a record of engaging in waste, fraud, or abuse;

(2) report on the status of efforts of the Department of Defense, the United States Agency for International Development, and the Department of State to implement existing recommendations regarding oversight of such contractors; and

(3) report on the extent to which military and security contractors or subcontractors engaged in activities relating to Afghanistan have been responsible for the deaths of Afghan civilians.

(b) ELEMENTS OF RECOMMENDATIONS.—The recommendations issued under subsection (a)(1) shall include—

(1) recommendations for reducing the reliance of the United States on—

(A) military and security contractors or subcontractors engaged in activities relating to Afghanistan that have been responsible responsible for the deaths of Afghan civilians; and

(B) Afghan militias or other armed groups that are not part of the Afghan National Security Forces; and

(2) recommendations for prohibiting the Department of Defense, the Department of State, or the United States Agency for International Development from entering into contracts with contractors engaged in activities relating to Afghanistan that have a record of engaging in waste, fraud, or abuse.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from New Jersey (Mr. ANDREWS) and the gentleman from California (Mr. MCKEON) each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, again, this is an example of Members from both sides of the aisle making well thought out, constructive contributions on a whole range of issues that we think improve the bill. Both the majority and minority have examined each of the provisions in the en bloc amendment. We support each of them.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I claim the time in opposition, although I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. At this time I would like to yield 3 minutes to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN of Colorado. Mr. Chairman, the Department of Defense is facing a near-term shortage of key ''rare earth'' materials necessary to support our defense weapon systems, and rare Earth magnets are especially critical. Over 97 percent of rare earth production is controlled by China.

Currently the United States does not have a manufacturer of neodymium-iron-boron rare Earth magnets, yet they are found in our precision guided munitions, ships, aircraft, and other critical weapons systems.

One key finding of the recent Government Accountability Office report on

rare earth materials in the defense supply chain was that the Chinese-sourced ''neo'' magnets are being included in weapons platforms delivered to the Department of Defense. America is not currently producing these magnets. The time to address this problem is now.

This amendment will help restore America's ability to produce domestic neo magnets. It requires the Department of Defense to develop a plan for establishing this domestic capability and submit it to the congressional defense committees.

I urge my colleagues to vote in favor of the Coffman-Ellsworth amendment.

Mr. ANDREWS. Mr. Chairman, it's my pleasure to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN) who has taken a leading interest in evaluating both the quality and financial impact of our activities in Afghanistan, very often doing yeoman's work on tedious detail.

Mr. MCGOVERN. I thank the gentleman for yielding, and I also want to thank the chairman and ranking member for including this amendment in the en bloc.

Mr. Chairman, McGovern-Jones-Welch is a straightforward, bipartisan amendment. It requires the President to certify that the Afghanistan Independent Election Commission and the Afghan Electoral Complaints Commission have the professional capacity, legal authority and independence to carry out and oversee free, fair and honest elections, absent the fraud that characterized the 2009 presidential elections, before U.S. taxpayer dollars can support the next round of elections. I don't think that that's too much to ask.

I was in Afghanistan just after the 2009 elections. I didn't meet anyone who thought that those elections were honest. The Embassy told me they were a fraud. The U.N. said they were a fraud. The Afghan people knew they were a fraud. Even President Karzai conceded that they were massively fraudulent. And $200 million of U.S. taxpayer money went into those elections. Just think about it, $200 million. I don't want to see history repeat itself. I don't want the American taxpayer ripped off again.

More is at stake than the waste of money. The U.S. military strategy depends on an honest, competent Afghan government that can win the loyalty of the people. If September's parliamentary elections are also fraudulent, the result could be even greater local and regional turmoil.

No matter where you stand on our policy on Afghanistan, let's make sure that the September elections are free, fair and honest. This amendment strengthens our leverage. Our uniformed men and women are fighting and dying in Afghanistan. The least we can ask is that the Afghan government carries out free, fair and honest elections.

[From the Los Angeles Times, May 10, 2010]

U.S. LOST IN AFGHAN VOTE

(By Peter W. Galbraith)

Will we ever learn? In 2009, Afghan President Hamid Karzai, who will meet with President Obama in Washington this week, ripped off American taxpayers for about $200 million. This is what the United States contributed to support presidential elections that Karzai himself admits were massively fraudulent. Now, the United Nations and the Obama administration propose to fund Afghanistan's parliamentary elections in September, even though new rules pushed through by Karzai—over the opposition of parliament—make fraud even more likely this time.

Afghanistan's Independent Election Commission, or IEC, a body appointed by Karzai and subservient to his wishes, was deeply implicated in the 2009 fraud. The commission and its staff either produced the phony tallies—which gave Karzai more than 1 million of his 3 million votes—or collaborated with those who did. In many instances, the commission reported pro-Karzai results from polling centers that never existed.

Fortunately, Afghanistan also had in place a truly independent body, the Electoral Complaints Commission, which was empowered to investigate fraud. Three members of that commission were appointed by the United Nations, and none of its members was chosen by Karzai. After investigating the election, the group tossed out enough phony Karzai votes to force the president into a runoff with the second-highest vote-getter, Abdullah Abdullah. In the end, that second election wasn't held because Abdullah withdrew after the IEC adopted procedures that made fraud even more likely in the runoff.

The fact that Karzai retained the presidency didn't mollify him. Angered by the complaint commission's actions after the first round of last year's vote, and determined to gain full control over Afghanistan's election machinery, Karzai issued a decree in February giving himself the authority to appoint all five members of the Electoral Complaints Commission. He also stripped the group of its power to initiate reviews of suspicious ballots on its own. In the parliamentary elections, the group will be allowed to act only on complaints referred to it by members of the provincial election commissions, all of whom are appointed by Karzai.

The United Nations, which is supposed to help the Afghans hold honest elections, and the United States, which will pick up most of the tab for them, have responded far too meekly to Karzai's power grab. Staffan de Mistura, the new head of the U.N. mission in Afghanistan, negotiated a deal with Karzai under which two U.N.-nominated international election experts were appointed to the complaints commission, and one of them will have veto power. Because of this compromise, De Mistura is recommending that Western donors proceed with funding the election. The Obama administration, wishing to move beyond a recent harsh exchange of words with Karzai (during which Karzai bizarrely alleged that foreigners, including the U.S. and the U.N., were responsible for fraud in the last election), seems inclined to agree.

But the proposed compromise is a sham. Karzai's three appointees can outvote the two U.N. choices, and the compromise does not restore the Electoral Complaints Commission's power to initiate independently reviews of suspicious votes.

There is only one positive note I've seen in the whole mess, and that is that Karzai unexpectedly appointed Fazel Ahmad Manawi as the new head of the IEC, replacing a chairman deeply implicated in the fraud. This was a pleasant surprise. I met Manawi, a respected Islamic scholar from the Panjshir Valley, an opposition stronghold, when I was deputy head of the U.N. mission in 2009. At the time, he was one of seven members of the IEC, and he was clearly a person of integrity, casting the sole vote against the decision to ratify Karzai's fraudulent election. But Manawi remains only one vote on a commission stacked with Karzai loyalists, and the leading candidate for the position of chief electoral officer is Zekria Barakzai, a smooth-talking IEC official who was a public apologist for the fraud.

Much more is at stake in Afghanistan's elections than the waste of millions more U.S. dollars. Our counterinsurgency strategy depends on an honest and competent Afghan government that can win the loyalty of the population. During eight years in office, the Karzai administration has been ineffective and corrupt. Since Karzai's disputed reelection, many Afghans also question his legitimacy.

If September's parliamentary elections are fraudulent, it could lead to an ethnically based civil war. Afghanistan's opposition dominates the parliament and has come out strongly against the new electoral procedures. The parliament is the one national institution that effectively represents Afghanistan's non-Pashtun minorities; the speaker of the lower house is an ethnic Tajik who was the runner-up to Karzai in the 2004 elections.

The Obama administration, now that it has tenuously patched up relations with Karzai after his anti-American tirades last month, is reluctant to confront the Afghan president over electoral procedures. This reluctance is shortsighted. Insisting on procedures for honest elections now will be far less costly, both in lives and money, than having another crooked election that ends up with U.S. troops mired in even greater chaos and a broadening civil war. The Taliban will be the only true winner of yet another phony election in Afghanistan.

Peter W. Galbraith was deputy special representative of the secretary-general of the United Nations to Afghanistan from June to September 2009.

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

Mr. ANDREWS. Mr. Chairman, I am pleased to yield 2 minutes to the gentlelady from Illinois (Ms. SCHAKOWSKY) who has done very careful work on making sure that the Special Inspector General for Afghanistan Reconstruction is fully discharging very important functions.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

I rise in support of this en bloc amendment, which includes my amendment to improve oversight of contractors in Afghanistan. The United States employs over 100,000 contractors in Afghanistan, and we need to ensure that we have adequate oversight. Reckless behavior by contractors can endanger our mission in Afghanistan, and failure to adequately oversee money can leave billions of taxpayer dollars vulnerable to waste, fraud and abuse.

My amendment requires the Special Inspector General for Afghanistan Reconstruction to report to Congress on existing contractor oversight and make recommendations for increasing oversight and preventing contractors with a history of waste, fraud and abuse from getting future contracts.

I would like to thank Chairman SKELTON for supporting this amendment, as well as cosponsors Congressmen MCGOVERN, CONYERS, HINCHEY and MORAN.

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

Mr. ANDREWS. Mr. Chairman, may I inquire how much time each side has left on this amendment.

The Acting CHAIR. The gentleman from New Jersey has 6½ minutes and the gentleman from California has 8½ minutes.

Without objection, the gentleman from Missouri will control the time.

There was no objection.

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

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

It is very important that we take assessment of the excellent ideas in this bill that both parties support. Much of the debate this afternoon and this evening has obviously been consumed by points of controversy, but there are some major points of consensus that each side should be proud of supporting.

Number one, each side is vigorously supporting a significant pay increase for the men and women who wear the uniform of our country. Each side is supporting a very significant increase in the quality of housing, education and health care for the servicemembers and for their families.

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Each side is supporting a significant step toward our Navy, reaching the point where our admirals tell us it ought to be.

In 2008, our Navy had authorized and at sea in the fleet 286 ships. Under this bill, our Navy will have authorized and at sea in the fleet 293 ships, a gain of seven ships. Mr. TAYLOR, in particular, has worked very hard on this point with the full bipartisan support of the Republican side. Our admirals tell us that the optimal size of the Navy they would like to see us have is 313 ships. So we have a ways to go, but progress is being made.

I mentioned earlier the legislation before the House authorizes $9.8 billion for our Special Operations Command. In the toughest neighborhoods in the world, in the toughest circumstances in the world, it is the men and women under the command of SOCOM who do the toughest work, and the bill on both sides supports them very substantially.

Also, as I mentioned before, this bill dramatically upgrades the amount of money we spend on identifying, securing, and disabling nuclear material that could be used to form a nuclear improvised explosive device. This is very much consistent with the administration's policy and broadly embraced by both sides.

So, Mr. Chairman, I just want you and others observing tonight to understand that it is the nature of debate that we do dwell—as we have these many hours this afternoon—on points of disagreement, and they are profound points of disagreement; but it is very important that people understand the points of agreement that are before us. Whether it is compensation for our servicemembers and their families, their health care, their housing, their job and educational opportunities, whether it is the end strength of our Navy—which, frankly, is a bipartisan commitment to bring us up to those 313 ships—whether it is the end strength of our Armed Forces; in 2008, the end strength of our Armed Forces was in the neighborhood of 1.4 million people, active duty, Guard and Reserve, a little over that. This legislation before us tonight would have the end strength of our Armed Forces exceed 1.5 million people in our active duty, Guard and Reserve.

So, Mr. Chairman, I again want to say that it is healthy, it is expected, it is anticipated that the floor of this Chamber will be a place where our points of disagreement are vigorously and honestly pursued. But as a compliment to both sides of the aisle, to Mr. MCKEON and Chairman SKELTON, the legislative product that is before us tonight has many, many, many more points of consensus, and we're looking forward to building on those points of consensus.

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

The Acting CHAIR. Without objection, the gentleman from California will control the time.

There was no objection.

Mr. MCKEON. May I inquire as to how much time we have left on each side.

The Acting CHAIR. The gentleman from California has 8½ minutes remaining. The gentleman from New Jersey has 2½ minutes remaining.

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

Mr. ANDREWS. I yield myself 2 minutes.

I also wanted to make reference to the excellent work that's been done in this bill in the area of our missile defense program. Now, there are obviously disagreements over what the structure of that program ought to be; but when one looks at the fortification of defenses that we already have at Fort Greely and other places, when one looks at the additional investment that we are making in the successful regional-range missile programs that have tested and been quite efficient, I think that the accurate conclusion is that we are fortifying the defenses which have been proven to work in the missile defense field, we are building upon those successes, and we are preparing ourselves for a future generation of defenses that are effective both in a regional context and in the context of intercontinental ballistic missiles.

The nonproliferation strategy really has two aspects: it is to be prepared to defend ourselves if a strike occurs, but it is to discourage the proliferation of nuclear capability around the world, as the administration has done in the Security Council negotiations with Iran and it has done with its layered defense missile strategy. So, again, I think this is another point where there is more consensus than disagreement.

There is disagreement between the two sides over the best way to pursue an effective ballistic missile defense. I don't think there is a disagreement over whether the pursuit of a ballistic missile defense is in the interest of the country. It most certainly is.

I would conclude at this point, Mr. Chairman, where I began. We know that the cornerstone of our country's defense is not found in this Chamber. It is found at bases throughout the world, both in the Continental United States and at forward-operating bases and other places overseas. We are profoundly grateful to the men and women who volunteer to serve this country. We, on a bipartisan basis, are expressing our gratitude where it counts: compensation, support for families, education, health care, and other opportunities.

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

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Just to respond briefly here on the subject of missile defense, I know we are working with some en bloc amendments. We're comfortable with those amendments. There is some disagreement on missile defense, and I think at least a considerable vulnerability that many people on our side are very concerned with was the decision not to build a ground base system in Poland and the radar in the Czech Republic, but instead, to suggest that the Aegis class cruisers could cruise around in the ocean and take care of the mission to stop ballistic missiles, particularly a longer range ballistic missile possibly equipped with a nuclear warhead coming out of Iran.

The fact of the matter is that the Aegis class missiles do not have the velocity necessary to stop a longer-range ballistic missile. And the only way we had to do that was, quite simply, the ground-based system, which is a 20-ton missile; the Aegis class missiles are more two ton. So there is a factor-of-10 difference in the weight of the missile. Obviously, the much larger missile can develop the velocity it needs to go after a very high-flying, fast-moving ballistic missile that could come from Iran as early as in the next few years.

And so there is a serious concern that, in terms of missile defense, we do not really have protection over Western Europe and our troops that are stationed in Western Europe. Of more concern to us was some level of obfuscation that we received from the Pentagon as to what the real capabilities of this potentially Standard Block 3 missile—it's called the Standard Block 3, 2A—and what sort of velocities that

could attain. From the most reliable sources that I personally have been able to discuss this with and keeping things within the nonclassified setting, that missile we have very little hope will ever develop the velocity necessary to take out a high-flying ballistic missile.

So we have a big gap in our ballistic missile capabilities, and that gap is the size of Europe. And we are betting on the development of a missile that just does not have the physical size or capabilities of developing the velocities we need to protect Europe. We don't think that's good strategy. We think that's a weakness in the bill.

I still support the bill, it's a good bill—unless we put bad amendments on it. This block of amendments is okay, but we do have some weaknesses.

Mr. ANDREWS. May I inquire of the Chair how much time is remaining on each side.

The Acting CHAIR. The gentleman from New Jersey has 30 seconds remaining. The gentleman from California has 5½ minutes remaining.

Mr. ANDREWS. Mr. Chairman, I reserve.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR. First let me say that I agree with my chairman and the ranking member on the need to defeat the Murphy amendment.

But to Mr. AKIN's point, number one, in the past 20 years, the Panamanians, the Filipinos, and even our fellow Americans in Puerto Rico have asked us to leave. If you put your missile defense in Poland or Czechoslovakia, you are one election away from having spent billions of dollars and being asked to leave. If you put your missile defense on ships you can get to within 12 miles of the Iranian coast, you don't have to ask anyone's permission to fire it. It's there. And if you think about it, all of our known enemies have a coastline. That's why it makes sense to put our missile defense on a ship because you put the ship between our Nation and our enemies.

I thank the gentleman very, very much for yielding me the minute, and I thank the gentleman for asking a great question.

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

Again, back to this point, I think we weren't concerned on the missile defense about putting them on the ships, what we're concerned about is we don't have the missile to put on the ships. And there will be a gap in the time that we don't have the other missiles before we get the missiles for the ships. So I think that's a concern we have, and hopefully that will be worked out, that we will have a missile instead of just a planned missile.

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

Mr. ANDREWS. I yield myself the balance of my time.

First of all, I would like to thank the gentleman from California for yielding his time to the gentleman from Mississippi. We appreciate that very much.

I will just conclude by pointing out that we've heard some disagreements here about the nature of ballistic missile defense. But to my core point, there is much in this bill that has been embraced by both sides of the aisle because both sides of the aisle have a profound respect for the men and women who serve and a profound appreciation for the core duty we have to preserve and defend the country.

Mr. COFFMAN of Colorado. Mr. Chair, the Department of Defense is facing a near-term shortage of key "rare earth" materials necessary to support our defense weapon systems, and rare earth magnets are especially critical. Over 97% of rare earth production is controlled by China.

Currently, the United States does not have a manufacturer of neodymium iron boron rare earth magnets, yet they are found in our precision guided munitions, ships, aircraft, and other critical weapons systems.

Due to my concern over this critical security issue, last year I requested a Government Accountability Office, GAO, study on rare earth materials in the defense supply chain as part of the National Defense Authorization Act for Fiscal Year 2010. Released on April 14, 2010, the recent GAO Report on Rare Earth Metals in the Defense Supply Chain has highlighted the near-term need for a sustainable supply chain of rare earths in the United States, both for critical American national defense and industrial applications.

One key finding of the GAO report was their determination that some U.S. defense contractors are currently utilizing "neo" magnets from Chinese sources and incorporating them into the weapons platforms delivered to the Department of Defense. At present, we have almost no alternatives to these Chinese components, as the United States is not currently producing these magnets. Though America is not currently producing these magnets, we have the technological know-how to do so, combined with significant deposits of rare earths.

The time to address this problem is now.

This essential amendment will help restore America's ability to produce domestic "neo" magnets. It requires the Department of Defense to develop a plan for establishing a domestic neodymium iron boron magnet capability, and submit it to the Congressional defense committees.

We cannot allow our nation to be dependent on a foreign source of these critical components. This amendment will help revitalize our domestic manufacturing sector and contribute directly to our national security.

I urge my colleagues to vote in favor of the Coffman-Ellsworth amendment.

Mr. MCGOVERN. Mr. Chair, I thank Congresswoman SCHAKOWSKY for her leadership on this amendment—and on the many issues surrounding private contractors.

Mr. Chair, this amendment is all about accountability and stopping waste, fraud and abuse. It's long past time that we increased and improved the monitoring and oversight of private contractors, especially military, defense and security contractors.

This amendment, like the provision in my bill, H.R. 5015, places these contractors under the audit and review of our existing Inspectors General, and allows the Special IG for Reconstruction in Afghanistan to make concrete recommendations to the Pentagon, State Department and USAID on how to bring to account and even stop doing business with those contractors with records of waste, fraud and abuse—let alone a record of abusing and killing innocent civilians.

Mr. Chair, this amendment is good for the American taxpayer. It's good for our national security. And it's good for our reputation and standing abroad.

It is a win-win amendment.

I ask my colleagues to support the Schakowsky-McGovern-Hinchey-Conyers-Moran amendment on expanding the oversight over and accountability of private contractors in Afghanistan.

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time and urge support of the en bloc amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendments en bloc were agreed to.

Mr. ANDREWS. Mr. Chairman, pursuant to section 4 of House Resolution 1404, I hereby give notice that amendment No. 79 may be offered out of order.

The Acting CHAIR. The gentleman's request is noted.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, pursuant to House Resolution 1404, as the designee of the chairman of the Committee on Armed Services, I offer amendments en bloc No. 6, including modifications to amendment No. 50.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 6 offered by Mr. ANDREWS consisting of amendments numbered 39; 41; 43; 50, as modified; 51, and 57 printed in House Report 111–498:

AMENDMENT NO. 39 OFFERED BY MR. LIPINSKI OF ILLINOIS

The text of the amendment is as follows:

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

SEC. 839. PROCUREMENT OF ARTICLES, MATERIALS, AND SUPPLIES FOR USE OUTSIDE THE UNITED STATES.

(a) REQUIREMENT.—In procuring articles, materials, or supplies for use outside of the United States, including procurements for military construction projects, the Department of Defense shall solicit bids from United States sources.

(b) EXCEPTION.—Subsection (a) shall not apply if the articles, materials, or supplies to be procured are—

(1) not mined, produced, or manufactured in the United States in sufficient and reasonably available quantities;

(2) needed on an urgent basis and not acquired on a regular basis; or

(3) perishable, or will otherwise degrade because of the time involved in shipping.

AMENDMENT NO. 41 OFFERED BY MR. BRALEY OF IOWA

The text of the amendment is as follows:

At the end of subtitle B of title XII, add the following new section:

SEC. 12xx. REPORT ON LONG-TERM COSTS OF OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) FINDINGS.—Congress finds the following:

(1) The United States has been engaged in military operations in Afghanistan since October 2001 and in military operations in Iraq since March 2003.

(2) According to the Congressional Research Service, through fiscal year 2009, Congress has appropriated $944,000,000,000 for the Department of Defense, the Department of State, and for medical costs paid by the Department of Veterans Affairs. This amount includes $683,000,000,000 for Iraq and $227,000,000,000 for Afghanistan.

(3) Over 90 percent of Department of Defense funds for operations in Iraq and Afghanistan have been provided as emergency funds in supplemental or additional appropriations.

(4) The Congressional Budget Office and the Congressional Research Service have stated that future war costs are difficult to estimate because the Department of Defense provides little information on costs incurred to date, does not report outlays or actual expenditures for war because war and baseline funds are mixed in the same accounts, and because of a lack of information from the Department of Defense on many of the key factors that determine costs, including personnel levels or the pace of operations.

(5) Over 2 million United States troops have served in Iraq and Afghanistan since the beginning of the conflicts.

(6) Over 4,400 United States troops and Department of Defense civilian personnel have been killed in Operation Iraqi Freedom and over 1,060 United States troops and Department of Defense civilian personnel have been killed in Operation Enduring Freedom.

(7) Over 1,340 service members have suffered amputations as a result of their service in Iraq and Afghanistan.

(8) More than 243,685 Iraq and Afghanistan veterans have been treated for mental health conditions, more than 129,654 Iraq and Afghanistan veterans have been diagnosed with Post-Traumatic Stress Disorder, and approximately 30,000 have a confirmed Traumatic Brain Injury diagnosis.

(9) Approximately 46 percent of Iraq and Afghanistan veterans have sought treatment at Department of Veterans Affairs hospitals and clinics.

(10) The Independent Review Group on Rehabilitative Care and Administrative Processes at Walter Reed Army Medical Center and National Naval Medical Center identified Traumatic Brain Injury, Post-Traumatic Stress Disorder, increased survival of severe burns, and traumatic amputations as the four signature wounds of the current conflicts.

(11) The Independent Review Group report also states that the recovery process ''can take months or years and must accommodate recurring or delayed manifestations of symptoms, extended rehabilitation and all the life complications that emerge over time from such trauma''.

(b) REPORT REQUIREMENT; SCENARIOS.—Not later than the date on which the budget of the United States Government is submitted under section 1105(a) of title 31, United States Code, for fiscal year 2012, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of the Department of Veterans Affairs, shall submit a report to Congress containing an estimate of the long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom. The report shall contain estimates for the following scenarios:

(1) The number of personnel deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom is reduced from current levels to approximately 150,000 by the end of fiscal year 2011, 65,000 by the end of fiscal year 2012, and 30,000 by the end of fiscal year 2013, and remains at that level through fiscal year 2020.

(2) The number of personnel deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom is increased from current levels to approximately 235,000 by the end of fiscal year 2010, is reduced to 230,000 by the end of fiscal year 2011, is reduced to 195,000 by the end of fiscal year 2012, is reduced to 135,000 by the end of fiscal year 2013, is reduced to 80,000 by the end of fiscal year 2014, is reduced to 60,000 by the end of fiscal year 2015, and remains at that level through fiscal year 2020.

(3) An alternative scenario, defined by the President and based on current war and withdrawal plans, which takes into account expected troop levels and the expected length of time that troops will be deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom.

(c) SPECIAL CONSIDERATIONS.—The estimates required for each scenario shall make projections through at least fiscal year 2020, shall be adjusted appropriately for inflation, shall be based on historical trends, and to the maximum extent practicable shall take into account and specify the following:

(1) The total number of troops expected to be activated and deployed to Iraq and Afghanistan during the course of Operation Iraqi Freedom and Operation Enduring Freedom. This number shall include all troops deployed in the region in support of Operation Iraqi Freedom and Operation Enduring Freedom and activated reservists in the United States who are training, backfilling for deployed troops, or supporting other Department of Defense missions directly or indirectly related to Operation Iraqi Freedom and Operation Enduring Freedom. This number shall also break down activations and deployments of Active Duty, Reservists, and National Guard troops.

(2) The number of troops, including National Guard and Reserve troops, who have served and who are expected to serve multiple deployments.

(3) The number of contractors and private military security firms that have been utilized and are expected to be utilized during the course of the conflicts in Iraq and Afghanistan.

(4) The number of veterans currently suffering and expected to suffer from Post-Traumatic Stress Disorder, Traumatic Brain Injury, or other mental injuries.

(5) The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred during Operation Iraqi Freedom and Operation Enduring Freedom.

(6) The current number of pending Department of Veterans Affairs claims from Iraq and Afghanistan veterans, and the total number of Iraq and Afghanistan veterans expected to seek disability compensation benefits from the Department of Veterans Affairs.

(7) The total number of troops who have been killed and wounded in Iraq and Afghanistan to date, including noncombat casualties, the total number of troops expected to suffer injuries in Iraq and Afghanistan, and the total number of troops expected to be killed in Iraq and Afghanistan, including noncombat casualties.

(8) Funding already appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for costs related to the wars in Iraq and Afghanistan. This shall include an account of the amount of funding from regular Department of Defense, Department of State, and Department of Veterans Affairs budgets that has gone and will go to Iraq and Afghanistan.

(9) Current and future operational expenditures, including funding for combat operations; deploying, transporting, feeding, and housing troops (including fuel costs); deployment of National Guard and Reserve troops; the equipping and training of Iraqi and Afghani forces; purchasing, upgrading, and repairing weapons, munitions and other equipment; and payments to other countries for logistical assistance.

(10) Past, current, and future cost of government contractors and private military security firms.

(11) Average annual cost for each troop and combat brigade deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom, including room and board, equipment and body armor, transportation of troops and equipment (including fuel costs), and operational costs.

(12) Current and future cost of combat-related special pays and benefits, including reenlistment bonuses.

(13) Current and future cost of activating National Guard and Reserve forces and paying them on a full-time basis.

(14) Current and future cost for reconstruction, embassy operations and construction, and foreign aid programs for Iraq and Afghanistan.

(15) Current and future cost of bases and other infrastructure to support United States troops in Iraq and Afghanistan.

(16) Current and future cost of providing healthcare for returning veterans. This estimate shall include the cost of mental health treatment for veterans suffering from Post-Traumatic Stress Disorder and Traumatic Brain Injury, and other mental problems as a result of their service in Operation Iraqi Freedom and Operation Enduring Freedom. This estimate shall also include the cost of lifetime prosthetics care and treatment for veterans suffering from amputations as a result of their service in Operation Iraqi Freedom and Operation Enduring Freedom.

(17) Current and future cost of providing Department of Veterans Affairs disability benefits for lifetime of veterans.

(18) Current and future cost of providing survivors' benefits to survivors of service members.

(19) Cost of bringing troops and equipment home at the end of the wars, including cost of demobilizing troops, transporting troops home (including fuel costs), providing transition services from active duty to veteran status, transporting equipment, weapons, and munitions (including fuel costs), and an estimate of the value of equipment which will be left behind.

(20) Cost to restore the military and military equipment, including the National Guard and National Guard equipment, to full strength after the wars.

(21) Cost of the administration's plan to permanently increase the Army and Marine Corps by 92,000.

(22) Amount of money borrowed to pay for the wars in Iraq and Afghanistan, and the sources of that money.

(23) Interest on borrowed money, including interest for money already borrowed and anticipated interest payments on future borrowing for the war in Iraq and the war in Afghanistan to the extent all spending associated with the war in Iraq and the war in Afghanistan have been and will be financed with borrowed money.

AMENDMENT NO. 43 OFFERED BY MR. MURPHY OF CONNECTICUT

The text of the amendment is as follows:

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

SEC. 839. ADDITIONAL INFORMATION ON WAIVERS UNDER BUY AMERICAN ACT BY DEPARTMENT OF DEFENSE REQUIRED TO BE INCLUDED IN ANNUAL REPORT.

Section 812 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2501 note) is amended in subsection (c)(2)(A) by striking clause (vi) and inserting the following:

''(v) An itemized list of all waivers granted with respect to such articles, materials, or supplies under the Buy American Act (41 U.S.C. 10a et seq.), including—

''(I) an analysis of the domestic capacity to supply the articles, materials, or supplies; and

''(II) an analysis of the reasons for an increase or decrease in the number of waivers granted from fiscal year to fiscal year.''.

AMENDMENT NO. 50 OFFERED BY MR. BROUN OF GEORGIA

The text of the amendment is as follows:

At the appropriate place in the bill insert the following:

Whereas, on January 12, 2010, the nation of Haiti was hit by a magnitude 7.0 earthquake, adversely affecting nearly 3,000,000 people;

Whereas the United States Government has provided millions of dollars in humanitarian assistance to meet immediate needs on the ground and plans to give more over the next year;

Whereas the United States Armed Forces have diligently worked to aid the people of Haiti during their time of need, providing humanitarian aid and logistical support;

Whereas the United States Armed Forces, civilians, and charitable groups have led the charge in an effort to maintain civility and bring some small semblance of hope to the devastated nation;

Whereas members of the United States Armed Forces serve as the premier ambassadors of liberty, freedom, and goodwill when tasked with a humanitarian mission;

Whereas the generosity of the people of the United States is known the world over and the United States flag is universally recognized as a symbol of that generosity; and

Whereas the United States Government has provided more aid to the nation of Haiti than all other nations combined: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) commends the United States Armed Forces for their commitment to completing their humanitarian mission in Haiti; and

(2) encourages the President to order the United States flag to be flown over all military and civilian outposts in Haiti under the United States' jurisdiction.

AMENDMENT NO. 51 OFFERED BY MS. EDWARDS OF MARYLAND

The text of the amendment is as follows:

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

SEC. 839. REQUIREMENT TO INCLUDE EFFECTS ON DOMESTIC JOBS IN PERIODIC ASSESSMENTS OF DEFENSE CAPABILITY.

Section 2505(b)(4) of title 10, United States Code, is amended by inserting after ''title)'' the following: '', including the effects on domestic jobs,''.

AMENDMENT NO. 57 OFFERED BY MR. PRICE OF NORTH CAROLINA

The text of the amendment is as follows:

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

SEC. 839. EXTENSION OF REGULATIONS ON CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS.

(a) EXTENSION OF REGULATIONS.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall issue regulations to extend and apply the requirements of section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2302 note) to additional areas as designated under paragraph (2) and as listed in paragraph (3).

(2) ADDITIONAL AREAS DESIGNATED.—The Secretary of Defense shall designate as additional areas for purposes of this section any area—

(A) that is an area within a foreign country or an area covering all or part of more than one foreign country;

(B) that is not an area of combat operations as designated under subsection (c) of section 862 of such Act; and

(C) in which significant military operations, as designated by the Secretary, are being carried out by United States Armed Forces.

(3) ADDITIONAL AREAS LISTED.—In addition to any areas designated by the Secretary under paragraph (2), the following areas shall be considered additional areas listed in this paragraph for purposes of this section:

(A) The Horn of Africa region.

(B) Yemen.

(C) The Philippines.

(D) Haiti.

(b) EXTENSION TIMELINES.—The Secretary shall prescribe regulations applicable to the additional areas—

(1) designated under subsection (a)(2), not later than March 1, 2012; and

(2) listed in subsection (a)(3), not later than March 1, 2011.

(c) REPORT ON IMPLEMENTATION.—Not later than 90 days after the dates specified in subsection (b), the Secretary of Defense, in coordination with the Secretary of State, shall submit to Congress a report on the implementation of the regulations prescribed under this section. The report shall include—

(1) a complete list of additional areas designated by the Secretary under subsection (a)(2), and a detailed description of the criteria used to make the designation;

(2) the total number of contractors performing private security functions in each additional area designated under subsection (a)(2) or listed in subjection (a)(3); and

(3) an assessment of the long-term options for reducing the use of contractors for private security functions, including the use of Government personnel to provide such functions.

(d) PRIVATE SECURITY FUNCTIONS.—Notwithstanding section 864 of the National Defense Authorization Act for FY 2008 (P.L. 110–181), as amended by section 813 of the NDAA for FY 2010 (P.L. 111–84), in this section, the term ''private security functions'' means activities engaged in by a contractor as follows:

(1) Guarding of personnel, facilities, or property of a Federal agency.

(2) Any other activity for which personnel are required to carry weapons in the performance of their duties.

Page 304, line 15, strike ''and''.

Page 304, line 21, strike the period and insert ''; and''.

Page 304, after line 21, insert the following:

''(C) the desirability and feasibility of including in the common databases identified under section 861(b)(4) information about contracts subject to the regulations required by section 839 of the National Defense Authorization Act for Fiscal Year 2011 (providing for extending and applying the requirements of section 862 to additional areas designated or listed in that section 839).

AMENDMENT NO. 50 OFFERED BY MR. BROUN OF GEORGIA, AS MODIFIED

The Acting CHAIR. The Clerk will report the modification to amendment No. 50.

The Clerk read as follows:

Page 452, after line 10, insert the following:

SEC. 1065. SENSE OF CONGRESS ENCOURAGING THE PRESIDENT TO ORDER THE UNITED STATES FLAG TO BE FLOWN OVER UNITED STATES MILITARY AND CIVILIAN OUTPOSTS IN HAITI DURING EARTHQUAKE RELIEF EFFORTS.

(a) FINDINGS.—Congress finds the following:

(1) On January 12, 2010, the nation of Haiti was hit by a magnitude 7.0 earthquake, adversely affecting nearly 3,000,000 people.

(2) The United States has provided millions of dollars in humanitarian assistance to meet immediate needs on the ground and plans to give more over the next year.

(3) The Armed Forces have diligently worked to aid the people of Haiti during their time of need, providing humanitarian aid and logistical support.

(4) The Armed Forces, civilians, and charitable groups have led the charge in an effort to maintain civility and bring some small semblance of hope to the devastated nation.

(5) Members of the Armed Forces serve as the premier ambassadors of liberty, freedom, and goodwill when tasked with a humanitarian mission.

(6) The generosity of the people of the United States is known the world over and the United States flag is universally recognized as a symbol of that generosity.

(7) The United States has provided more aid to the nation of Haiti than all other nations combined.

(b) SENSE OF CONGRESS.—The Congress—

(1) commends the Armed Forces for their commitment to completing their humanitarian mission in Haiti; and

(2) encourages the President to order the United States flag to be flown over all military and civilian outposts in Haiti under United States jurisdiction.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent that we dispense with the reading.

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

There was no objection.

□ 1915

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from New Jersey (Mr. ANDREWS) and the gentleman from California (Mr. MCKEON) each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Again, we appreciate the efforts of Members on both sides of the aisle in working through a wide array of problems in a very thoughtful way. Each of these amendments has been reviewed and accepted by both the minority and majority staff. We thank the Members for their efforts.

At this time, I yield 5 minutes to the author of one of the en bloc amendments, the gentleman from Iowa (Mr. BRALEY).

Mr. BRALEY of Iowa. I want to thank the gentleman from New Jersey for yielding.

Mr. Chairman, the amendment that I have offered is an amendment that makes great sense, especially given the

enormous costs that American taxpayers have paid for Operation Enduring Freedom and Operation Iraqi Freedom.

One of the things we know is that there is a price for war. Sixty-five years ago, my father was in route from Guam to Iwo Jima as an 18-year-old marine. At that time, the world had been at war for a little over 5 years. Well, here in the United States, we have been at war, basically, since September 11 of 2001.

My amendment offers a simple, commonsense solution that requires the administration to submit a report to Congress on the long-term costs of the wars in Iraq and Afghanistan.

As I mentioned, we have been engaged in a war in Afghanistan for almost 9 years now and in Iraq for 7 years, and the Department of Defense has yet to submit a long-term estimate of the cost of these wars. The previous administration failed to submit a cost estimate despite a statutory reporting requirement for a cost estimate for fiscal years 2006 through 2011 that was required in the fiscal year 2005 defense appropriations bill.

According to the Congressional Research Service, through fiscal year 2009, Congress has appropriated at least $944 billion in Iraq and Afghanistan, and we have lost over 4,400 American lives in Iraq and over 1,060 lives in Afghanistan. Because of this immense cost, the American people deserve to have an honest estimate about how much these wars are going to cost us over the long term. This is especially critical on the issue of future health care costs.

My amendment addresses an important issue. This goes back to an Oversight Subcommittee hearing we had after the Walter Reed Building 18 fiasco in 2007. At that hearing, retired Lieutenant General Chip Roadman, a former Air Force surgeon general and a member of the Independent Review Group, told me, ''We recognize the cost is immense, and it is our moral obligation to address those issues.''

In the Independent Review Group report, the four signature injuries of these wars were identified. Posttraumatic stress disorder, traumatic brain injury, increased survival of severe burns, and traumatic amputations are the four signature wounds. The recovery process for these signature wounds ''can take months or years and must accommodate recurring delayed manifestations of symptoms, extended rehabilitation and all the life complications that emerge over time from such trauma.'' We don't have a good understanding today of how much it is going to cost to take care of these wounded veterans, and we need to acknowledge the true cost.

Already, over 1,300 servicemembers have suffered amputations as a result of their service in Iraq and Afghanistan. More than 243,000 have been treated for mental health conditions. Over 129,000 have been diagnosed with posttraumatic stress disorder. These numbers will only continue to grow. We also know, according to the U.S. Life Tables, Mr. Chairman, the life expectancy of an 18- to 19-year-old male is 58 years. That means almost 60 years of treatment and care for many of these wounded veterans. That is why we need an honest and accurate assessment of the true cost of the war.

My amendment requires the President to estimate the number of veterans expected to suffer from these signature wounds and the cost it is going to take to treat them and to provide them with the care they deserve.

That is why this amendment is a commonsense, transparent requirement. It is long overdue, and it is going to give the American taxpayers, who are footing the bill for these deserving veterans, a better idea of what the long-term cost is actually going to be. That is why I urge everyone to support it.

Mr. MCKEON. Mr. Chairman, at this time, I yield 2 minutes to the gentleman from Georgia (Mr. BROUN).

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

Mr. Chairman, I rise today in support of my amendment that is included in this en bloc amendment. It includes my language, which encourages the President of the United States to order that the U.S. flag be flown at the American outpost in Haiti. It is to be flown at this outpost as we continue to assist in our earthquake relief.

I would like to thank Chairman SKELTON and Ranking Member MCKEON for their hard work on this bill and for including my amendment in this en bloc package.

As the United States extends a helping hand to our neighbor nation of Haiti, I am disheartened that the President has decided that our service men and women should not work in their outpost under the American flag and that he has ordered that the American flag cease to fly over that outpost.

The American flag is a symbol that our men and women in uniform are promoting the American spirit of rebuilding hope, prosperity, and opportunity. As a marine and naval medical officer, I understand that it is critical for morale that our military should work under the American flag, especially when our presence in a foreign country is under peaceful conditions.

As a sign of respect and support for the selfless efforts of the service men and women, I urge my colleagues to support this amendment.

Mr. Chairman, I request that my full statement be entered into the RECORD.

Mr. Chair, I would like to thank Chairman SKELTON and Ranking Member MCKEON for their hard work on this critical bill, which is the life-blood for those defending our freedoms at home and abroad. And thank you gentlemen, for allowing me to offer this amendment before the House.

I rise today in support of my amendment which encourages the President to order the flag of the United States to be flown over all military and civilian outposts in Haiti during earthquake relief efforts.

As Memorial Day approaches, Americans will be honoring those brave souls who, as Abraham Lincoln said in the Gettysburg Address, ''gave the last full measure of devotion'' to our nation, by flying the American Flag at their homes and places of business.

However, there is one place where the flag will not be waving, and that is in the Republic of Haiti, on American outposts where our servicemen and women are leading humanitarian efforts to aid those adversely effected by the magnitude 7 earthquake that devastated the island nation.

The President has decided that the stars and stripes would be viewed with disdain in Haiti. That our servicemen and women providing basic essentials would be viewed as an occupying force if they did it under our flag. So he has ordered the Department of Defense not to fly our flag in Haiti, for fear of being viewed unfavorably by the rest of the world.

I strongly disagree with the President, and I believe he could not be more wrong about how the world views the United States and our flag. I submit that every member of this body will agree with me when I say that when tasked with a mission of mercy, there are no better ambassadors for the United States than our men and women in uniform. In Berlin after World War II, and most recently in places like The Philippines, Bolivia, Djibouti, and Colombia, it has been our service-members who have delivered hope to those who have none.

In all these places our Flag has flown proudly over these merchants of mercy. The situation is no different in Haiti, our servicemen and women are still giving hope to an impoverished people, they should be allowed to do this under the symbol that embodies all that we hold dear.

I urge my colleagues to support this amendment that honors our military and their efforts in Haiti, and encourages the President to allow them to serve under our proud flag.

Mr. ANDREWS. Mr. Chairman, may I inquire as to the time remaining on both sides?

The Acting CHAIR. The gentleman from New Jersey has 5½ minutes remaining, and the gentleman from California has 8½ minutes remaining.

Mr. ANDREWS. Mr. Chairman, at this time, I am pleased to yield 3 minutes to a gentleman who is an Appropriations subcommittee chairman and who has taken the lead on making sure that the use of private contractors is done properly, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of an amendment extending oversight and accountability for security contractors overseas, for contractors performing security functions, as one element of this en bloc amendment.

The gentleman from South Carolina (Mr. SPRATT) joins me in this effort, and I also want to acknowledge the leadership of other Members, especially that of Ms. SCHAKOWSKY, in this critical area of defense policy.

This amendment is brief and straightforward. It would simply extend a section of the fiscal year 2008 defense authorization bill that strengthened the oversight of private security

contractors in Iraq and Afghanistan to additional areas in which there is or could be a significant security contractor presence.

I don't need to recount here, Mr. Chairman, the arguments in favor of greater oversight and accountability for armed contractors, particularly those operating in areas in which our military is operating. The high-profile incidents of contractor misconduct that have punctuated our campaigns in Iraq and Afghanistan should speak for themselves.

In responding to these incidents, Congress has come a long way toward improving Federal management and oversight of private security contractors, most notably through several important reforms, including those in the fiscal 2008 defense authorization bill. These reforms, many of which were drawn from my broader contractor accountability legislation, have been credited with improving both the operational capabilities of the Armed Forces in Iraq and Afghanistan and Congress' ability to conduct effective oversight of private security contractors.

As our military faces new and emerging threats in other areas of the world, it is critical that these effective oversight measures be maintained and extended. This amendment seeks to do just that by extending several of the key reforms enacted in 2008 to additional areas with significant contractor presence. The amendment lists four such areas by name, but its broader intent is to give the Defense Department, the State Department, and USAID the tools and authority they need to apply these coordination and oversight mechanisms to any area in which our military is conducting significant operations.

I want to thank Chairman SKELTON, Ranking Member MCKEON and the Armed Services Committee for their leadership in drafting this legislation as well as for their support and cooperation in the effort to improve transparency and accountability in the use of contractors.

I urge my colleagues to support this amendment.

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

Mr. ANDREWS. Mr. Chairman, it is my pleasure at this point to yield 1 minute to a gentleman who has been in the forefront of trying to promote American jobs through this bill, the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Chew on this fact.

In 2007, there were 14,000 waivers granted to the Buy American law by DOD. One year later, in 2008, that number jumped to 65,000. That's a 1-year 450 percent increase in Buy American waivers that likely cost tens of thousands, if not hundreds of thousands, of U.S. manufactured jobs.

That's why the amendments being offered in this block by myself, by Representative EDWARDS, and by Representative LIPINSKI are so important, because we need to start shining a light on this outrageous flow of U.S. defense jobs overseas.

My amendment would specifically require DOD to explain large increases in waiver approvals from one year to the next, and it would require the DOD to explain if they even looked for American-made products before they granted these waivers. We want to grow American manufacturing. We need to start with the billions and billions of American taxpayer dollars spent at the Department of Defense.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. I thank the gentleman for yielding.

I want to thank especially Chairman SKELTON and the House Armed Services Committee for their leadership on this issue and for their continued commitment to what it takes for our servicemembers and their families.

I want to thank most especially my colleagues, Representatives LIPINSKI from Illinois and CHRIS MURPHY from Connecticut, for working with us, for working together to advance provisions that bolster domestic job creation. There are no better advocates for domestic job growth than these two gentlemen.

Mr. Chairman, I rise today to urge a ''yes'' vote on this en bloc amendment as well as on the underlying legislation.

Most specifically, the amendment that I led directs the Department of Defense to start accounting for the domestic employment impact of major defense acquisition programs. With the DOD's spending billions of dollars a year, it is necessary that we are able to analyze the impact of this spending on our economy.

The amendments led by my two colleagues are as equally important. They seek to ensure that our domestic companies are included on procurement opportunities for use by the DOD overseas. The amendments also strengthen transparency of the Buy American waiver process. Taken together, these provisions close major loopholes and fix major deficiencies.

I urge a ''yes'' vote on this en bloc amendment.

Mr. ANDREWS. Mr. Chairman, at this point, I am privileged to yield 1 minute to another champion of growth of American jobs here from the runner-up city in this year's Stanley Cup finals, the gentleman from Chicago, Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I would like to commend Chairman SKELTON and Ranking Member MCKEON for all of their work on this bill and for our troops.

Mr. Chairman, I rise today in strong support of three Buy American amendments that I've offered, I along with Ms. DONNA EDWARDS and Mr. CHRIS MURPHY. These amendments would bolster national security, and they would create American jobs—two critical goals for America.

In this recession, the loss of our manufacturing base to countries such as China has only sped up. This is bad enough when it involves consumer goods, but depending on foreign companies to supply America's military weakens our national security.

When the Buy American Act was first passed in 1933, it exempted goods used abroad because of shipping time and expense, but that has changed, and it is time American manufacturers competed for these contracts. In 2008, the DOD spent over $8 billion on products used abroad. My amendment would give U.S. companies a chance to compete by requiring the DOD to solicit bids from American suppliers.

This and the other Buy American amendments will strengthen our national security and will create American jobs. I urge my colleagues to support these amendments, the en bloc amendments.

Go, Hawks.

□ 1930

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

It has been a while since I read any of these letters. Maybe some people haven't heard of these letters yet, so I would like to read them. We are only given 5 minutes to discuss Don't Ask, Don't Tell, so we have to talk about it when we get an opportunity, because this is something that I think is going to affect the 2.5 million people in the military plus their families. So we have very strong feelings about this. It is unfortunate that the majority has only given us 5 minutes in which to express our views and have a chance to let the people of America know what is happening here.

This is a letter from Secretary Gates that was written April 30, and then 2 days ago he reaffirmed his stand, that he still stands by what he wrote to Chairman SKELTON:

''Dear Mr. Chairman, I am writing in response to your letter of April 28th requesting my views on the advisability of legislative action.''

So he is talking about the possibility that the Murphy amendment would be made in order for this legislation taken to repeal the so-called Don't Ask, Don't Tell statute prior to the completion of the Department of Defense review of this matter.

''I believe in the strongest possible terms that the Department must, prior to any legislative action, be allowed the opportunity to conduct a thorough, objective, and systematic assessment of the impact of such a policy change, develop an attentive, comprehensive plan, and provide the President and the Congress with the results of this effort in order to ensure that this step is taken in the most informed and effective manner.

''A critical element of this effort is the need to systematically engage our

forces, their families, and the broader military community throughout this process. Our military must be afforded the opportunity to inform us of their concerns, insights, and suggestions if we are to carry out this change successfully.

''Therefore, I strongly oppose any legislation that seeks to change this policy prior to the completion of this vital assessment process. Further, I hope Congress will not do so, as it would send a very damaging message to our men and women in uniform that in essence their views, concerns, and perspectives do not matter on an issue with such direct impact and consequence for them and their families.''

Signed by the Chairman of the Joint Chiefs, Admiral Mullen, and Robert Gates, Secretary of Defense.

May I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from California has 4½ minutes remaining; the gentleman from New Jersey has 1 minute remaining.

Mr. MCKEON. Mr. Chairman, I will continue to yield myself such time as I may consume.

What the Secretary is saying here is there was a process set in place. The President, in the State of the Union, said he wanted the repeal of Don't Ask, Don't Tell by the end of this year. The Secretary, in response, set up a process whereby the military could be contacted, their opinions could be heard, the opinions of all of them that are contacted could be taken under advisement by the Chairman, by each of the Chiefs. They could give their best military advice to the Secretary, which he could then give to the Congress and to the President as to how we proceed on this matter.

That was supposed to be done before December of this year. They are on track to do it. This month, a company was hired by competitive bid to go into the field to interview people, which they will do with various methods, to give us a comprehensive answer as to what people feel about this. They will survey 350,000 people.

Now, if this passes tonight, if this amendment passes, I know the amendment says nothing will take place prior to that study being handed in, but we all know, it is like we say we are going to talk to you, but we have already made the decision. So, go ahead, tell us whatever you want. It is like they will know that their opinions really don't matter because the vote has already taken place, the decision has already been made, and they are left out of the loop.

As the Chiefs of the various services told me, this disrespects the military, and it should not be done. Each of them have stated on the phone to me and in letters that this should not be done.

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

Mr. ANDREWS. Mr. Chairman, through the Chair I would say to my friend from California, we have only Mr. KENNEDY left to speak, and I believe we have the right to close on this. So does the gentleman intend to speak again?

Mr. MCKEON. How much time do I have left?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. MCKEON. I would be happy to yield 1 minute to my good friend from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I want to thank Mr. MCKEON and obviously Mr. ANDREWS for their great stewardship of this important legislation and say the real Don't Ask, Don't Tell question that we have for our military is don't ask how many antidepressants you are on because this Nation had to call you up, not once, not twice, but three and four times.

The real Don't Ask, Don't Tell question is don't ask how many parents or how many wives are at home waiting with their children, worried about their families getting called up over and over and over again because we won't up the standing military so that we don't have to overextend these tours of duty over and over and over again, creating the largest generation of military men and women who are going to be permanently scarred because of their overextension of service of duty. That is the real Don't Ask, Don't Tell.

The Don't Ask, Don't Tell is what is the long-term cost to this country, mental health-wise, for this terrible neglect of our men and women in uniform.

The Acting CHAIR. The time of the gentleman from Rhode Island has expired.

Mr. ANDREWS. I yield the gentleman 30 additional seconds.

Mr. KENNEDY. I want to thank the gentleman from New Jersey, because one more thing you won't hear the answer to is that 72 percent of the health care for veterans is going to be the private insurance market, and thanks to this gentleman, Mr. ANDREWS, and many others, who led the way for the private insurance market covering, with no preexisting condition, no annual or lifetime caps, those 72 percent of veterans out there today are going to have their cognitive neurological disorders, the traumatic brain injury, covered, covered, covered by the private insurance system, thanks to this gentleman from New Jersey, Mr. ANDREWS, and his colleagues on the Democratic side.

Mr. MCKEON. Mr. Chairman, I appreciate my friend from Rhode Island's passion, and I share that with him. I have very deep concerns about the military. They have been asked over and over again, and they have responded over and over and over again. I have been to funerals and I have looked into the parents' eyes and talked to them. I also know in war there are no unwounded, as somebody more eloquent than I stated, and that is one of the tragedies.

The other tragedy is what happened on 9/11, where we were attacked, and now we have been engaged in this worldwide war on terrorism. It is not something we asked for. It is just something that our Nation has responded from the days of the creation of this Nation, when the men rode to the sound of the guns, when they died at Valley Forge, frozen to death, starved to death. They have sacrificed for years.

I am saying, give them an opportunity to have their say, to follow through with the plan that has been set.

I yield back my time.

Mr. ANDREWS. Mr. Chairman, may I inquire as to the time remaining?

The Acting CHAIR. The gentleman has 30 seconds.

Mr. ANDREWS. I thank the gentleman from California for yielding the time to the gentleman from Rhode Island, and I would say, of course we recognize our duty to listen to those who serve in uniform. We also recognize our duty to raise their pay, to give them the tools and weapons necessary to do their job, to support their families, and to give them the strategy that works to defend this country. This bill does all of those things. We should support the bill and support the en bloc amendment before the body.

I yield back the balance of our time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendments en bloc were agreed to.

AMENDMENT NO. 62 OFFERED BY MR. MCMAHON

The Acting CHAIR. It is now in order to consider amendment No. 62 printed in House Report 111–498.

Mr. MCMAHON. 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. 62 offered by Mr. MCMAHON:

Page 284, after line 22, insert the following:

SEC. 727. SENSE OF CONGRESS CONCERNING THE IMPLEMENTATION OF THE CONGRESSIONALLY-MANDATED RECOMMENDATIONS OF THE INSTITUTE OF MEDICINE STUDY.

(a) FINDINGS.—Congress finds the following:

(1) Section 717 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1073 note) directed the Secretary of Defense to enter into a contract with the Institute of Medicine of the National Academy of Sciences to conduct a study and make recommendations regarding the credentials, preparation, and training of licensed mental health counselors.

(2) In the study, the Institute of Medicine of the National Academy of Sciences recommends permitting counselors to practice independently under the TRICARE program.

(3) In addition, the Institute of Medicine of the National Academy of Sciences recommends that TRICARE implement a comprehensive quality management system for all of its mental health professionals.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense

should implement the requirements of subsection (a) of such section 717 by not later than December 31, 2010, because such implementation will increase the urgently needed mental health staff of the Department of Defense and ensure that members of the Armed Forces will receive timely and confidential post-deployment screenings with a mental health professional.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from New York (Mr. MCMAHON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, I thank the House Committee on Armed Services, led by the great gentleman from Missouri, for recognizing the significance of the increasing suicide rates in our armed services and the need to increase mental health professionals to combat this disturbing trend. I would also like to thank my colleagues, Congressman TOM ROONEY, HARRY TEAGUE and BEN LUJÁN for their partnership with me on this amendment and on veterans' mental health issues we have tackled in a very bipartisan fashion.

Mr. Chairman, serving in the military can have lingering effects on servicemembers and the families that support them. For this reason, the mental health care needs of the TRICARE population are large and diverse, requiring a skilled group of professionals to diagnose and treat a variety of disorders. Unfortunately, these professionals do not currently exist, and the mental health needs of our servicemen and -women are, quite frankly, not being met.

But Congress can help increase this pool by implementing the recommendations of the congressionally mandated Institute of Medicine study, which makes recommendations for permitting counselors to practice independently under the TRICARE program. In addition, the committee recommends that TRICARE implement a comprehensive quality management system for all its mental health professionals.

Under current TRICARE rules, mental health counselors are required to practice under a physician's supervision, and their patients must be referred to them by a physician in order for their services to be eligible for reimbursement. This requirement distinguishes them from other mental health professionals who practice without such restrictions.

This amendment would encourage the Secretary of Defense to implement these goals by the end of the year and to increase mental health professionals available to our men and women in uniform. We need to provide the coverage, but we also need to provide the professionals who can provide the care.

We see in so many cases the high rates of suicides of our returning warriors, and we must address this. Eventually, this increase will reduce the stigma of seeking mental health treatment and reduce the aberrantly high levels of suicide in the armed services, as I mentioned.

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

Mr. MCKEON. Mr. Chairman, I don't oppose the amendment, but I rise to claim the time in opposition.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

Again, if we had been given the time to discuss Don't Ask, Don't Tell, we could have spent more time talking about all of the good things in the bill. But only having 5 minutes to discuss that, we have to use whatever time we can to explain to people what is going on.

When I talked to members of the Joint Chiefs a couple of days ago, one of them said one of the reasons that he opposes doing anything right now in opposition to the plan that was set up earlier this year was because, he says, I am here. I understand the innuendoes around the Hill. I understand the process of the amendment, and I understand that it doesn't really kick in until later. But, he said, the people in the field, the service people that we promised to hear from before we take action, don't understand that.

□ 1945

And he said, the headline will read, Don't Ask, Don't Tell Repealed.

Well, they don't even have to wait for us. The Senate already did it. The breaking news alert on Fox News is: ''The Senate Armed Services Committee votes to repeal military's Don't Ask, Don't Tell policy on gays.'' And then if we follow through and do the same thing tonight with the Murphy amendment, that will be the headline. So the young men and women in Afghanistan, when they're watching on Fox News, that's what they're seeing right now.

So then when we do get around to this company that we hired to make this survey to reach out to 350,000 of our servicepeople and their families, when they hear the question they're going to say, what, you're asking us now, after the decision?

What kind of respect is that to show to our young men and women who are out there laying their life on the line?

They signed a contract. They joined the military. They're an all-volunteer force. And they signed under certain circumstances, and now those are going to be changed without any input from them.

Oh, yeah. We're going to follow through with the charade. We will have the survey, it will be turned in in December, but the die is already cast if that amendment passes tonight. And I don't think that is the way that we should be treating our military, especially the people on this committee.

Our responsibility is to look out for those young men and young women that are out there defending us and defending freedom around the world. And the lack of respect to give them the opportunity to have input on this very important issue, one that we've lived with now for 17 years, that has to be changed now, just doesn't make sense.

A Member earlier this evening talked about common sense and the lack of it that we see around here. And one of the reasons why we're given an 18 percent vote of approval from the American people, because we show a lack of common sense, we show a lack of respect. This amendment will show a lack of respect to the young men and young women in uniform and their families.

Again, let me read from Admiral Roughead's letter, the admiral, he's the Chief of Naval Operations.

He says, I share the view of Secretary Gates that the best approach would be to complete the Department of Defense review before there is any legislation to change the law. My concern is that legislation changes at this point, regardless of the precise language used in this—and this amendment was written very carefully—may cause confusion on the status of the law in the fleet and disrupt the review process itself by leading sailors to question whether their input matters.

And he is right on target.

Obtaining the views and opinions of the force and assessing them in the light of the issues involved will be complicated by a shifting legislative backdrop and its associated debate.

I plead with you to give the time necessary to have the evaluation, to follow the process that's been set.

What are we afraid of?

Is something going to happen that you think is going to change this process?

Why not let them have their input? Why not follow through with the process that was set by the Secretary?

The company that's been hired to go out and reach out to these 350,000 of our 2.5 million serving, let's follow through with the process; let's respect our young men and women in uniform and follow through with the process that has been determined.

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

Mr. MCMAHON. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I must apologize to my good friend, the gentleman from California, because perhaps my New York accent wasn't, my pronunciation wasn't clear enough, or perhaps I did not speak loudly enough.

The amendment that I am proposing seeks to provide to our returning warriors when they come home and when they continue their lives here in this country, to get the mental health treatment that they need that they cannot currently have.

Mr. Chairman, the issue that I spoke to in my remarks dealt with a very important issue, and that is how to make

sure that this country provides the mental health services for our returning warriors. I did not think that that issue would be one that would be picked up, in my eloquence, by Fox News. I'm not quite sure how it dealt with the other issues, but I just want to be clear, and I want the record to be clear that I was speaking to amendment 62, which is, I think, a very important issue, a very important issue that everyone in this body addresses and deals with, and that is providing adequate mental health services for our returning warriors. That's all I spoke to.

That being said, at this time, I yield the balance of my time.

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

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 7 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, pursuant to House Resolution 1404, I offer amendments en bloc No. 7.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 7 offered by Mr. SKELTON consisting of amendments numbered 38, 49, 53, 60, 72, 73, and 75 printed in House Report 111–498:

AMENDMENT NO. 38 OFFERED BY MS. HERSETH SANDLIN OF SOUTH DAKOTA

The text of the amendment is as follows:

Page 415, after line 25, insert the following:

SEC. 1047. REQUIRED REPORTS CONCERNING BOMBER MODERNIZATION, SUSTAINMENT, AND RECAPITALIZATION EFFORTS IN SUPPORT OF THE NATIONAL DEFENSE STRATEGY.

(a) AIR FORCE REPORT.—

(1) REPORT REQUIRED.—Not later than 360 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees, the Director of the Congressional Budget Office, and the Comptroller General of the United States a report that includes—

(A) a discussion of the cost, schedule, and performance of all currently planned efforts to modernize and keep viable the existing B–1, B–2, and B–52 bomber fleets and a discussion of the forecasted service-life and all sustainment challenges that the Secretary of the Air Force may confront in keeping those platforms viable until the retirement of such aircraft;

(B) a discussion, presented in a comparison and contrast type format, of the scope of the 2007 Next-Generation Long Range Strike Analysis of Alternatives guidance and subsequent Analysis of Alternatives report tasked by the Under Secretary of Defense for Acquisition, Technology, and Logistics in the September 11, 2006, Acquisition Decision Memorandum, as compared to the scope and directed guidance of the year 2010 Long Range Strike Study effort currently being conducted by the Under Secretary of Defense for Policy and the Office of the Secretary of Defense's Cost Assessment and Program Evaluation Office;

(C) a discussion of an objectivity and sufficiency review of the final report issued subsequent to the 2010 Long Range Strike study effort currently being conducted by the Under Secretary of Defense for Policy and the Office of the Secretary of Defense's Cost Assessment and Program Evaluation Office;

(D) a discussion of the progress of efforts to field a next generation long-range strike platform, including a review of—

(i) the next generation long-range strike requirements development and validation;

(ii) the threshold and objective key performance parameters;

(iii) the acquisition strategy, the acquisition oversight strategy, projected life-cycle costs, the cost-risk analysis, the technology readiness levels of planned capabilities; and

(iv) the development, testing, production and fielding timelines;

(E) a discussion of the costs, development, testing, fielding and operational employment challenges, capability gaps, limitations and shortfalls of the Secretary of Defense's plan to field a long-range, penetrating, survivable, persistent and enduring ''family of systems'' as compared to the development, testing, fielding and operational employment of a singular platform that encompasses all the required aforementioned characteristics; and

(F) a discussion of the planning efforts for developing and fielding a transformational long-range strike capability in the 2035 timeframe.

(2) PREPARATION OF REPORT.—The report under paragraph (1) shall be prepared by the Institute for Defense Analyses and submitted to the Secretary of the Air Force for submittal by the Secretary in accordance with that paragraph.

(b) COST ANALYSIS AND PROGRAM EVALUATION REPORT.—The Director of the Cost Analysis and Program Evaluation of the Office of the Secretary of Defense shall submit to the congressional defense committees, the Director of the Congressional Budget Office, and the Comptroller General of the United States a report that includes—

(1) the assumptions and estimated life-cycle costs of the Department's long-range, penetrating, survivable, persistent, and enduring ''family of systems'' platforms; and

(2) the assumptions and estimated life-cycle costs of the Next Generation Platform program, as planned and approved by the Secretary of Defense, prior to the cancellation of the program on April 6, 2009.

(c) CBO REPORT.—Not later than 360 days after the date of the enactment of this Act, the Congressional Budget Office shall submit to the congressional defense committees and to the Comptroller General of the United States a report that includes—

(1) a life-cycle-cost analysis of the costs of modernizing and sustaining the current fleet of B–1, B–2 and B–52 bombers to meet future long-range strike requirements compared to the costs of development, testing, fielding, and operational employment of a singular Next Generation Bomber platform to replace the existing fleet of B–1, B–2 and B–52 platforms;

(2) a life-cycle-cost analysis of the costs of the Secretary of Defense's plan to field a long-range, penetrating, survivable, persistent, and enduring ''family of systems'' compared to the costs of developing, testing, fielding and operational employment of a singular Next Generation Bomber platform;

(3) a life-cycle-cost analysis of the costs the Secretary of Defense's plan to field a long-range, penetrating, survivable, persistent and enduring ''family of systems'' compared to the costs of modernizing and sustaining the current fleet of B–1, B–2 and B–52 bombers to meet future long-range strike requirements; and

(4) the results of an objectivity and sufficiency review of the cost analysis described in subsection (b)(1).

(d) ACCESS TO PROGRAMMATIC INFORMATION.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of the Air Force shall provide prompt access to programmatic information requested by agency personnel for the purpose of producing a report required under this section, including any and all classified information pertaining to the Department's ''family of systems'' programs.

(2) PROMPT ACCESS DEFINED.—For purposes of paragraph (1), the term ''prompt access'' means access provided not later than 15 business days after receiving a request.

AMENDMENT NO. 49 OFFERED BY MR. CHILDERS OF MISSISSIPPI

The text of the amendment is as follows:

Page 528, after line 17, insert the following:

SEC. 1523. REPORT ON MINE RESISTANT AMBUSH PROTECTED VEHICLES.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the procurement of mine resistant ambush protected vehicles.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) An evaluation of potential cost benefits and manufacturing efficiencies with respect to mine resistant ambush protected vehicles.

(2) An evaluation of the advisability and feasibility of sustained low-level production of mine resistant ambush protected vehicles across the industrial base as part of a long-term sustainment fleet integration strategy.

AMENDMENT NO. 53 OFFERED BY MR. FOSTER OF ILLINOIS

The text of the amendment is as follows:

Page 452, after line 10, insert the following:

SEC. 1065. STUDY ON OPTIMAL BALANCE OF MANNED AND UNMANNED AERIAL VEHICLE CAPABILITY.

(a) STUDY.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall commission a study by an independent, non-profit organization on the optimal balance between manned and unmanned aerial vehicle forces of the Armed Forces.

(2) SELECTION.—The independent, non-profit organization selected for the study under paragraph (1) shall be qualified on the basis of having performed work in the fields of national security and combat systems.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) With respect to each military department (but in particular the Air Force), an assessment of the feasibility and desirability of a more rapid transition from manned to unmanned vehicles for a range of operations, including combat operations.

(2) An evaluation of the current ability of each military department to resist attacks mounted by foreign militaries with significant investments in research and development and deployment of unmanned combat drones, including an assessment of each military department's ability to defend against—

(A) a large enemy force of unmanned aerial vehicles; and

(B) any other relevant unmanned scenario the Secretary determines appropriate.

(3) An analysis of—

(A) current and future capabilities of foreign militaries in developing and deploying unmanned systems; and

(B) vulnerabilities to drone systems revealed in past war games and other strategy materials.

(4) Conclusions on the matters described in paragraphs (1) through (3) and what the independent, non-profit organization conducting the study determines is the optimal balance of investment in development and deployment of manned versus unmanned platforms.

(c) REPORT.—Not later than December 1, 2011, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the study under subsection (a).

(d) FORM.—

(1) STUDY.—The study under subsection (a) shall include a classified annex with respect to the matters described in subsection (b)(3).

(2) REPORT.—The report under subsection (c) may include a classified annex.

AMENDMENT NO. 60 OFFERED BY MR. LUJÁN OF NEW MEXICO

The text of the amendment is as follows:

Page 679, after line 25, insert the following:

SEC. 3115. ENHANCING PRIVATE-SECTOR EMPLOYMENT THROUGH TECHNOLOGY TRANSFER ACTIVITIES.

(a) IN GENERAL.—The Administrator for Nuclear Security shall encourage technology transfer activities at the national security laboratories (as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)) that lead to the creation of new private-sector employment opportunities.

(b) REPORTS.—Not later than January 31 of each year, the Administrator shall submit to Congress a report detailing the number of new private-sector employment opportunities created as a result of the previous years' technology transfer activities at each national security laboratory.

AMENDMENT NO. 72 OFFERED BY MR. HINCHEY OF NEW YORK

The text of the amendment is as follows:

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

SEC. 839. PROCUREMENT OF PHOTOVOLTAIC DEVICES.

(a) CONTRACT REQUIREMENT.—The Secretary of Defense shall ensure that each contract awarded by the Department of Defense that includes the procurement of photovoltaic devices, including contracts described in subsection (b), includes a provision requiring the photovoltaic devices to comply with the Buy American Act (41 U.S.C. 10a et seq.).

(b) CONTRACTS DESCRIBED.—The contracts described in this subsection include, but are not limited to, energy savings performance contracts, utility service contracts, land leases, and private housing contracts.

(c) DEFINITION OF PHOTOVOLTAIC DEVICES.—In this section, the term ''photovoltaic devices'' means devices that convert light directly into electricity through a solid-state, semiconductor process.

AMENDMENT NO. 73 OFFERED BY MR. HINCHEY OF NEW YORK

The text of the amendment is as follows:

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

SEC. 839. REQUIREMENT FOR CONTRACTS IN IRAQ AND AFGHANISTAN TO USE EMPLOYEES AND NOT INDEPENDENT CONTRACTORS FOR PRIVATE SECURITY SERVICES.

(a) REQUIREMENT.—Any contract in Iraq or Afghanistan for the procurement of private security services shall contain a requirement that, in the case of any contractor using individuals who are United States citizens and required to have a United States security clearance to perform private security services under the contract, the contractor shall use employees and not independent contractors for the provision of such services.

(b) CONTRACT IN IRAQ OR AFGHANISTAN.—In this section, the term ''contract in Iraq or Afghanistan'' means a contract with the Department of Defense, the Department of State, or the United States Agency for International Development, a subcontract at any tier issued under such a contract, or a task order or delivery order at any tier issued under such a contract (including a contract, subcontract, or task order or delivery order issued by another Government agency for the Department of Defense, the Department of State, or the United States Agency for International Development), if the contract, subcontract, or task order or delivery order involves work performed in Iraq or Afghanistan for a period longer than 14 days.

(c) PRIVATE SECURITY SERVICES.—In this section, the term ''private security services'' means activities engaged in by a contractor under a contract in Iraq or Afghanistan and includes—

(1) guarding of personnel, facilities, or property of a Federal agency, the contractor or subcontractor, or a third party;

(2) any other activity for which personnel are required to carry weapons in the performance of their duties; and

(3) training in any activity covered by paragraph (1) or (2).

(d) WAIVER AUTHORITY.—The Secretary of Defense, the Secretary of State, or the Administrator of the United States Agency for International Development may waive the requirement in subsection (a) with respect to a contract of the Department of Defense, the Department of State, or the United States Agency for International Development, respectively, if the Secretary concerned or the Administrator—

(1) determines in writing that a waiver is necessary in the interests of national security; and

(2) submits to Congress a notification of such waiver.

AMENDMENT NO. 75 OFFERED BY MR. CONNOLLY OF VIRGINIA

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following new section:

SEC. 12xx. REQUIREMENT TO MONITOR AND EVALUATE DEPARTMENT OF DEFENSE ACTIVITIES TO COUNTER VIOLENT EXTREMISM IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall monitor and evaluate the impact of United States Africa Command (USAFRICOM) Combined Joint Task Force–Horn of Africa's (CJTF–HOA) activities to counter violent extremism in Africa, including civil affairs, psychological operations, humanitarian assistance, and operations to strengthen the capacity of partner nations.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the following:

(1) An evaluation of the impact of CJTF–HOA's activities described in subsection (a) to advance United States security objectives in the Horn of Africa, including the extent to which CJTF–HOA's activities—

(A) disrupt or deny terrorist networks;

(B) combat violent extremist ideology;

(C) are aligned with USAFRICOM's mission; and

(D) complement programs conducted by the United States Agency for International Development.

(2) USAFRICOM's efforts to monitor and evaluate the impact of CJTF–HOA's activities described in subsection (a), including—

(A) the means by which CJTF–HOA follows up on such activities to evaluate the effectiveness of such activities;

(B) USAFRICOM's specific assessments of CJTF–HOA's activities; and

(C) a description of plans by the Secretary of Defense to make permanent CJTF–HOA's presence in Djibouti.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. MCKEON) each will control 10 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I have an amendment that will ensure that the Department of Defense supports the growing domestic solar energy industry. The Department of Defense, as we know, is the largest consumer of energy on this planet. Fortunately, the Pentagon is beginning to more fully understand just how important energy is to our national security. As the Department purchases solar panels to address very serious energy security concerns at defense installations around our country, we must ensure that those purchases support American renewable energy manufacturing jobs rather than those at other companies in other countries.

The Buy American Act requires products purchased directly by the Federal Government to contain at least 50 percent American content. This amendment applies the Buy American Act to the procurement of solar panels purchased indirectly by the Department through subcontracts such as Energy Savings Performance Contracts, land leases, and utility service contracts. Establishing real energy security at our defense installations is critical to our national security.

This amendment is a commonsense approach to ensuring that, as the Department makes key investments in renewable energy, American manufacturing jobs are supported and increased.

I urge the support of my colleagues, and I express my deep gratitude to Chairman SKELTON for his steadfast support for our national defense.

My second amendment will help strengthen our Nation's oversight over armed security contractors in Iraq and Afghanistan and eliminate a tax loophole that has been used by the defense contractor Blackwater. For too long, the private armies of defense contractors have undermined our Nation's

mission in Afghanistan and Iraq through the conduct of their personnel.

The key to American success is the ability of U.S. forces to win support from the Afghan and Iraqi people, many of whom do not distinguish between armed security contractors and the U.S. military. For this reason, every time a contractor kills or injures innocent civilians, the very people we seek to protect, it is a devastating blow to our country's strategy to protect the local population.

Let us recall one example. On May 5 of last year, two independent contractors working for Paravant, a Blackwater front company, fired their weapons, killing two Afghan civilians and wounding a third. Adding insult to injury by classifying workers in Iraq as independent contractors rather than employees, Blackwater appears to have avoided at least $31 million in employment-related taxes.

This amendment, sponsored by myself and SCHAKOWSKY and MORAN, is an amendment that requires armed private security contractors who are using U.S. citizens in Iraq or Afghanistan to hire those individuals as direct employees rather than independent contractors. The amendment is narrow and it is focused. It applies only to U.S. citizens who are required to have security clearances for armed security contracts in Iraq or Afghanistan. The amendment also contains a national security waiver provision.

This amendment will help close the door on a tax loophole and ensure contractors have full responsibility and better oversight over employees. I urge support for this amendment, and I again thank Chairman SKELTON for his work on this bill and deep commitment to the men and women of the United States military.

Mr. MCKEON. Mr. Chairman, I rise to take the time in opposition although I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 10 minutes.

There was no objection.

Mr. MCKEON. I will reserve my time.

Mr. SKELTON. Mr. Chairman, I yield 1½ minutes to my friend, the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the chairman.

I want to speak specifically to this amendment that addresses a duplicitous employment practice by private security contractors in Afghanistan. Last year, four employees of Paravant, a Blackwater subsidiary, were involved in a shooting incident where a number of Afghan civilians, one was killed, others were wounded. A subsequent investigation found that Paravant employees were not classified as employees but were, instead, classified as independent contractors. Then it was revealed that Paravant classified them as independent contractors in order to avoid taking responsibility for their actions.

Raytheon, who was the main contractor on the Afghan Border Police contract, attempted to sever ties with them, but they were rebuffed because this company claimed to have no responsibility for or oversight over the four in question, even though they had hired them and were paying for them. This can't be permitted. There has to be responsibility for private contractors. They can't be free agents doing what they want over there. They are recognized as working for the American Government. We need to make employers responsible for their employees.

This is a duplicitous method of avoiding taxes, but most importantly, direct responsibility for the actions of private security contractors. It needs to be ended. And I support the other amendments that address the accountability and oversight over private security contractors.

Mr. MCKEON. May I inquire of the chairwoman what the time is remaining?

The Acting CHAIR (Ms. MCCOLLUM). The gentleman from Missouri has 4½ minutes remaining. The gentleman from California has 10 minutes remaining.

□ 2000

Mr. MCKEON. Madam Chairwoman, I yield myself such time as I may consume.

Again, I am sorry that we weren't given more time to debate Don't Ask, Don't Tell, but in using the time that I do have, I would like to read a couple more letters into the RECORD. This first one is from the American Legion, from the national commander, and this is a letter that he sent to President Obama.

"Dear Mr. President, The American Legion is concerned about reports that you might seek an amendment in Congress which would end the military's Don't Ask, Don't Tell policy," which amendment will be before us shortly this evening.

"As the Nation's largest wartime veterans organization, we feel strongly that the current policy has served the U.S. military well for 17 years and it would not be wise to make a major cultural change in the middle of two wars and with tension rising on the Korean Peninsula. Moreover, the Department of Defense has already directed a study on the policy, and it would be premature to act before the commission conducting the study releases its finding. It defies logic."

I will put that letter in the RECORD.

THE AMERICAN LEGION,
Indianapolis, IN, May 25, 2010.

Hon. PRESIDENT BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT, The American Legion is concerned about reports that you might seek an amendment in Congress which would end the military's "don't ask, don't tell" (DADT) policy.

As the nation's largest wartime veterans organization, we feel strongly that the current policy has served the U.S. military well for 17 years and it would not be wise to make a major cultural change in the middle of two wars and with tension rising on the Korean peninsula. Moreover, the Department of Defense has already directed a study on the policy and it would be premature to act before the commission conducting the study releases its findings. It defies logic.

House Armed Services Committee Chairman Ike Skelton, who sat on the committee when DADT was implemented, opposes its repeal. Additionally, Marine Corps Commandant Gen. James Conway and Army Chief of Staff Gen. George Casey have also voiced concerns about the impact such a change would have on the current forte structure.

The military is a unique environment, in which DADT has worked well without diminishing our nation's war-fighting capability. Indeed, the core purpose of our military is to fight and win our nation's wars. We believe that repealing the DADT policy at this time may well be detrimental to the security of our nation. Therefore, we urge you to postpone any such decision until the wisdom of this action has been fully studied.

Sincerely,

CLARENCE E. HILL,
National Commander, The American Legion.

The second one is from the National Military Family Association. The letter says, "The National Military Family Association has long been an advocate for improving the quality of life of our military family members who have sacrificed greatly in support of our Nation. While our association does not have a position on the Don't Ask, Don't Tell policy, we are pleased that Secretary Gates has appointed a working group charged to look at the true views and attitudes of our servicemembers and their families if that policy is repealed. We believe inclusion of servicemembers and their families in the process is imperative and that the review process must be allowed to run its course.

"Our association agrees with Secretary Gates and Admiral Mullen that the Department of Defense must be allowed, prior to any legislative action, the opportunity to complete the assessment of the impact of such a policy change, and most importantly, develop an attentive comprehensive implementation plan. Our servicemembers and their families deserve no less."

I will include that letter in the RECORD.

MAY 21, 2010.

Hon. JOHN BOEHNER,
Minority Leader, House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BOEHNER: The National Military Family Association has long been an advocate for improving the quality of life of our military family members, who have sacrificed greatly in support of our Nation. While our Association does not have a position on the Don't Ask, Don't Tell policy, we are pleased that Secretary Gates has appointed a working group charged to look at the true views and attitudes of our service members and their families if that policy is repealed. We believe inclusion of service members and their families in the process is imperative and that the review process must be allowed to run its course.

Our Association agrees with Secretary Gates and Admiral Mullen that the Department of Defense must be allowed, prior to any legislative action, the opportunity to complete the assessment of the impact of

such a policy change, and most importantly, develop an attentive comprehensive implementation plan. Our service members and their families deserve no less.

We join with Secretary Gates and Admiral Mullen in opposing any legislation that seeks to change this policy prior to completion of the assessment process. Should you have any questions please contact Kathleen Moakler, Government Relations Director.

The National Military Family Association is the only national organization whose sole focus is the military family and whose goal is to influence the development and implementation of policies that will improve the lives of the families of the Army, Navy, Air Force, Marine Corps, Coast Guard, and the Commissioned Corps of the Public Health Service and the National Oceanic and Atmospheric Administration. For over 40 years, its staff and volunteers, comprised mostly of military family members, have built a reputation for being the leading experts on military family issues.

Sincerely,

JOYCE WESSEL RAEZER,
Executive Director.

I reserve the balance of my time.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to my friend, the gentleman from Mississippi (Mr. CHILDERS).

Mr. CHILDERS. I want to thank Chairman SKELTON and the Armed Services Committee for bringing this important legislation to the floor and for allowing me to introduce this amendment.

The uncertainty of whether or not a company will be awarded a military contract, as well as the finite period of time required to fulfill a contract, means that many times contractors are stuck in a cycle of ramping up and ramping down employment and, consequently, hiring, laying off, and rehiring employees. My amendment addresses this issue in the production of the various types of MRAPs our soldiers use for transportation and protection from IEDs in Iraq and Afghanistan.

The First District of Mississippi calls itself home to Navistar Defense, which produces the MRAP. Last year, Navistar was forced to lay off hundreds of employees when one of its contracts ended. More recently, Navistar was awarded another contract, requiring them to rehire 800 employees in order to meet the production deadlines put in place by the military. But the majority of these employees will be laid off again in October when the contract is completed.

My amendment ensures that the Department of Defense begins to look at ways that we can meet our military needs while at the same time making contracting decisions that save taxpayer money and keep skilled workers employed for sustainable amounts of my time.

I urge my colleagues to pass this amendment.

Mr. MCKEON. May I inquire again of the time remaining?

The Acting CHAIR. The gentleman from California has 7½ minutes remaining.

Mr. MCKEON. Madam Chairwoman, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank the ranking member for his graciousness. And I want to thank you, Mr. Chairman, for the management of this bill. I appreciate the bipartisan leadership the committee has provided on these issues. Let me also thank you for working with the House Foreign Affairs Committee and myself on this amendment, which requires the Secretary of Defense to establish monitoring and evaluation metrics for its activities in the Horn of Africa, specifically the Combined Joint Task Force.

Among other things, this task force partners with the Navy and CENTCOM forces to conduct maritime security operations to protect shipping routes in the Gulf of Aden near Somalia, the Gulf of Oman, the Arabian Sea, Red Sea, and the Indian Ocean. The task force currently does not use any form of metric to evaluate the effectiveness of its activities. According to a GAO report, the task force is not currently evaluating whether its activities are, in fact, achieving the desired results. This amendment would make that requirement.

I thank the chairman and the ranking member for their support of the amendment and urge its adoption.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would like to remind those in the Chamber to keep their conversations down to a minimum. Even the Chair had a difficult time hearing the last speaker.

Mr. SKELTON. Madam Chairman, I yield 1 minute to my colleague, the gentleman from Maryland (Mr. HOYER), the majority leader.

Mr. HOYER. I thank the chairman for yielding.

I want to thank the chairman, who is one of the giants on behalf of national security, military defense, quality of life for our troops, who for decades has been one of the outstanding spokespersons for making sure that we had the defense we needed and that our troops had the equipment, the resources, the quality of life that we would expect to have our young people have. So I congratulate him. I thank Mr. MCKEON, as well, for his cooperative spirit in bringing this bill to the floor.

Democrats in Congress have worked closely with President Obama to fight our enemies, promote our interests, and support our troops and their families, compiling a record of securing our Nation in stronger and smarter ways. We have strengthened America's military by putting new and better weapons into the battlefield, like more aerial drones. We have killed or captured much of the top leadership of al Qaeda and the Taliban. And for the first time, there is a clear plan for a way forward in Afghanistan, which, frankly, was neglected for years under the previous administration.

Democrats, often in the face of Republican opposition, have increased funding for human intelligence collection, cybersecurity, and security for our skies, our ports, and our borders. All of this was necessary and appropriate. We are looking out for our troops, our veterans, and our families.

Again, I say there is no Member of this body, and almost every Member, indeed, of this body on both sides of the aisle has worked together to maintain the quality of life for our troops and give them the resources they need; none more so than Chairman SKELTON, however.

Democrats are making sure that our troops get the body armor and mine-resistant vehicles they need when they are in the field, and the health care and opportunity for college education they deserve when they return home. That's good for them and it's good for our country.

Today's defense authorization bill builds on that record, authorizing crucial national security programs for fiscal year 2011. It promotes efforts to disrupt and destroy terrorist networks and strengthens the ability of our special forces to act directly against terrorist organizations. It increases our international cooperation against terrorists, especially against the Taliban in Afghanistan and Pakistan.

At the same time, it also insists on accountability, requiring semiannual reports from the administration on the status of the Taliban and the capacity of the Afghan Government and security forces. That accountability is important and necessary.

Because the threats we face have changed in a post-Cold War world, this bill also supports ballistic missile defense and nuclear counterproliferation, including the President's effort to secure all of the world's known vulnerable nuclear material in the next 4 years. The conference the President convened here in Washington was an extraordinary step forward in that effort.

Further, this bill invests in the well-being of our troops and the strength of our Armed Forces. It keeps TRICARE strong and ensures that the military families can keep their children on TRICARE policies up to the age of 26, just as all Americans can do under the health reform law that we passed.

It also reduces strain on our forces by providing for 7,000 more personnel for the Army and 500 for the Air Force, while helping all of the services rebuild the equipment and weapons systems that have been severely worn down by two wars. Now, maybe because there is an agreement on that we haven't talked about it very much.

Finally, the bill strengthens our military by providing for a process to repeal a discriminatory provision. Now, I want my friends to listen to this, and they are not going to be happy with me. I am 70 years of age. I was in college in the late fifties and early sixties. Now, Bill Clinton was in college in the late sixties. His generation of Americans were motivated by the Vietnam

war one way or the other. Now, frankly, I was a member of the State senate and supported that effort in the State senate.

But in the late fifties and early sixties, the motivating force for young people in this country was civil rights. It was about living out the promise of American equality. It was about a commitment of this country, which was the bedrock of this country, that all men were created equal and endowed not by us, but by their Creator with certain unalienable rights. And I will tell my friends, I have some rhetoric here that was used in 1940, 1941, 1942, 1943, 1944, 1945, 1946, when there were some Americans you didn't have to ask, they didn't have to tell, because you knew they were African Americans. There was no hiding that. And we segregated them.

And I heard Strom Thurmond stand on the floor of the Senate, he was a Democrat, speaking about discriminating against people because of the color of their skin. Separate but equal. I have heard the same rhetoric. Let me read some of it.

''The Army is the wrong place for social experiments. Keep African Americans in their place.''

I was angered in the 1950s and 1960s when I saw that kind of rhetoric because I thought that was not the America that I was so proud of. Hear that language that was used back in 1948 and read the transcripts today.

In 1990, I was the sponsor of the Americans with Disabilities Act. There was an amendment offered that said people with AIDS could not be waiters and waitresses. Why? Because people wouldn't come into restaurants if they knew that somebody with AIDS was serving them. Of course all the scientists, all the medical personnel said there was no way to transmit AIDS by handling plates or food. And I pulled out some rhetoric, interesting enough, from 1965, when the public accommodations law was considered on this floor. And guess what they said? They said, If we have African American waiters and waitresses, people won't come into our restaurant. That's why we don't have African American waiters and African American restaurants.

That was not the America for which I stand.

Strom Thurmond, however, said, and other Democrats—now, he didn't stay a Democrat, as all of you know, throughout his career—said no, we will keep people separate. And because you are driving down Route 1 from New York to Florida, and you stop and your little girl asked when the Howard Johnson's comes by, ''Can I have an ice cream cone?'' And you say to your little child, ''I am sorry, you can't go in there. You are the wrong color. Can't stay at that hotel.''

Now, in their era they thought they were being good Americans, I presume, and there were filibusters after filibusters to stop treating people as people with their God-given, unalienable rights.

Ladies and gentlemen, look to your hearts and your conscience. Look at the debates of 1948.

Is there one of us, is there one of us that would say General Powell, as Chairman of the Joint Chiefs of Staff, undermined the morale and the effectiveness of the United States Army? Is there one of us? I will yield to anybody who wants to say that he undermined the morale of our services. No one? No one? This is not a social experiment any more than that was a social experiment.

□ 2015

Anymore than 1990 when we wanted to deal with those with disabilities. It was a social experiment. It was the bedrock of what America is.

Now, I think it's unfortunate that we've spent so much time on this issue. Almost every speaker. In the beginning of my talk, I talked about the substance of this bill: fighting terrorists, keeping America safe, making sure that we have the strongest Armed Forces in the world bar none, that technically they are able to confront any enemy, anywhere, any time because we owe that to the American public to keep them safe. That is what we're committed to, a strong defense.

Barry Goldwater said when this issue came up, I care whether they can shoot straight, not whether they are straight. Why? Because he wanted to look at the content of their character, the content of their ability, the content of their commitment to this country and to their service. They were patriots. And he thought if they're patriots and they shoot straight—now let me tell you, something, friends. I don't want anybody bothering me. I don't care who they are. You hear me? And I don't want any male member of the Armed Forces bothering any female member of the Armed Forces, and I don't want anybody else bothering anybody else. Why? Because that's against the law, and it's against morality.

But I tell you, my friends, this bill is about our national security. This bill is about people who perform their service to our country. This bill is about making sure that America is safe. This bill is about making sure that we defeat terrorism and keep America safe. Let's focus on that. Let's not be distracted. Let's focus on protecting America, defeating terrorists, and taking care of our troops.

Mr. MCKEON. May I inquire how much time I have remaining?

The Acting CHAIR. The gentleman has 6½ minutes remaining.

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

You know, I listened raptly to the majority leader. I always try to. He always has a lot to say, and he says it very well. And that was a very eloquent speech, and because you are a Member of Congress and because we are Members of Congress, we can come here to the floor and we can express our opinion. I'm asking that the members of the armed services have the same opportunity before we have this vote tonight on the Murphy amendment.

And the reference was made to General Powell. And I was not on the committee at the time. But when Don't Ask, Don't Tell was instituted, he was a strong proponent. And he also mentioned that he didn't believe the comparison held up between the blacks having civil rights and the Don't Ask, Don't Tell.

So while I think that your comments were very, very well spoken, I think all of us should have that opportunity to have that great debate. I just think that we should follow the process that's been established where the Secretary appoints this study. They make the study, and then after the study is presented to us in December, after the military has a chance to give their say, that after the study is released, we follow the process.

I don't know why we're so afraid to stick with the policy, to listen to the members of the armed services, to give them the opportunities they have. I have letters from each of the Chairmen and the members of the Joint Chiefs saying we owe that to them. We should not break faith with them. They went out in good faith after the Secretary set that policy, and now we're short circuiting.

I would be happy to yield to the majority leader.

Mr. HOYER. I thank my friend for yielding, and I agree with my friend. As a matter of fact, I talked to Bob Gates today, and I talked to him 2 weeks ago about this issue. I was concerned about this issue and shared his view that we certainly ought to solicit the views of how and why we ought to proceed.

That is why I worked to make sure that this amendment, which was the exact same amendment adopted in the Senate Armed Services Committee a little earlier today, did in fact provide that both the Chairman of the Joint Chiefs Mike Mullen—who has made his comments on this pretty clear, as you know—Secretary Gates, and the President of the United States have to certify that the processes are in place. I understand the difference of opinion here is that, and I am sympathetic with your view.

Mr. MCKEON. Let me reclaim my time because here's what's actually going to happen. And as I talked to the chiefs on the phone, one of them said very clearly, Look. I know how this works around here. I know what this means. I know how the amendment was written, that we take the vote tonight and then we follow through the process. But it becomes a sham because the headline, as he said, would be ''Don't Ask, Don't Tell,'' is repealed. And it's already on the headline. I just saw the news alert. ''Senate votes to repeal Don't Ask, Don't Tell.'' He says, I understand that. But those troops out at the FOBs in Afghanistan, when they

see it, when they hear it, they're going to see it's repealed. Why are you now asking me my opinion? It's done. It's a done deal.

So while we may understand that by law that it will follow through this process, in reality, it will be set tonight. And that's why we should have had more than 10 minutes, 5 minutes on our side, to discuss this. All we were given was 5 minutes. And that's why we've had to take time.

We could have spent time talking about all of the wonderful things in this bill, and yet we've had to talk because this thing is going to have more impact on our military and on our country.

You smile, Mr. Leader. And if you really feel that, then why don't we just follow the process?

And I'll be happy to yield.

Mr. HOYER. I smile only because that rhetoric was the same rhetoric that was used in 1946.

Mr. MCKEON. Well, I'm sorry. I have not read that. And I'm not quoting from that same rhetoric. And as Colin Powell said, it is not the same.

In fact, this is Mr. Powell's quote: ''Skin color is a benign, non-behavioral characteristic. Sexual orientation is perhaps the most profound of human behavioral characteristics. Comparison of the two is a convenient but invalid argument.''

Mr. Powell's comment.

Mr. HOYER. I didn't quote Mr. Powell. I referred to him.

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

Mr. SKELTON. Madam Chairwoman, I yield 1 minute to my colleague, the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of an amendment to optimize the technological posture of our Armed Forces, but I am also the son of a civil rights lawyer who wrote a lot of the enforcement language behind the Civil Rights Act of 1964. And I am proud to serve with our majority leader and the representative of the Pennsylvania Eighth district.

I rise in support of an amendment which would direct the Secretary of Defense to commission an independent study assessing the optimal balance of manned versus unmanned aircraft, as well as whether our military is capable of defending against an enemy force consisting of unmanned aerial vehicles. I believe it's the duty of Congress to ask hard questions and to take the long view of matters on national security.

In Afghanistan and Iraq, we've already seen how UAV technology has revolutionized warfare and how rapidly we can launch an attack half a world away without risking a single American life. Between 2002 and 2008, the number of unmanned aircraft used by the Department of Defense increased from 167 to over 6,000. This year for the first time in history, the Air Force trained more UAV pilots than traditional fighter pilots.

This amendment will help us optimize the balance between manned and unmanned aircraft, and I urge its support.

Mr. MCKEON. I yield 30 seconds to the Army colonel in the Reserve, Mr. BUYER from Indiana.

Mr. BUYER. I want to thank IKE SKELTON for, years ago, his thoughtful considerations to make this policy the law. And we should not be changing this policy. It is very clear that homosexuality is incompatible with military service. The purpose of the military: We kill and break things. We inculcate young men and women with values, and those values are extremely important.

Now there are some that are trying to make this argument somehow that tolerance requires a moral equivalency. It does not when it comes to homosexuality. If in fact military is the inculcation of values, to say that we're going to say that sodomy now should be repealed from the Uniform Code of Military Justice is wrong.

The Acting CHAIR. Without objection, the gentlewoman from California controls the time.

There was no objection.

The Acting CHAIR. The gentlewoman has 1 minute remaining.

Mrs. DAVIS of California. Madam Chair, I yield that time to the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. Thank you for yielding an additional minute.

As I was explaining that this year for the first time in history, the Air Force trained more UAV pilots than traditional fighter pilots. However, our fleet of unmanned aircraft has expanded, and we have also maintained and continued to build a large force of conventional manned aircraft.

This study will help Congress better understand the optimal most cost-effective balance between the two for a range of operations. It will also help us determine the feasibility and desirability of a more rapid transition to unmanned aircraft for these operations.

This study will also force the Department of Defense and Congress to confront the fact that the United States is not the only Nation capable of building and deploying these very effective, very lethal technologies. If the future of warfare lies in unmanned technology, will our military be prepared to defend the United States and its allies against attacks by enemies who possess large numbers of unmanned aircraft?

It's my hope that this study will help Congress prioritize and plan for this future and adopt the most cost-effective mix of manned and unmanned aircraft. I urge my colleagues to support this amendment, and I thank Chairman SKELTON for his hard work in bringing this amendment to the floor.

Mr. MCKEON. I yield the balance of my time to the gentleman from Texas (Mr. GOHMERT).

The Acting CHAIR. The gentleman is recognized for 30 seconds.

Mr. GOHMERT. I was shocked to hear the majority leader bring up the Americans with Disability Act. It was a wonderful thing that this Congress did in making all areas accessible to those with disability. But to bring it up in this debate next brings the question, will this majority not stop meddling with the military, and next we expect an extension of the ADA so that the military will next be required to put those who are disabled on the front lines to defend the Nation?

It's time to stop meddling. Let the military do the job for which they were assigned and for which they volunteered. Put the military in charge.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Missouri (Mr. SKELTON).

The amendments en bloc were agreed to.

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AMENDMENT NO. 79 OFFERED BY MR. PATRICK J. MURPHY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 79 printed in House Report 111–498.

Mr. PATRICK J. MURPHY of Pennsylvania. 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:

Amendment No. 79 offered by Mr. PATRICK J. MURPHY of Pennsylvania:

At the end of subtitle D of title V, add the following new section:

SEC. 5___. DEPARTMENT OF DEFENSE POLICY CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

(a) COMPREHENSIVE REVIEW ON THE IMPLEMENTATION OF A REPEAL OF 10 U.S.C. § 654.—

(1) IN GENERAL.—On March 2, 2010, the Secretary of Defense issued a memorandum directing the Comprehensive Review on the Implementation of a Repeal of 10 U.S.C. § 654 (section 654 of title 10, United States Code).

(2) OBJECTIVES AND SCOPE OF REVIEW.—The Terms of Reference accompanying the Secretary's memorandum established the following objectives and scope of the ordered review:

(A) Determine any impacts to military readiness, military effectiveness and unit cohesion, recruiting/retention, and family readiness that may result from repeal of the law and recommend any actions that should be taken in light of such impacts.

(B) Determine leadership, guidance, and training on standards of conduct and new policies.

(C) Determine appropriate changes to existing policies and regulations, including but not limited to issues regarding personnel management, leadership and training, facilities, investigations, and benefits.

(D) Recommend appropriate changes (if any) to the Uniform Code of Military Justice.

(E) Monitor and evaluate existing legislative proposals to repeal 10 U.S.C. § 654 and proposals that may be introduced in the Congress during the period of the review.

(F) Assure appropriate ways to monitor the workforce climate and military effectiveness that support successful follow-through on implementation.

(G) Evaluate the issues raised in ongoing litigation involving 10 U.S.C. § 654.

(b) EFFECTIVE DATE.—The amendments made by subsection (f) shall take effect 60 days after the date on which the last of the following occurs:

(1) The Secretary of Defense has received the report required by the memorandum of the Secretary referred to in subsection (a).

(2) The President transmits to the congressional defense committees a written certification, signed by the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, stating each of the following:

(A) That the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff have considered the recommendations contained in the report and the report's proposed plan of action.

(B) That the Department of Defense has prepared the necessary policies and regulations to exercise the discretion provided by the amendments made by subsection (f).

(C) That the implementation of necessary policies and regulations pursuant to the discretion provided by the amendments made by subsection (f) is consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention of the Armed Forces.

(c) NO IMMEDIATE EFFECT ON CURRENT POLICY.—Section 654 of title 10, United States Code, shall remain in effect until such time that all of the requirements and certifications required by subsection (b) are met. If these requirements and certifications are not met, section 654 of title 10, United States Code, shall remain in effect.

(d) BENEFITS.—Nothing in this section, or the amendments made by this section, shall be construed to require the furnishing of benefits in violation of section 7 of title 1, United States Code (relating to the definitions of ''marriage'' and ''spouse'' and referred to as the ''Defense of Marriage Act'').

(e) NO PRIVATE CAUSE OF ACTION.—Nothing in this section, or the amendments made by this section, shall be construed to create a private cause of action.

(f) TREATMENT OF 1993 POLICY.—

(1) TITLE 10.—Upon the effective date established by subsection (b), chapter 37 of title 10, United States Code, is amended—

(A) by striking section 654; and

(B) in the table of sections at the beginning of such chapter, by striking the item relating to section 654.

(2) CONFORMING AMENDMENT.—Upon the effective date established by subsection (b), section 571 of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 654 note) is amended by striking subsections (b), (c), and (d).

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I yield myself such time as I may consume.

Madam Chair, when I served in Baghdad, my team did not care whether a fellow soldier was straight or gay. We cared if they could fire their M–4 assault rifle or run a convoy down Ambush Alley; could they do their job so that everybody in our unit would come home safely.

With our military fighting two wars, why on Earth would we tell over 13,500 able-bodied Americans that their services are not needed? This policy hurts our national security, and it has cost the American taxpayers over $1.3 billion already on this unjust policy.

Our troops deserve a Congress that puts their safety and our collective national security over rigid partisan interests and a close-minded ideology.

I urge my colleagues to support this amendment and support the brave men and women willing to take a bullet for our families.

I reserve the balance of my time.

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

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

Mr. MCKEON. Madam Chair, I yield 1 minute to the distinguished chairman of the Armed Services Committee. But before doing that, I ask unanimous consent that the time for debate on amendment No. 79 offered by the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) be extended by 30 minutes, evenly divided between opponent and proponent.

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

Mr. PATRICK J. MURPHY of Pennsylvania. I object.

The Acting CHAIR. Objection is heard.

Mr. MCKEON. Madam Chair, in that case, I yield 1 minute to the distinguished chairman of the committee, Mr. SKELTON.

Mr. SKELTON. Madam Chairman, the bill before us is an excellent piece of legislation; it's one of the best that our committee has written. It's strong on our attempt to quell terrorism, it takes care of the troops, and it looks after their families.

On this issue before us, inquiry was made of Secretary Gates and Joint Chiefs of Staff Chairman Admiral Michael Mullen. A letter dated April 30 states: ''Therefore, I strongly oppose any legislation that seeks to change this policy prior to the completion of this vital assessment process. Further, I hope Congress will not do so as it would send a very damaging message to our men and women in uniform that, in essence, their views, concerns, and perspectives do not matter on an issue with such direct impact and consequence for them and their families.''

I oppose the amendment.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I yield 30 seconds to my fellow Blue Dog and strong leader on this issue, Mr. MATHESON of Utah.

Mr. MATHESON. Madam Chair, anyone who is willing to put on this country's uniform and put his or her life on the line to protect our freedoms deserves our respect and should not be subject to discrimination. Repealing this flawed policy is an important way for us to show that respect. I urge my colleagues to support this amendment.

PARLIAMENTARY INQUIRIES

Mr. WAMP. Madam Chairman, parliamentary inquiry.

The Acting CHAIR. The gentleman will state his inquiry.

Mr. WAMP. Could the Chair tell me if it might be in order for the time to be extended on this very, very important matter before the House at least equal to the time that might be taken by the Speaker of the House?

The Acting CHAIR. Only by unanimous consent, which was just unsuccessful.

Mr. WAMP. May I ask unanimous consent, then, that the time be extended equally so that the time that the Speaker may claim to speak on her side of this issue might be allotted to the minority?

The Acting CHAIR. Can the gentleman state a specific amount of time?

Mr. WAMP. I wish we could; we don't know. I just think 5 minutes per side is not sufficient on a matter this important before the House.

The Acting CHAIR. The gentleman will restate his unanimous consent request.

Mr. WAMP. I ask unanimous consent that the time on this amendment be extended by 15 minutes per side.

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

Mr. PATRICK J. MURPHY of Pennsylvania. I object.

The Acting CHAIR. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Madam Chair, I have a parliamentary inquiry.

The Acting CHAIR. The gentleman will state his inquiry.

Mr. FRANK of Massachusetts. Do the records of the House contain the length of time of the speech made by the minority leader on the health care bill under a 1-minute recognition?

The Acting CHAIR. The Chair cannot serve as historian.

PARLIAMENTARY INQUIRY

Mr. HUNTER. Madam Chair, parliamentary inquiry.

The Acting CHAIR. The gentleman from California will state his parliamentary inquiry.

Mr. HUNTER. Is it proper for the gentleman who this amendment belongs to to object to debate on his own amendment?

The Acting CHAIR. Any Member may object.

Mr. HUNTER. Even to their own, which they should want to discuss, Madam Chair?

The Acting CHAIR. Any Member may object.

The gentleman from California is recognized.

Mr. MCKEON. Madam Chairwoman, may I yield 5 seconds to the sponsor of the amendment to say why you don't want it discussed fully?

The Acting CHAIR. The gentleman may yield.

Mr. MCKEON. The gentleman doesn't wish to respond?

The Acting CHAIR. The gentleman from California is recognized.

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

Madam Chairwoman, next Monday is Memorial Day. Americans will pause in many ways and in many places to honor and celebrate the courage, sacrifices, and patriotism of those who have served and are serving this Nation in the Armed Forces.

The Hill newspaper yesterday carried a special insert entitled, ''A Tribute to the Troops.'' Among the contributors were Mrs. Michelle Obama and Dr. Jill Biden. They coauthored a piece emphasizing that ''it is our sacred obligation as Americans to take care of the men, women, and families who protect and serve this country.''

I could not agree more with them. We do have a sacred obligation to those who care to serve. That is why today I rise in strong opposition to the amendment being offered by Representative MURPHY that would have Congress act to repeal Don't Ask, Don't Tell even before the comprehensive review directed by the Secretary of Defense is completed and even before Congress has received the comprehensive views of those who will be most directly affected by any change in the law.

They have unhesitatingly and selflessly responded in a magnificent manner, without hesitation, putting mission and Nation ahead of self and family. Now the proponents of repealing Don't Ask, Don't Tell want to rush a vote to the floor, disrupting the process that was put in place earlier this year to get input from those people most affected by this decision.

After making the continuous sacrifice of fighting two wars over the course of 8 years, the men and women of our military deserve to be heard. Congress acting first is the equivalent of turning to our men and women in uniform and their families and saying, your opinions don't count.

I've read into the RECORD letters from the chairmen of each of the services asking us to not do this. Don't disrespect the military. Give them the opportunity to have their input.

The Secretary also sent us a letter, and his letter said: ''I believe in the strongest possible terms that the Department must, prior to any legislative action, be allowed the opportunity to conduct a thorough, objective, and systematic assessment of the impact of such a policy change. A critical element of this effort is the need to systemically engage our forces, their families, and the broader military community throughout this process. Our military must be afforded the opportunity to inform us of their concerns, insights, and suggestions if we're to carry out this change successfully. Therefore, I strongly oppose any legislation that seeks to change this policy prior to the completion of this vital assessment process.

''Further, I hope Congress will not do so as it would send a very damaging message to our men and women in uniform that, in essence, their views, concerns, and perspectives do not matter on an issue with such direct impact and consequence for them and their families.''

Now, I know that this amendment and those proponents will say, well, we're going to take this vote, but we will still follow the process. We will have the survey. But you all know, I mean, you have to know that when the surveyors go out into the field, they're already going to have heard on the news—as was already reported on Fox News tonight—the Senate repealed Don't Ask, Don't Tell. So how are they given an opportunity to—I mean, this is a sham. It is a total sham from here forward if this amendment passes tonight.

You have the chairman of the committee, a man who has devoted years of his life to our young men and women in uniform, and it's not an easy thing for him, but he stands up to say no on this amendment. I join him in saying no on this amendment. Most of the members of the committee—if we had had a chance to bring this up in committee where it should have been, it wouldn't be here tonight.

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

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I yield 30 seconds to the chairwoman of the Personnel Subcommittee on the House Armed Services Committee, Mrs. DAVIS from California.

Mrs. DAVIS of California. Madam Chair, we are listening to our troops and military leaders. I held two hearings on this policy. DOD is gathering service and family member feedback. Remember, this process was set up to understand how to implement reform, not whether it should happen. That in 10, Madam Chair, is contained in the amendment.

Don't Ask, Don't Tell weakens our national security by asking servicemembers to lie, firing them for being gay, and telling able recruits, We don't want you. Please, America can do better. Vote ''yes.''

Mr. TAYLOR. Madam Chair, I rise for a unanimous consent request.

The Acting CHAIR. The gentleman will state his request.

Mr. TAYLOR. I request unanimous consent to support the wishes of Chairman SKELTON and Ranking Member MCKEON in opposition to this amendment.

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

There was no objection.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I yield 30 seconds to the gentleman from Michigan, a freshman Congressman, a former lieutenant commander of the United States Navy Reserve, Mr. PETERS.

Mr. PETERS. Madam Chair, as a former lieutenant commander in the United States Navy Reserve, I strongly support Representative MURPHY's amendment. We must allow our military to recruit and retain any qualified, patriotic, and courageous American who wants to serve our country.

During my service in the United States Navy Reserve, I served with many brave, patriotic, and dedicated men and women who were always ready to serve their country anytime and anywhere. I was never concerned about their sexual orientation, just their ability to serve the United States honorably. I urge passage of the Murphy amendment.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I yield 30 seconds to the gentleman from Minnesota, the highest ranking enlisted soldier ever to serve in the United States Congress, Command Sergeant Major TIM WALZ.

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Mr. WALZ. I thank the gentleman.

Madam Chair, the greatest privilege I've had in my life has been in serving this Nation for almost 25 years in uniform. I know how important it is to fill our military with qualified professional and motivated volunteers. We are blessed in this Nation. That's exactly what we have. It is time for us to honor their professionalism and know that they are ready to end this discriminatory practice.

I support this amendment because it allows for the study of implementation, and it allows the Department of Defense to implement it after their study is done.

We do this all the time in the military. It took us 6 months to change from hats to berets. The process will be orderly. It will be right down the line the way it needs to be, and at the end of the day, don't question their ability to do it. I support the amendment.

Mr. SHIMKUS. I have a unanimous consent request, Madam Chair.

The Acting CHAIR. The gentleman will state his unanimous consent request.

Mr. SHIMKUS. Madam Chair, as a 20-year Army veteran, 5 years of active infantry and Airborne Ranger—I don't wear it on my sleeve—I support Ranking Member MCKEON and Chairman SKELTON. This is devastating to the warfighters and to the combat infantrymen.

The Acting CHAIR. The Chair recognized the gentleman for a unanimous consent request, but not for debate.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, it is my great privilege to yield 30 seconds to my mentor on civil rights, the Freedom Rider and great civil rights leader, the gentleman from Georgia, Mr. John Lewis.

Mr. LEWIS of Georgia. Madam Chair, ''Don't Ask, Don't Tell.'' What does it mean? It didn't make sense then, and it doesn't make sense now.

Just like the military helped end segregation based on race, we should have put an end to Don't Ask, Don't Tell

long ago. It is an affront to human dignity and to the dignity and the worth of every man and woman serving in our military.

We cannot wait. We cannot be patient. We must end discrimination in the military, and we must end it now. Discrimination is wrong, and we must end it now.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, how much time is remaining?

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

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I yield 1 minute to the Speaker, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding and for his leadership and service to our country.

Madam Chair, this weekend, on Memorial Day, America will come together to honor all those who have served our Nation in uniform, and those brave Americans have no better friend than the chairman of our Armed Services Committee, Mr. SKELTON.

Today, by repealing the discriminatory Don't Ask, Don't Tell policy, we also honor the service and sacrifice of all who dedicated their lives to protecting the American people. We honor the values of our Nation, and we close the door on fundamental unfairness.

In 1993, I spoke on this same House floor, calling on the President ''to act definitively to lift the ban that keeps patriotic Americans from serving in the U.S. Armed Forces because of their sexual orientation.'' Instead, despite everyone's good intentions, Don't Ask, Don't Tell was enacted—a policy which has been discriminatory to our brave men and women in uniform.

Under Don't Ask, Don't Tell, more than 13,000 men and women in uniform have been discharged from the military. Thousands more have decided not to reenlist. Fighter pilots, infantry officers, Arabic translators, and other specialists have been discharged at a time when our Nation is engaged in two wars.

That is why I support repealing Don't Ask, Don't Tell, and that support has come from all over the country. Nearly 8 out of 10 Americans want to end this era of discrimination.

Admiral Mullen, the current Chairman of the Joint Chiefs said, ''It is my personal belief that allowing gays and lesbians to serve openly would be the right thing to do. We have in place a policy which forces young men and women to lie about who they are in order to defend their fellow citizens.'' He went on to say, ''For me, personally, it comes down to integrity—theirs as individuals and ours as institutions.''

General Colin Powell, who was Chairman of the Joint Chiefs when this policy was implemented, has said that he now thinks this restrictive policy should be repealed.

Then, in a letter to Congress, 51 retired generals, admirals, and a former Army Secretary called for the repeal of this policy, saying that they ''have dedicated our lives to defending the rights of our citizens to believe whatever they wish.''

Passing this amendment today respects the timeline of the Pentagon's Implementation Study Group. Repeal would take place only after the study group completes its work in December 2010 and after the President, the Joint Chiefs of Staff, and the Secretary of Defense all certify that repeal will not hurt military readiness or unit cohesion. No one in this body would jeopardize our national security.

America has always been the land of the free and the home of the brave. We are so because of our brave men and women in uniform who have been willing to fight for our country. Let us honor their service by recommitting to the values they fight for on the battlefield.

I urge my colleagues to vote for the repeal of this discriminatory policy of Don't Ask, Don't Tell and to make America more American.

ACKNOWLEDGEMENTS

I would like to acknowledge the leadership of several members in bringing this amendment to the floor today:

Congressman PATRICK MURPHY. Before Congressman MURPHY came to the House, he was a Captain in the 82nd Airborne Division and served as a paratrooper in the Iraq War. He understands the issue of military readiness and has demonstrated tremendous leadership on repealing a policy that harms our national security.

Chairman BARNEY FRANK.

Congresswoman TAMMY BALDWIN.

Congressman JARED POLIS.

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

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, former Air Force Sergeant David Hall was walking into this gallery when I was walking in today.

Sergeant Hall wasn't asked. Sergeant Hall didn't tell. Someone outed him for being gay, and he was kicked out of the Air Force. He had already served in the Middle East.

He said to me, ''I assure you I am fit for military duty. Please stop discharging patriotic Americans who just want to serve the country they love.''

Mr. SPRATT. Madam Chairman, I was a member of Congress and served on the House Armed Services Committee, when the ''Don't Ask, Don't Tell'' policy was adopted. It was a clever solution, but the policy and its consequences deserve an updated review.

The Secretary of Defense, Robert M. Gates, has proposed such a review. He told the House Armed Services Committee that he had managed several large institutions, like the Department of Defense and the Central Intelligence Agency, and had found that when imposing major policy changes, it was better not to cram change from the top-down, but to help it percolate from the bottom-up. What Secretary Gates proposed was a year-long review, bringing the troops into the dialog, and weighing issues like fraternization and problems not even apprehended at this point.

In a letter to Chairman IKE SKELTON dated April 30, Secretary Gates wrote: ''I believe in the strongest possible terms that the Department must, prior to any legislative action, be allowed the opportunity to conduct a thorough, objective, and systematic assessment of the impact of such a policy change; develop a comprehensive implementation plan, and provide Congress and the President with the results of this effort in order for it to be taken in the most informed and effective manner. A critical element of this effort is the need to systematically engage our forces, their families, and the broader military community throughout this process. Therefore, I strongly oppose any legislation that seeks to change this policy prior to completion of this vital assessment process.''

I basically agree with Secretary Gates and will vote to support the process of review that he and Admiral Mullen have laid out.

Mr. HOLT. Madam Chair, as I listen to the arguments of those who wish to continue the policy of driving gay or lesbian soldiers, sailors, airmen, and marines out of military service, I am reminded that the people of the United States are a pragmatic people.

Those who wish to exclude gays tell the American people that the inclusion of gays would harm the morale, cohesion, and effectiveness of the military in defending our nation. They ask everyone to ignore the unmistakable parallels between their arguments and the arguments made in the 1940's against the racial integration of the services. Never mind, they say, that the same arguments about morale, cohesion, and effectiveness were offered to preserve the despicable policy of racial segregation. Never mind, they say, that back then it was claimed that it would devastate our Army's effectiveness if white soldiers had to share a barracks or bunkhouse or showerhouse with a black man.

Those who want to continue the practice of driving gays out of military service ask everyone to ignore that gays do and always have served in the U.S. military.

Suddenly all of American history became clear to me. Now I understand the devastating effect of gays in our military. Now I understand why we failed to win our independence from the British. Although I could never understand before why the United States lost two wars to the Germans and the Axis, now I realize it was because our military could not be effective. The presence of gays, despite our nation's material and economic might, so crippled our military morale, cohesion, and effectiveness that we were helpless and hopeless. Now I understand that is what happens if we allow gays to serve in the defense of our nation.

Mr. BISHOP of Georgia. Madam Chair, I agree with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that the time has come to repeal the current ''Don't Ask, Don't Tell'' policy, which dishonors men and women who are willing to give their lives in service to our country and also prevents capable men and women with vital skills from serving in the armed forces. However, I believe a vote today is premature.

Secretary Gates and Admiral Mullen indicated initially that the impact of such a drastic change in military and cultural policy should be thoroughly reviewed, studied, and appropriate policies developed by the Department of

Defense before Congress takes legislative action. Such a review and policy development would be completed by December 1, 2010.

Therefore, I believe Congress should forgo legislative action until appropriately informed by the Pentagon's impact study, policy development, and implementation plan.

Mr. ACKERMAN. Madam Chair, I rise today in support of the Murphy Amendment to the National Defense Authorization Act to repeal ''Don't Ask, Don't Tell.''

The time to end this absurd policy is long past due. Since it was implemented in 1994, ''Don't Ask, Don't Tell'' has resulted in more than 13,000 gay and lesbian servicemembers being discharged for no reason other than their sexual orientation. As the United States has fought wars in Afghanistan and in Iraq, hundreds of mission-critical troops, including crucial Arabic and Farsi linguists, have been discharged because the Department of Defense believed they were gay. Such blatant discrimination is both morally wrong and, from a practical perspective, self-defeating.

Last year, I received a letter from a gay soldier from Long Island who has bravely served our nation for more than twenty years in two branches of our military. Throughout his numerous tours of duty in Afghanistan and in Iraq, he has earned multiple bronze stars. Although he could retire, he did not want to leave the military when our nation needed him most. So, he volunteered for another combat zone deployment.

In his letter, this soldier told me that he has served side-by-side with gay soldiers from the United Kingdom, Canada, and Australia and has seen no evidence to suggest that these nations, which have no discriminatory policies against gay and lesbian servicemembers, have a problem with unit cohesion. In fact, an openly gay officer from Australia with whom he served was decorated with a U.S. medal at the end of his tour.

This soldier concluded by asking if, after looking at his service record, I thought the military and our nation would be better off without his service. My answer is absolutely not. I thank him for his service and proudly cast my vote to allow him and all other gay and lesbian servicemembers to continue their service to our nation without living in fear of being discharged for simply being who they are. Our service men and women deserve a policy that honors the principles they protect. I stand with our nation's principles. I support the Murphy amendment.

Mr. HONDA. Madam Chair, I rise today to support the Repeal of Don't Ask, Don't Tell. During his State of the Union address, President Obama declared that his administration would work with Congress to end the Don't Ask, Don't Tell policy of excluding openly lesbian, gay, bisexual, and transgender, LGBT, Americans from serving their country in the armed forces. I have long envisioned our country reaching this moment, and am thrilled that the 111th Congress will soon take another step forward in our long journey toward equality regardless of race, nationality, gender, and sexual orientation.

Reflecting one of our country's last officially sanctioned forms of bigotry, the Don't Ask, Don't Tell policy stigmatizes patriotic Americans by excluding them from military life. This policy works to silence LGBT personnel among the ranks of our military, making them invisible to the American public they bravely volunteer to defend. Notwithstanding the Don't Ask, Don't Tell policy, countless veterans have served, and countless service members continue to serve selflessly in the defense of our nation. Yet while thousands of our men and women put their lives on the line to protect our freedom and liberty, many are dismissed once their orientation or identification becomes known. According to the Servicemembers Legal Defense Network, SLDN, over 1,200 service personnel were unfairly stigmatized when discharged as being unfit for service in 2001. The contributions made by LGBT veterans and those in active duty in an atmosphere hostile to them underscores the tremendous sacrifices they make to serve this nation.

Another reason for the repeal of this government-sanctioned discrimination is the law's disproportionate impact on women and minorities. Servicemembers United compiled Department of Defense (DOD) data showing that in 2008, 45 percent of troops discharged under Don't Ask, Don't tell were minorities, while minorities comprised 30 percent of the service. Similarly, women accounted for 34 percent of the discharges but were only 14 percent of the military. That a discriminatory policy has an even more discriminatory application is another reason to celebrate its abolishment.

When President Obama called for the repeal of Don't Ask, Don't Tell, Defense Secretary Gates reminded the Congress of their definitive role in changing the intolerant policy. I am proud that this Congress is acting. While I realize this repeal is still contingent on a completion of the DOD Study and certification from the President, I am confident that Don't Ask, Don't Tell is at its end. I appreciate the difficulty of the DOD's task and I commend their courage to take this step forward for our country. I am proud to cast a vote for repeal of Don't Ask, Don't Tell—we cannot let the opportunity to right this wrong pass us by.

Mrs. MALONEY. Madam Chair, it is time to repeal the ''Don't Ask, Don't Tell, Don't Pursue'' policy and to allow lesbian, gay and bisexual persons to serve openly in the military.

From the initial introduction of this profoundly misguided policy in 1993, I have never wavered in my belief that our nation's armed forces should not discriminate against otherwise qualified citizens on the basis of their sexual orientation. Today, at a time when our nation is engaged militarily in both Iraq and Afghanistan, the extent to which the so-called compromise ''Don't Ask, Don't Tell'' policy has damaged America's military readiness has become even more apparent than it was seventeen years ago.

The policy against allowing lesbian, gay, and bisexual service members to serve openly has resulted in depriving our armed forces of the abilities, experience and dedication of thousands of qualified active duty personnel. This institutionalized discrimination is completely illogical and counter-productive as we grapple with an increasingly dangerous world, with our servicemembers serving all over the world

The U.S. Government Accountability Office, GAO, has documented the cost to our nation. In 2005, the GAO estimated the cost of discriminating against service members on the basis of their sexual orientation at nearly $200 million over the course of just the last decade. This estimate may, in fact, be too low, as the GAO itself acknowledged and as other studies conducted by reputable academic institutions like the Michael Palm Center at the University of California have documented.

Advocates for the ''Don't Ask, Don't Tell'' policy continue stubbornly to cite elusive factors to justify its inherent institutionalized discrimination. The most common argument is the specious insistence that ''unit cohesion'' among the armed forces will suffer if lesbians, gay men, and bisexual persons are allowed to serve openly—an argument that even Richard Cheney, while serving as the Secretary of Defense during the presidency of George H. W. Bush, acknowledged in congressional testimony was ''a bit of an old chestnut to be tossed onto an open fire and consigned forever to the ashbin of history.''

The fact is that many other nations—including trusted allies whose armed forces are respected around the world such as Great Britain, Israel, Australia, and Canada—have allowed their citizens to serve in their armed forces regardless of their disclosure of their sexual orientation. It is high time that the United States of America, which prides itself as a beacon of liberty and equality, joins their ranks.

I urge the members of this House to vote to repeal this misguided and counterproductive and un-American policy.

Mr. NADLER. Madam Chair, I am pleased that today we are finally faced with an amendment on the floor to end the policy of Don't Ask, Don't Tell. Seventeen years ago, I introduced a bill to ban discrimination in the Armed Forces on the basis of sexual orientation. I commend Congressman PAT MURPHY for his great efforts that have resulted in finally getting this amendment on the floor today.

Now it is up to us to repeal Don't Ask, Don't Tell once and for all. I opposed this policy and voted against it at its inception, I have introduced legislation over the years to repeal it, and I am a proud co-sponsor of H.R. 1246, the Military Readiness Enhancement Act which would end this policy. And I stand before you today to support its inclusion in the Defense Authorization bill. Let us move promptly to end this discriminatory policy and ensure that all service members, regardless of sexual orientation, can enjoy the freedoms for which they so selflessly fight.

This absurd and overtly discriminatory policy remains a stain on our national conscience and tarnishes the march toward equality for all Americans. And, in this time of incredible strain on our military, our nation's security depends upon the recruitment—and retention—of every person willing and able to serve. I entirely reject the argument that allowing gays and lesbians to serve openly would undermine troop morale. We don't need any study to know that this canard is simple prejudice, for which there is no evidence whatsoever. We should act as President Truman did in 1948. No study—no delay. Just repudiate the prejudice and end the discrimination.

To his great credit, President Obama has repeatedly declared his commitment to repealing Don't Ask, Don't Tell and he supports our efforts today to do so.

I appreciate the fact that the Department of Defense has also implemented regulatory changes concerning current enforcement of the policy, which should lead to fewer unwarranted discharges. But in order to repeal the policy we, Congress, must act, and that is exactly what we are doing here today. We owe it both to our service members and to LGBT

Americans to move forward now without further delay.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Chair, I urge my colleagues to support 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 Pennsylvania (Mr. PATRICK J. MURPHY).

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

Mr. MCKEON. 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 Pennsylvania will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–498 on which further proceedings were postponed, in the following order:

Amendment No. 82 by Mr. INSLEE of Washington;

Amendment No. 21 by Mr. GUTIERREZ of Illinois;

Amendment No. 42 by Ms. ESHOO of California;

Amendment No. 80 by Ms. PINGREE of Maine;

Amendment No. 79 by Mr. PATRICK J. MURPHY of Pennsylvania;

Amendment No. 47 by Mr. SARBANES of Maryland.

Except for amendments numbered 80 and 79, the Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 82 OFFERED BY MR. INSLEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. INSLEE) 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 410, noes 8, not voting 19, as follows:

[Roll No. 313]

AYES—410

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
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)
Cooper
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
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
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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 (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
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
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOES—8

Brady (TX)
Campbell
Flake
Hensarling
Herger
McClintock
Paul
Shadegg

NOT VOTING—19

Bishop (UT)
Boren
Braley (IA)
Brown-Waite, Ginny
Conyers
Costa
Davis (AL)
Davis (KY)
DeFazio
Graves
Hastings (FL)
Marshall
Melancon
Moore (KS)
Pierluisi
Ryan (OH)
Ryan (WI)
Sablan
Wu

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 2117

Messrs. HERGER and SHADEGG changed their vote from ''aye'' to ''no.''

Messrs. LUETKEMEYER and KING of Iowa changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. GUTIERREZ

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 372, noes 52, not voting 13, as follows:

[Roll No. 314]

AYES—372

Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman

Bordallo
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Butterfield
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
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
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—52

Akin
Alexander
Baird
Barrett (SC)
Bartlett
Barton (TX)
Bishop (UT)
Boustany
Brady (TX)
Broun (GA)
Burton (IN)
Buyer
Campbell
Carter
Cassidy
Conaway
Culberson
Flake
Fleming
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Green, Gene
Griffith
Hall (TX)
Hensarling
Herger
Issa
Johnson, Sam
King (IA)
Lamborn
Linder
Marchant
Minnick
Neugebauer
Owens
Paul
Pence
Petri
Poe (TX)
Price (GA)
Rooney
Scalise
Sensenbrenner
Sessions
Shadegg
Shimkus
Sullivan
Thornberry
Visclosky
Westmoreland
Young (AK)

NOT VOTING—13

Boren
Brown-Waite, Ginny
Davis (AL)
Davis (KY)
Graves
Hastings (FL)
Melancon
Pierluisi
Pingree (ME)
Rush
Ryan (WI)
Sablan
Sarbanes

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 2126

Mrs. BLACKBURN and Ms. FOXX changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 42 OFFERED BY MS. ESHOO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 210, not voting 10, as follows:

[Roll No. 315]

AYES—218

Ackerman
Aderholt
Adler (NJ)
Andrews
Arcuri
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Christensen
Chu
Clarke
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dingell
Doggett
Doyle
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Engel
Eshoo
Faleomavaega
Farr
Fattah
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gordon (TN)
Grayson
Green, Al
Hall (NY)
Hare
Harman
Heinrich
Herseth Sandlin
Higgins
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Pallone
Pascrell
Paul
Payne
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rangel
Richardson
Rodriguez
Rohrabacher
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Slaughter
Smith (WA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—210

Akin
Alexander
Altmire
Austria
Baca
Bachmann
Bachus
Barrett (SC)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costello
Crenshaw
Culberson
Dahlkemper
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Djou
Donnelly (IN)
Dreier
Edwards (TX)
Ellsworth
Emerson
Etheridge
Fallin
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Granger
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Himes
Hinojosa
Hoekstra
Hunter
Inglis
Issa
Jenkins

Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Ortiz
Owens
Pastor (AZ)
Paulsen
Pence
Perriello
Peterson
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Salazar
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden
Wamp
Watt
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Boren
Brown-Waite, Ginny
Davis (AL)
Davis (KY)
Graves
Hastings (FL)
Melancon
Pierluisi
Ryan (WI)
Sablan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 2134

Messrs. LEWIS of California, CLEAVER, BOCCIERI, and DICKS changed their vote from ''aye'' to ''no.''

Messrs. MOLLOHAN and CAPUANO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 80 OFFERED BY MS. PINGREE OF MAINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Maine (Ms. PINGREE) 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 193, noes 231, answered ''present'' 3, not voting 10, as follows:

[Roll No. 316]

AYES—193

Altmire
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boustany
Boyd
Brady (TX)
Braley (IA)
Broun (GA)
Brown, Corrine
Buchanan
Burgess
Camp
Campbell
Capito
Capps
Cardoza
Carnahan
Carney
Cassidy
Castor (FL)
Chaffetz
Christensen
Coffman (CO)
Cohen
Cole
Conyers
Cooper
Costa
Courtney
Cuellar
Cummings
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Doggett
Doyle
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Eshoo
Faleomavaega
Farr
Fattah
Filner
Flake
Garrett (NJ)
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Hare
Harman
Heinrich
Hensarling
Herger
Herseth Sandlin
Himes
Hinchey
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Klein (FL)
Kosmas
Kratovil
Lance
Larson (CT)
Lee (CA)
Lee (NY)
Lewis (GA)
Linder
Lofgren, Zoe
Lowey
Luján
Mack
Maloney
Markey (CO)
Matsui
McClintock
McCollum
McDermott
Meek (FL)
Meeks (NY)
Michaud
Miller (FL)
Miller, George
Minnick
Mitchell
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Perlmutter
Peterson
Petri
Pingree (ME)
Polis (CO)
Posey
Quigley
Rahall
Rehberg
Reyes
Rodriguez
Roe (TN)
Rohrabacher
Rooney
Ross
Rush
Salazar
Sánchez, Linda T.
Schiff
Schrader
Schwartz
Sensenbrenner
Shadegg
Sherman
Speier
Stark
Stearns
Stupak
Sullivan
Tanner
Teague
Thompson (CA)
Thompson (PA)
Tiahrt
Titus
Towns
Upton
Van Hollen
Walden
Walz
Wamp
Watt
Waxman
Westmoreland
Wu

NOES—231

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Barrett (SC)
Bartlett
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boswell
Boucher
Brady (PA)
Bright
Brown (SC)
Burton (IN)
Butterfield
Buyer
Calvert
Cantor
Cao
Capuano
Carson (IN)
Carter
Castle
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Conaway
Connolly (VA)
Costello
Crenshaw
Critz
Crowley
Culberson
Dahlkemper
Davis (CA)
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Djou
Donnelly (IN)
Dreier
Driehaus
Ehlers
Ellsworth
Emerson
Engel
Etheridge
Fallin
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Goodlatte
Guthrie
Gutierrez
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Higgins
Hill
Hinojosa
Hunter
Inglis
Israel
Issa
Jordan (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
Kingston
Kissell
Kline (MN)
Kucinich
Lamborn
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Maffei
Manzullo
Marchant
Markey (MA)
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Mica
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (VA)
Murphy (NY)
Murphy, Tim
Myrick
Norton
Nunes
Nye
Olson
Payne
Pence
Perriello
Peters
Pitts
Platts
Poe (TX)
Pomeroy
Price (GA)
Price (NC)
Putnam
Radanovich
Rangel
Reichert
Richardson
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schmidt
Schock
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Sutton
Taylor
Terry
Thompson (MS)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner
Velázquez
Visclosky
Wasserman Schultz
Watson
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—3

Slaughter
Waters
Woolsey

NOT VOTING—10

Boren
Brown-Waite, Ginny
Davis (AL)
Davis (KY)
Graves
Hastings (FL)
Melancon
Pierluisi
Ryan (WI)
Sablan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). Two minutes remain in this vote.

□ 2151

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 79 OFFERED BY MR. PATRICK J. MURPHY OF PENNSYLVANIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) 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 234, noes 194, not voting 10, as follows:

[Roll No. 317]

AYES—234

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boswell
Boyd
Brady (PA)

Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Djou
Doggett
Doyle
Driehaus
Edwards (MD)
Ellison
Ellsworth
Engel
Eshoo
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Price (NC)
Quigley
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—194

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boucher
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Critz
Culberson
Davis (TN)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Edwards (TX)
Ehlers
Emerson
Etheridge
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Green, Gene
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Ortiz
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross
Royce
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Spratt
Stearns
Sullivan
Tanner
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Boren
Brown-Waite, Ginny
Davis (AL)
Davis (KY)
Graves
Hastings (FL)
Melancon
Pierluisi
Ryan (WI)
Sablan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 5 minutes remaining in this vote.

□ 2207

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

AMENDMENT NO. 47 OFFERED BY MR. SARBANES

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 172, not voting 12, as follows:

[Roll No. 318]

AYES—253

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chandler
Childers
Christensen
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Donnelly (IN)
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Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
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Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lowey
Luján
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Maffei
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Marshall
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McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
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Smith (NJ)
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Van Hollen
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Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—172

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
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Bono Mack
Boozman
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Brady (TX)
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Brown (SC)

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Carter
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Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Crenshaw
Critz
Culberson
Dahlkemper
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
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Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
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Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kosmas
Lamborn
Lance
Latham
Latta
Lee (NY)
Lewis (CA)
Lofgren, Zoe
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Moran (VA)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
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Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Boren
Brown-Waite, Ginny
Davis (AL)
Davis (KY)
Graves
Hastings (FL)
Linder
Melancon
Pierluisi
Radanovich
Ryan (WI)
Sablan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 2216

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. SKELTON. 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. CAPUANO) having assumed the chair, Ms. MCCOLLUM, 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. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the ''Stewart Lee Udall Department of the Interior Building''.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. Pursuant to House Resolution 1404 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. 5136.

□ 2218

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. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. SCHRADER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 47 offered by the gentleman from Maryland (Mr. SARBANES) had been disposed of.

AMENDMENTS EN BLOC NO. 8 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, pursuant to House Resolution 1404, I offer amendments en bloc No. 8.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 8 offered by Mr. SKELTON consisting of amendments numbered 56, 58, 59, 65, 69, 71, 76, and 78 printed in House Report 111–498:

AMENDMENT NO. 56 OFFERED BY MRS. DAHLKEMPER OF PENNSYLVANIA

The text of the amendment is as follows:

Page 122, after line 18, insert the following:

SEC. 359. AUTHORITY TO MAKE EXCESS NONLETHAL SUPPLIES AVAILABLE FOR DOMESTIC EMERGENCY ASSISTANCE.

(a) DOMESTIC AUTHORITY.—Section 2557 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by adding at the end the following new sentence: ''In addition, the Secretary may make nonlethal excess supplies of the Department available to support domestic emergency assistance activities.''; and

(2) in subsection (b)—

(A) by inserting ''(1)'' before ''Excess''; and

(B) by adding at the end the following new paragraph:

''(2) Excess supplies made available under this section to support domestic emergency assistance activities shall be transferred to the Secretary of Homeland Security. The Secretary of Defense may provide assistance in the distribution of such supplies at the request of the Secretary of Homeland Security.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2557. Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance''.

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 152 of such title is amended to read as follows:

''2557. Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance.''.

AMENDMENT NO. 58 OFFERED BY MRS. KIRKPATRICK OF ARIZONA

The text of the amendment is as follows:

Page 122, after line 18, insert the following:

SEC. 359. RECOVERY OF MISSING DEPARTMENT OF DEFENSE PROPERTY.

(a) IN GENERAL.—Section 2789 of title 10, United States Code, is amended to read as follows:

''§ 2789. Recovery of Department of Defense property: unauthorized or improper disposition

''(a) PROHIBITIONS.—No member of the armed forces, civilian employee of the Government, employee or agent of a contractor, or any other person may sell, lend, pledge, barter, give, transfer, or otherwise dispose of any clothing, arms, articles, equipment, or any other military or Department of Defense property—

''(1) to any person not authorized to receive the property in accordance with applicable requirements established by the Department of Defense or a component thereof; or

''(2) in violation of applicable demilitarization regulations of the Department of Defense or a component thereof.

''(b) SEIZURE OF IMPROPERLY DISPOSED OF PROPERTY.—If a member of the armed forces, civilian employee of the Government, employee or agent of a contractor, or any other person has improperly disposed of military or Department of Defense property in violation of subsection (a), any civil or military officer of the United States or any State or local law enforcement official may seize the property, wherever found. Title to military or Department of Defense property disposed of in violation of subsection (a) remains with the United States. Possession of such property by a person who is neither a member of the armed forces nor an official of the United States is prima facie evidence that the property has been disposed of in violation of subsection (a).

''(c) DELIVERY OF SEIZED PROPERTY.—Any official who seizes property under subsection (b) and is not authorized to retain it for the United States shall immediately deliver the property to an authorized member of the armed forces or other authorized official of the Department of Defense or the Department of Justice.

''(d) RETROACTIVE ENFORCEMENT AUTHORIZED.—This section shall apply to any military or Department of Defense property which was the subject of unauthorized disposition any time after January 1, 2002. This section shall apply to significant military equipment which was the subject of unauthorized disposition at any time.

''(e) SEVERABILITY CLAUSE.—In the event that any portion of this section is held unenforceable, all other portions of this section shall remain in full force and effect.

''(f) DEFINITION.—In this section, the term 'significant military equipment' means defense articles on the United States Munitions List for which special export controls are warranted because of their capacity for substantial military utility or capability.''.

(b) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at

the beginning of chapter 165 of such title is amended to read as follows:

''2789. Recovery of Department of Defense property: unauthorized or improper disposition.''.

AMENDMENT NO. 59 OFFERED BY MS. KOSMAS OF FLORIDA

The text of the amendment is as follows:

Page 99, after line 23, insert the following:

SEC. 336. STUDY AND REPORT ON FEASIBILITY OF JOINT USAGE OF THE NASA SHUTTLE LOGISTICS DEPOT.

(a) STUDY.—The Secretary of Defense, in conjunction with the Administrator of the National Aeronautics and Space Administration, shall conduct a study of the feasibility of joint usage of the National Aeronautics and Space Administration Shuttle Logistics Depot in Cape Canaveral, Florida, to supplement requirements for products and services in support of reset initiatives, Advanced Technology Clusters, engineering and reverse engineering analysis, and development of innovative technology and processes to improve product procurement and reduce risk, cost, and cycle time of system delivery.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the committees on Armed Services of the Senate and House of Representatives a report on the study required under subsection (a).

AMENDMENT NO. 65 OFFERED BY MR. PERRIELLO OF VIRGINIA

The text of the amendment is as follows:

Page 92, after line 24, insert the following:

SEC. 326. TREATMENT OF EMPLOYER CONTRIBUTIONS TO HEALTH BENEFITS AND RETIREMENT PLANS FOR PURPOSES OF COST-COMPARISONS OF CONTRACTOR AND CIVILIAN EMPLOYEE PERFORMANCE OF DEPARTMENT OF DEFENSE FUNCTIONS.

Section 2463 of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (f):

''(f) TREATMENT OF CONTRIBUTIONS TO HEALTH AND RETIREMENT PLANS.—For purposes of conducting a cost comparison to determine whether to convert a function from contractor performance to performance by Department of Defense civilian employee, the costs of employer contributions made by the Department of Defense or by a contractor towards employer-sponsored health benefits and retirement benefits plans shall not be considered unless, in the case of such contributions made by a contractor, the contractor does not receive an advantage for reducing costs for the Department of Defense by—

''(1) not making an employer-sponsored health insurance plan available to the contractor employees who perform the function under the contract;

''(2) offering to such employees an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Federal Government for health benefits for civilian employees under chapter 89 of title 5, United States Code; or

''(3) offering to such employees a retirement benefit that, in any year, costs less than the annual retirement cost factor applicable to Federal employees under chapter 84 of title 5, United States Code.''.

AMENDMENT NO. 69 OFFERED BY MS. TITUS OF NEVADA

The text of the amendment is as follows:

At the end of subtitle G of title VI, add the following new section:

SEC. 674. FLEXIBLE COMMENCEMENT DATES FOR AVAILABILITY OF HOMEOWNER ASSISTANCE FOR MEMBERS OF THE ARMED FORCES PERMANENTLY REASSIGNED DURING MORTGAGE CRISIS.

(a) MODIFICATION OF REASSIGNMENT, PURCHASE, AND SALE DATES.—Subsection (a)(3) of section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) is amended—

(1) in subparagraph (C), by striking ''or an earlier end date designated by the Secretary'' and by inserting ''or an earlier start or end date designated by the Secretary under subsection (c)(3)(C) for a specific military base or installation'';

(2) in subparagraph (D), by inserting '', or a later purchase date designated by the Secretary under subsection (c)(3)(C) for a specific military base or installation'' after ''July 1, 2006''; and

(3) in subparagraph (E), by striking ''between July 1, 2006, and September 30, 2012, or an earlier end date designated by the Secretary'' and inserting ''between the purchase date in effect for the military base or installation under subparagraph (D) and the end date in effect for the military base or installation under subparagraph (D)''.

(b) MODIFICATION PROCESS.—Subsection (c)(3) of such section is amended by adding at the end the following new subparagraph:

''(C) MODIFICATION OF REASSIGNMENT, PURCHASE, AND SALE DATES.—In exercising the authority under subsection (a)(3) to designate different reassignment, purchase, and sale dates for a specific military base or installation, the Secretary of Defense shall consult with the Secretary of Housing and Urban Development and the Secretary of the Treasury regarding the condition of housing markets in the area of the base or installation so that the Secretary of Defense has the information needed to effectively assist members of the Armed Forces and their families.''.

AMENDMENT NO. 71 OFFERED BY MR. CRITZ OF PENNSYLVANIA

The text of the amendment is as follows:

At the end of subtitle F of title III, insert the following:

SEC. 3___. AUTHORITY FOR PAYMENT OF FULL REPLACEMENT VALUE FOR LOSS OR DAMAGE TO HOUSEHOLD GOODS IN LIMITED CASES NOT COVERED BY CARRIER LIABILITY.

(a) CLAIMS AUTHORITY.—

(1) IN GENERAL.—Chapter 163 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2740. Property loss: reimbursement of members and civilian employees for full replacement value of household effects when contractor reimbursement not available

''The Secretary of Defense and the Secretaries of the military departments, in paying a claim under section 3721 of title 31 arising from loss or damage to household goods stored or transported at the expense of the Department of Defense, may pay the claim on the basis of full replacement value in any of the following cases in which reimbursement for the full replacement value for the loss or damage is not available directly from a carrier under section 2636a of this title:

''(1) A case in which—

''(A) the lost or damaged goods were stored or transported under a contract, tender, or solicitation in accordance with section 2636a of this title that requires the transportation service provider to settle claims on the basis of full replacement value; and

''(B) the loss or damage occurred under circumstances that exclude the transportation service provider from liability.

''(2) A case in which—

''(A) the loss or damage occurred while the lost or damaged goods were in the possession of an ocean carrier that was transporting, loading, or unloading the goods under a Department of Defense contract for ocean carriage; and

''(B) the land-based portions of the transportation were under contracts, in accordance with section 2636a of this title, that require the land carriers to settle claims on the basis of full replacement value.

''(3) A case in which—

''(A) the lost or damaged goods were transported or stored under a contract or solicitation that requires at least one of the transportation service providers or carriers that handled the shipment to settle claims on the basis of full replacement value pursuant to section 2636a of this title;

''(B) the lost or damaged goods have been in the custody of more than one independent contractor or transportation service provider; and

''(C) a claim submitted to the delivering transportation service provider or carrier is denied in whole or in part because the loss or damage occurred while the lost or damaged goods were in the custody of a prior transportation service provider or carrier or government entity.''.

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

''2740. Property loss: reimbursement of members and civilian employees for full replacement value of household effects when contractor reimbursement not available.''.

(b) EFFECTIVE DATE.—Section 2740 of title 10, United States Code, as added by subsection (a), shall apply with respect to losses incurred after the date of the enactment of this Act.

AMENDMENT NO. 76 OFFERED BY MR. CONNOLLY OF VIRGINIA

The text of the amendment is as follows:

Page 465, after line 23, add the following:

SEC. 1110. FEDERAL INTERNSHIP PROGRAMS.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 5, United States Code, is amended by inserting after section 3111 the following:

''§ 3111a. Federal internship programs

''(a) INTERNSHIP COORDINATOR.—The head of each agency operating an internship program shall appoint an individual within such agency to serve as an internship coordinator.

''(b) ONLINE INFORMATION.—

''(1) AGENCIES.—The head of each agency operating an internship program shall make publicly available on the Internet—

''(A) the name and contact information of the internship coordinator for such program; and

''(B) information regarding application procedures and deadlines for such internship program.

''(2) OFFICE OF PERSONNEL MANAGEMENT.—The Office of Personnel Management shall make publicly available on the Internet links to the websites where the information described in paragraph (1) is displayed.

''(c) CENTRALIZED DATABASE.—The Office shall establish and maintain a centralized electronic database that contains the names, contact information, and relevant skills of individuals who have completed or are nearing completion of an internship program and are currently seeking full-time Federal employment.

''(d) EXIT INTERVIEW REQUIREMENT.—The agency operating an internship program

shall conduct an exit interview of each intern that completes such program.

''(e) REPORT.—

''(1) IN GENERAL.—The head of each agency operating an internship program shall annually submit to the Office a report assessing such internship program.

''(2) CONTENTS.—Each report required under paragraph (1) for an agency shall include, for the 1-year period ending on September 1 of the year in which the report is submitted—

''(A) the number of interns that participated in an internship program at such agency;

''(B) information regarding the demographic characteristics of interns at such agency, including educational background;

''(C) a description of the steps taken by such agency to increase the percentage of interns who are offered permanent Federal jobs and the percentage of interns who accept the offers of such jobs, and any barriers encountered;

''(D) a description of activities engaged in by such agency to recruit new interns, including locations and methods;

''(E) a description of the diversity of work roles offered within internship programs at such agency;

''(F) a description of the mentorship portion of such internship programs; and

''(G) a summary of exit interviews conducted by such agency upon completion of an internship program by an intern.

''(3) SUBMISSION.—Each report required under paragraph (1) shall be submitted to the Office between September 1 and September 30 of each year. Not later than December 30 of each year, the Office shall submit to Congress a report summarizing the information submitted to the Office in accordance with paragraph (1) for such year.

''(f) DEFINITIONS.—For purposes of this section—

''(1) the term 'internship program' means—

''(A) a volunteer service program under section 3111(b); and

''(B) the Student Educational Employment Program established under section 213.3202 of title 5, Code of Federal Regulations, as in effect on January 1, 2009;

''(2) the term 'intern' means an individual serving in an internship program.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 31 of title 5, United States Code, is amended by inserting after the item relating to section 3111 the following:

''3111a. Federal internship programs.''.

AMENDMENT NO. 78 OFFERED BY MR. GRAYSON OF FLORIDA

The text of the amendment is as follows:

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

SEC. 839. REQUIREMENT TO JUSTIFY THE USE OF FACTORS OTHER THAN COST OR PRICE AS THE PREDOMINATE FACTORS IN EVALUATING COMPETITIVE PROPOSALS FOR DEFENSE PROCUREMENT CONTRACTS.

(a) REQUIREMENT.—Subparagraph (A) of section 2305(a)(2) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of clause (i); and

(2) by inserting after clause (ii) the following new clause:

''(iii) in the case of a solicitation in which factors other than cost or price when combined are more important than cost or price, the reasons why assigning at least equal importance to cost or price would not better serve the Government's interest; and''.

(b) REPORT.—Section 2305(a)(3) of such title is amended by adding at the end the following new subparagraph:

''(C) Not later than 180 days after the end of each fiscal year, the Secretary of Defense shall submit to Congress, and post on a publicly available website of the Department of Defense, a report describing the solicitations for which a statement pursuant to paragraph (2)(A)(iii) was included.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1404, the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. MCKEON) each will control 10 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chairman, I yield 3 minutes to my friend and colleague, the gentleman from Iowa (Mr. BOSWELL).

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Mr. Chairman, I rise to support the en bloc amendments, of course.

When we did this in committee last week, I was called to the floor and I didn't get to talk about the little item I had in there to do with a study on breast cancer in women soldiers. It passed. I am proud of that, and I want to thank you for it. I want to thank the ranking member as well. But it occurs to me we need to talk about this just a little bit.

I stand before you as a person that a surgeon told me what I went through was Agent Orange, but we didn't do anything about it until way down the line.

I have a lady veteran in my office that went to a reunion after Iraq. In that small group, five of the women got breast cancer, and they had no connection to anything else in their lives.

I feel like that we can't just let this go. Fifteen percent of our force is women. It is going to be 20 percent in a short time. We have to do some things different. So I appreciate the fact that we have asked the Department of Defense to take a look at this and see if it is something they will study.

I don't want it to be another Agent Orange. I hope it won't. But I am very adamant about supporting the troops, you know that, you know my history, and I am not going to ever back off from that. We have to do all the things we have to do.

But the women of the United States Armed Forces deserve some special attention in this, and I think that we ought to give some serious thought as we go into the future, maybe the very near future, to give this consideration beyond what we have done.

My intuition tells me that this is important. What checking we have done, there seems to be a problem, and we ought to get to the bottom of it as fast as we can for the sake of these outstanding women that serve in our Armed Forces.

For one little reunion, to find out that five women soldiers are afflicted, is kind of a startling thing. It needs some attention, and I just would hope that as we go forth, in the time ahead, that we will make the effort to be sure that this is looked into, and we don't look back a few years from now, like we have on Agent Orange, and say oh, my, I wish we had known. It won't cost us that much to find out when we decide to do it, and I hope we decide to do it relatively soon.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 10 minutes.

There was no objection.

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

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to my friend the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I rise in support of this amendment and for purposes of engaging in a colloquy with the gentleman from Maryland to clarify the intent of his amendment regarding the Army's M915 truck program.

I would yield to the gentleman.

Mr. BARTLETT. I thank the gentleman from Oregon for the opportunity to clarify my amendment on the M915 truck program.

It was my intent to submit a request for unanimous consent to consider a revised version of my original amendment that had been made in order by the Rules Committee. In fact, I read the revised version into the official record.

The revised amendment only encourages the Secretary of the Army to consider full and open competition for future M915 truck procurements beginning in fiscal year 2012. The revised amendment also requires the Secretary of the Army to provide possible courses of action if it helps to accelerate meeting the Army's current requirement for M915 trucks.

Mr. BLUMENAUER. Reclaiming my time, I want to thank the gentleman for his remarks and clarification of the amendment. I want to acknowledge that the M915 truck program is a critical asset to the United States Army Reserves, and note the current M915 truck program is on cost and schedule and meets all performance requirements.

Mr. BARTLETT, would you be willing to work with me on this critical issue during your conference deliberations with the Senate regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011?

Mr. BARTLETT. As we proceed to conference with the other body, I would welcome the opportunity to work with the gentleman from Oregon on this critical issue.

Mr. BLUMENAUER. I thank the gentleman. I appreciate the clarification and look forward to working with you.

Mr. MCKEON. I continue to reserve.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Mr. Chairman, I thank Chairman SKELTON for the opportunity to offer this amendment to improve Federal internship programs, and his staff for their collaboration on the text before us.

The Federal Government faces a daunting challenge in recruiting and retaining the workforce of the future. We actually have a desultory record in terms of student internship programs and their retention rate when compared to the private sector. I believe this amendment will systematize that program, will set some standards that all Federal agencies have to meet, and a reporting requirement that will give the Congress the information it needs in moving forth.

I urge my colleagues to support this amendment.

Mr. MCKEON. I continue to reserve.

Mr. SKELTON. I yield 2 minutes to my friend the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Thank you very much, Mr. Chairman.

I rise for the purpose of a colloquy with the chairman concerning amendment No. 15 introduced by the gentleman from Florida. I would ask the chairman to confirm that the amendment does not envision any shortcuts in the process of checking the background of any Iraqi nationals applying to come to the United States, nor does it ask for a shortcut in any process designed to protect American national security.

Mr. SKELTON. That is correct. The amendment is simply asking for a plan to speed up the process, as appropriate. The sponsor of the amendment believes, as do I, that all appropriate security and background checks must be carried out in the right way to best protect our national security.

Mr. DANIEL E. LUNGREN of California. I thank the chairman for that clarification.

Mr. MCKEON. I continue to reserve.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to my friend the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. I thank the chairman.

The purpose of this amendment is to provide the Secretary of Defense the flexibility to change the effective date of the Homeowners Assistance Program for members of the Armed Forces permanently reassigned during the mortgage crisis. The program, as approved by Congress last year, allows active-duty servicemembers to be partially reimbursed for losses occurring as a result of having to sell their home upon being reassigned. Under current law, a servicemember must have purchased his or her home before July 1, 2006, in order to qualify for assistance.

My congressional district is home to a number of servicemembers from Nellis Air Force Base and the Remotely Piloted Aircraft Program at Creech Air Force Base.

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Many of these armed servicemembers were assigned to southern Nevada at the height of the housing boom when prices were fueled by out-of-control and reckless speculators. They, and others around the country, purchased homes at what was then a fair market price. Now, due to no fault of their own, however, many of these homes have lost a significant amount of their value. A problem arises because servicemembers are now receiving Permanent Change of Station orders and are being reassigned to a new area.

A number of servicemembers from around the world have contacted us saying that this date, July 1, 2006, was set too early to achieve the intended goals of the program. Accordingly, our amendment provides the necessary flexibility to the Secretary of Defense to change this date in specific geographic areas where housing price declines trended behind the national average.

It's important to keep in mind that most of these servicemembers had no choice in the timing of their transfer and relocation and are, therefore, unintended victims of the arbitrary deadline.

This amendment is modeled after legislation introduced in December, which had 27 bipartisan cosponsors. It's also been endorsed by a number of military family organizations who recognize its importance.

I thank Chairman SKELTON for his support in working with me, and I urge our colleagues to vote for the amendment.

The Acting CHAIR. Without objection, the gentleman from New Jersey will control the time.

There was no objection.

Ms. KOSMAS. Mr. Chair, I rise today in support of my amendment to enable the Department of Defense and NASA cooperation in the utilization of a unique strategic capability. The NASA Shuttle Logistics Depot (NSLD) employs approximately 300 highly-skilled workers who service and fabricate about 700 individual pieces of shuttle hardware, including avionics, cargo bay hydraulics, and cockpit windows.

Due to the scheduled ending of the shuttle program later this year or early next year, the Space Coast is facing the loss of up to 10,000 direct jobs. As part of an effort to maintain this unique workforce, the NSLD has partnered with DoD on several pilot projects, including the fabrication of M2 50 Caliber Machine Gun parts and F–16 wing spar attach fittings, in an effort to diversify work, maintain the unique skills and capabilities, and fulfill DoD needs.

In order to allow this important work to go forward, my amendment would direct DoD and NASA to conduct a study on the feasibility of joint usage of the NSLD so that the military can utilize its unique capabilities such as engineering and reverse-engineering analysis and development of innovative manufacturing techniques. The facility could also take part in developing innovative technology and processes to improve product procurement and reduce risk, cost, and cycle time of system delivery.

I urge the adoption of this important amendment in order to enable the continued utilization of this unique capability.

Mr. ANDREWS. Mr. Chairman, I would advise my friend on the other side we have no further speakers, so I will yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Missouri (Mr. SKELTON).

The amendments en bloc were agreed to.

AMENDMENT NO. 68 OFFERED BY MR. TEAGUE

The Acting CHAIR. It is now in order to consider amendment No. 68 printed in House Report 111–498.

Mr. TEAGUE. 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. 68 offered by Mr. TEAGUE:

Page 219, after line 5, insert the following:

SEC. 599. INCREASE OF MAXIMUM AGE FOR CHILDREN ELIGIBLE FOR MEDICAL CARE UNDER CHAMPVA PROGRAM.

(a) INCREASE.—Section 1781(c) of title 38, United States Code, is amended—

(1) by striking ''twenty-three'' and inserting ''twenty-six''; and

(2) by striking ''twenty-third birthday'' and inserting ''twenty-sixth birthday''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to medical care provided on or after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from New Mexico (Mr. TEAGUE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. TEAGUE. Mr. Chairman, I rise today to offer this amendment to increase the maximum age for children eligible for medical care under the CHAMPVA program.

My amendment will ensure that our disabled veterans benefit from one of the most popular provisions of the Patient Protection and Affordable Care Act, allowing dependents to stay on the parents' health care insurance until age 26.

CHAMPVA is the health insurance program for dependents of veterans who have been rated permanently and totally disabled and surviving dependents of servicemembers whose deaths were due to service-connected injuries. Currently, under CHAMPVA, health insurance coverage can be provided to dependent children up to the age of 23. Under the PPACA that was signed into law earlier this year, individuals with private health insurance will be able to provide coverage to their dependent children up to the age of 26. CHAMPVA is a Department of Veterans Affairs program and governed by a different section of the United States code. It was not altered by the PPACA. As such, the maximum age for dependent children under CHAMPVA remains 23.

Our disabled veterans have sacrificed so much for our country, and it is our duty to make sure that they and their families have access to quality affordable health care. This amendment

would amend title 38 to increase the maximum age for coverage of dependent children under CHAMPVA from 23 to 26. At the very least, we must provide these heroes with the same health insurance benefits afforded civilians.

We should correct this wrong immediately. We should do what's right for our veterans. Vote ''yes'' on this amendment.

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

Mr. MCKEON. Mr. Chairman, I claim time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I do not oppose the amendment; in fact, I support the amendment, and I thank the gentleman for taking care of this problem.

I reserve the balance of my time.

Mr. ANDREWS. Will the gentleman yield?

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

Mr. ANDREWS. Mr. Chairman, I thank the gentleman for offering this outstanding amendment. Our side of the committee strongly supports it. We think it does a great deal of good for some great heroes. We would urge a ''yes'' vote.

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

Mr. TEAGUE. 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 Mexico (Mr. TEAGUE).

The amendment was agreed to.

AMENDMENT NO. 81 OFFERED BY MS. SHEA-PORTER

The Acting CHAIR. It is now in order to consider amendment No. 81 printed in House Report 111–498.

Ms. SHEA-PORTER. 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. 81 offered by Ms. SHEA-PORTER:

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

SEC. 839. PENALTIES ON CONTRACTORS NOT PROVIDING INFORMATION TO DATABASES ON CONTRACTS IN IRAQ AND AFGHANISTAN.

Section 861 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2302 note) is amended by adding at the end the following new subsection:

''(e) PENALTIES.—Any contract in Iraq or Afghanistan entered into or modified after September 1, 2011, shall include a clause requiring the imposition of a penalty, by the department or agency awarding the contract, on any contractor that does not comply with requirements under this section, including requirements in the memorandum of understanding required by subsection (a), to provide information for the common databases identified under subsection (b)(4), including updating the information required. The penalty shall consist of the withholding of award and incentive fees.''.

Page 304, line 15, strike ''and''.

Page 304, line 21, strike the period and insert ''; and''.

Page 304, after line 21, insert the following:

''(C) the penalties, if any, imposed by the departments and agency on contractors for failing to comply with requirements under section 861(e), including requirements to provide information for the common databases identified under section 861(b)(4).

The Acting CHAIR. Pursuant to House Resolution 1404, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, for too long the American people have been the victims of theft and fraud by contractors working in Iraq and Afghanistan. Over the past few years, Congress has taken steps to rein these contractors in. One of these steps was to create a database to keep information on these contractors and their subcontractors. Unfortunately, Mr. Chair, they are not entering the information.

My amendment would impose a penalty on those contractors that do not comply with the requirement to report this contract information. Their noncompliance prevents oversight agencies from conducting proper audits and investigations. Therefore, it prevents these agencies from uncovering waste and contract fraud. We cannot protect taxpayer dollars from theft if we can't follow the money.

Just this week, a witness before the Commission on Wartime Contracting said that the contracting environment in our overseas operations was highly vulnerable to fraud. The GAO recently reported that Federal agencies face difficult challenges in tracking and overseeing contractor personnel and contracts.

We have been using contractors in both wars for 9 years now. The scale of waste and contract fraud is enormous, and the criminal activity is diverse: fraud, bribery, kickbacks, extortion, embezzlement, theft of cash or equipment, etc cetera. But we have not given our Federal agencies all the tools they need to catch these bad actors. We often don't even know who we are doing business with.

This amendment will penalize contractors who do not comply with the reporting requirements. Taxpayers are spending billions of dollars in Iraq and Afghanistan. They deserve accountability.

I urge my colleagues to support this amendment and the underlying bill.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition; however, I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I will support the amendment.

I yield back the balance of my time.

Mr. ANDREWS. Will the gentlelady yield?

Ms. SHEA-PORTER. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I'd like to, on behalf of the committee, thank the gentlelady for crafting this amendment. I think it's an invaluable tool for our investigators and, if necessary, prosecutors, to track down fraud, protect our servicemembers, and protect the taxpayers. So we're very happy to support this very worthy amendment.

Ms. SHEA-PORTER. Mr. Chair, I want to thank Chairman SKELTON for his continued work and leadership on this bill. I urge my colleagues to support this amendment and the underlying bill, and I yield back the remainder of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

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

Ms. SHEA-PORTER. Mr. Chair, I demand a recorded vote.

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

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AMENDMENTS EN BLOC NO. 9 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, pursuant to House Resolution 1404, I offer amendments en bloc No. 9, including modifications to amendment No. 32.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 9 offered by Mr. SKELTON consisting of amendments numbered 8, 15, 30, 32, 55, 61, 64, 66, 67, 74, and 77 printed in House Report 111–498:

AMENDMENT NO. 8 OFFERED BY MR. COURTNEY OF CONNECTICUT

The text of the amendment is as follows:

SEC. 599(a). TRANSFER OF TROOPS-TO-TEACHERS PROGRAM FROM DEPARTMENT OF EDUCATION TO DEPARTMENT OF DEFENSE.

(a) TRANSFER OF FUNCTIONS.—

(1) TRANSFER.—The responsibility and authority for operation and administration of the Troops-to-Teachers Program in chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.), is transferred from the Secretary of Education to the Secretary of Defense.

(2) EFFECTIVE DATE.—The transfer under paragraph (1) shall take effect on the first day of the first month beginning more than 180 days after the date of the enactment of this Act, or on such earlier date as the Secretary of Education and the Secretary of Defense may jointly provide.

(b) ENACTMENT OF PROGRAM AUTHORITY IN TITLE 10, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1154. Assistance to eligible members and former members to obtain employment as teachers: Troops-to-Teachers Program

''(a) DEFINITIONS.—In this section:

''(1) PROGRAM.—The term 'Program' means the Troops-to-Teachers Program authorized by this section.

''(2) MEMBER OF THE ARMED FORCES.—The term 'member of the armed forces' includes a former member of the armed forces.

''(3) CHARTER SCHOOL.—The term 'charter school' has the meaning given that term in section 5210 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

''(4) ADDITIONAL TERMS.—The terms 'elementary school', 'highly qualified teacher', 'local educational agency', 'secondary school', and 'state' have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(b) PROGRAM AUTHORIZATION.—The Secretary may carry out a program (to be known as the 'Troops-to-Teachers Program')—

''(1) to assist eligible members of the armed forces described in subsection (d) to obtain certification or licensing as elementary school teachers, secondary school teachers, or vocational or technical teachers, and to become highly qualified teachers; and

''(2) to facilitate the employment of such members—

''(A) by local educational agencies or public charter schools that the Secretary of Education identifies as—

''(i) receiving grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et. seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or

''(ii) experiencing a shortage of highly qualified teachers, in particular a shortage of science, mathematics, special education, or vocational or technical teachers; and

''(B) in elementary schools or secondary schools, or as vocational or technical teachers.

''(c) PLACEMENT ASSISTANCE AND REFERRAL SERVICES.—The Secretary may provide placement assistance and referral services to members of the armed forces who meet the criteria described in subsection (d), including meeting the education qualification requirements under subsection (d)(3)(B). Such members shall not be eligible for financial assistance under paragraphs (3) and (4) of subsection (e).

''(d) ELIGIBILITY AND APPLICATION PROCESS.—

''(1) ELIGIBLE MEMBERS.—The following members of the armed forces are eligible for selection to participate in the Program:

''(A) Any member who—

''(i) on or after October 1, 1999, becomes entitled to retired or retainer pay under this title or title 14;

''(ii) has an approved date of retirement that is within one year after the date on which the member submits an application to participate in the Program; or

''(iii) has been transferred to the Retired Reserve.

''(B) Any member who, on or after January 8, 2002—

''(i)(I) is separated or released from active duty after six or more years of continuous active duty immediately before the separation or release; or

''(II) has completed a total of at least ten years of active duty service, ten years of service computed under section 12732 of this title, or ten years of any combination of such service; and

''(ii) executes a reserve commitment agreement for a period of not less than three years under paragraph (5)(B).

''(C) Any member who, on or after January 8, 2002, is retired or separated for physical disability under chapter 61 of this title.

''(2) SUBMISSION OF APPLICATIONS.—(A) Selection of eligible members of the armed forces to participate in the Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in subparagraph (B). An application shall be in such form and contain such information as the Secretary may require.

''(B) An application shall be considered to be submitted on a timely basis under subparagraph (A)(i), (B), or (C) of paragraph (1) if the application is submitted not later than four years after the date on which the member is retired or separated or released from active duty, whichever applies to the member.

''(3) SELECTION CRITERIA; EDUCATIONAL BACKGROUND REQUIREMENTS AND HONORABLE SERVICE REQUIREMENT.—(A) Subject to subparagraphs (B) and (C), the Secretary shall prescribe the criteria to be used to select eligible members of the armed forces to participate in the Program.

''(B)(i) If a member of the armed forces is applying for assistance for placement as an elementary school or secondary school teacher, the Secretary shall require the member to have received a baccalaureate or advanced degree from an accredited institution of higher education.

''(ii) If a member of the armed forces is applying for assistance for placement as a vocational or technical teacher, the Secretary shall require the member—

''(I) to have received the equivalent of one year of college from an accredited institution of higher education and have six or more years of military experience in a vocational or technical field; or

''(II) to otherwise meet the certification or licensing requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the Program.

''(C) A member of the armed forces is eligible to participate in the Program only if the member's last period of service in the armed forces was honorable, as characterized by the Secretary concerned. A member selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty may continue to participate in the Program after the retirement, separation, or release only if the member's last period of service is characterized as honorable by the Secretary concerned.

''(4) SELECTION PRIORITIES.—In selecting eligible members of the armed forces to receive assistance under the Program, the Secretary shall give priority to members who—

''(A) have educational or military experience in science, mathematics, special education, or vocational or technical subjects; and

''(B) agree to seek employment as science, mathematics, or special education teachers in elementary schools or secondary schools or in other schools under the jurisdiction of a local educational agency.

''(5) OTHER CONDITIONS ON SELECTION.—

''(A) The Secretary may not select an eligible member of the armed forces to participate in the Program and receive financial assistance unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (e) with respect to the member.

''(B) The Secretary may not select an eligible member of the armed forces described in paragraph (1)(B)(i) to participate in the Program under this section and receive financial assistance under subsection (e) unless the member executes a written agreement to serve as a member of the Selected Reserve of a reserve component of the armed forces for a period of not less than three years (in addition to any other reserve commitment the member may have).

''(e) PARTICIPATION AGREEMENT AND FINANCIAL ASSISTANCE.—

''(1) PARTICIPATION AGREEMENT.—(A) An eligible member of the armed forces selected to participate in the Program under subsection (b) and receive financial assistance under this subsection shall be required to enter into an agreement with the Secretary in which the member agrees—

''(i) within such time as the Secretary may require, to obtain certification or licensing as an elementary school teacher, secondary school teacher, or vocational or technical teacher, and to become a highly qualified teacher; and

''(ii) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than three school years with a high-need local educational agency or public charter school, as such terms are defined in section 2102 of the Elementary and Secondary Education Act (20 U.S.C. 6602), to begin the school year after obtaining that certification or licensing.

''(B) The Secretary may waive the three-year commitment described in subparagraph (A)(ii) for a participant if the Secretary determines such waiver to be appropriate. If the Secretary provides the waiver, the participant shall not be considered to be in violation of the agreement and shall not be required to provide reimbursement under subsection (f), for failure to meet the three-year commitment.

''(2) VIOLATION OF PARTICIPATION AGREEMENT; EXCEPTIONS.—A participant in the Program shall not be considered to be in violation of the participation agreement entered into under paragraph (1) during any period in which the participant—

''(A) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

''(B) is serving on active duty as a member of the armed forces;

''(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

''(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

''(E) is a highly qualified teacher who is seeking and unable to find full-time employment as a teacher in an elementary school or secondary school or as a vocational or technical teacher for a single period not to exceed 27 months; or

''(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

''(3) STIPEND FOR PARTICIPANTS.—(A) Subject to subparagraph (B), the Secretary may pay to a participant in the Program selected under this section a stipend in an amount of not more than $5,000.

''(B) The total number of stipends that may be paid under subparagraph (A) in any fiscal year may not exceed 5,000.

''(4) BONUS FOR PARTICIPANTS.—(A) Subject to subparagraph (B), the Secretary may, in lieu of paying a stipend under paragraph (3), pay a bonus of $10,000 to a participant in the Program selected under this section who agrees in the participation agreement under paragraph (1) to become a highly qualified teacher and to accept full-time employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than three school years in a high-need school.

''(B) The total number of bonuses that may be paid under subparagraph (A) in any fiscal year may not exceed 3,000.

''(C) For purposes of subparagraph (A), the term 'high-need school' means a public elementary school, public secondary school, or public charter school that meets one or more of the following criteria:

''(i) At least 50 percent of the students enrolled in the school were from low-income families (as described in subsection (b)(2)(A)(i)).

''(ii) The school has a large percentage of students who qualify for assistance under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et. seq.).

''(5) TREATMENT OF STIPEND AND BONUS.—A stipend or bonus paid under this subsection to a participant in the Program shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et. seq.).

''(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—

''(1) REIMBURSEMENT REQUIRED.—A participant in the Program who is paid a stipend or bonus under this subsection shall be required to repay the stipend or bonus under the following circumstances:

''(A) The participant fails to obtain teacher certification or licensing, to become a highly qualified teacher, or to obtain employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher as required by the participation agreement under subsection (e)(1).

''(B) The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher during the three years of required service in violation of the participation agreement.

''(C) The participant executed a written agreement with the Secretary concerned under subsection (d)(5)(B) to serve as a member of a reserve component of the armed forces for a period of three years and fails to complete the required term of service.

''(2) AMOUNT OF REIMBURSEMENT.—A participant required to reimburse the Secretary for a stipend or bonus paid to the participant under subsection (e) shall pay an amount that bears the same ratio to the amount of the stipend or bonus as the unserved portion of required service bears to the three years of required service. Any amount owed by the participant shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of 90 days or less and shall accrue from the day on which the participant is first notified of the amount due.

''(3) TREATMENT OF OBLIGATION.—The obligation to reimburse the Secretary under this subsection is, for all purposes, a debt owing the United States. A discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the Secretary under this subsection.

''(4) EXCEPTIONS TO REIMBURSEMENT REQUIREMENT.—A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive the reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

''(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the Program of a stipend or bonus under this subsection (e) shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 or 33 of title 38 or chapter 1606 of this title.

''(h) PARTICIPATION BY STATES.—

''(1) DISCHARGE OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The Secretary may permit States participating in the Program to carry out activities authorized for such States under the Program through one or more consortia of such States.

''(2) ASSISTANCE TO STATES.—(A) Subject to subparagraph (B), the Secretary may make grants to States participating in the Program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members of the armed forces for participation in the Program and facilitating the employment of participants in the Program as elementary school teachers, secondary school teachers, and vocational or technical teachers.

''(B) The total amount of grants made under subparagraph (A) in any fiscal year may not exceed $5,000,000.''.

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

''1154. Troops-to-Teachers Program.''.

(c) CONFORMING AMENDMENT.—Section 1142(b) (4)(C) of such title is amended by striking ''under sections 1152 and 1153 of this title and the Troops-to-Teachers Program under section 2302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672)'' and inserting ''under sections 1152, 1153, and 1154 of this title''.

(d) TERMINATION OF ORIGINAL PROGRAM.—

(1) TERMINATION.—

(A) Chapter A of subpart 1 of Part C of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is repealed.

(B) The table of contents in section 2 of Part I of the Elementary and Secondary Education Act 1965 is amended by striking the items relating to chapter A of subpart 1 of Part C of said Act.

(2) EXISTING AGREEMENTS.—The repeal of such chapter shall not affect the validity or terms of any agreement entered into before the date of the enactment of this Act under chapter A of subpart 1 of Part C of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.), or to pay assistance, make grants, or obtain reimbursement in connection with such an agreement as in effect before such repeal.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date of the transfer under subsection (a).

SEC. 599B. ENHANCEMENTS TO THE TROOPS TO TEACHERS PROGRAM.

(a) YEARS OF SERVICE REQUIREMENTS.—Subsection (d) of section 1154 title 10, United States Code, as added by section 599A, is amended—

(1) in paragraph (1)—

(A) by striking ''or'' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(D) commencing on or after September 11, 2001, serves at least four years on active duty (as such term is defined in section 101(d)(1) of this title, except that such term does not include a period of service described in paragraphs (1) through (3) of section 3311(d) of title 38) in the Armed Forces (excluding service on active duty in entry level or skills training) and, after completion of such service, is discharged or released as follows:

''(i) A discharge from active duty in the armed forces with an honorable discharge.

''(ii) A release after service on active duty in the armed forces characterized by the Secretary concerned as honorable service and placement on the retired list, transfer to the Fleet Reserve or Fleet Marine Corps Reserve, or placement on the temporary disability retired list.

''(iii) A release from active duty in the armed forces for further service in a reserve component of the armed forces after service on active duty characterized by the Secretary concerned as honorable service.''; and

(b) DEFINITION OF LOCAL EDUCATION AGENCY AND PUBLIC CHARTER SCHOOLS.—Such section is further amended as follows:

(1) Clause (i) of subsection (b)(2)(A) of such section is amended to read as follows:

''(i) receiving grants under part A of title I, a Bureau-funded school (as such term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021(3)), or public charter school;''.

(2) In subsection (e)(1)(A)(ii), by striking ''or public charter school receiving grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C.6311 et seq.)'' and inserting ''receiving grants under part A of title I, a Bureau-funded school (as such term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021(3)) or public charter school''.

(c) TROOPS TO TEACHERS ADVISORY BOARD.—Such section is further amended by adding at the end the following new subsection:

''(f) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of section 1154 of this title, the Secretary of Education and the Secretary of Defense shall establish an advisory board composed of—

''(A) a representative from the Department of Defense;

''(B) a representative from the Department of Education;

''(C) representatives from 3 State offices that operate to recruit eligible members of the armed forces for participation in the Program and facilitating the employment of participants in the Program as elementary school teachers, secondary school teachers, and vocational or technical teachers; and

''(D) a representative from each of 3 veteran service organizations.

''(2) DUTIES.—The advisory board established under subsection (a) shall—

''(A) collect, consider, and disseminate feedback from participants and State offices described in subsection (a)(4) on—

''(i) the best practices for improving recruitment of eligible members of the Armed Forces in States, local educational agencies, and public charter schools under served by the Program;

''(ii) ensuring that high-need local educational agencies and public charter schools are aware of the Program and how to participate in it;

''(iii) coordinating the goals of the Program with other Federal, State, and local education needs and programs; and

''(iv) other activities that the advisory board deems necessary; and

''(B) not later than 1 year after the date of the enactment of section 1154 of this title, and annually thereafter, prepare and submit a report to the Committees on Health, Education, Labor, and Pensions and Armed Services of the Senate and the Committees on Education and Labor and Armed Services of the House of Representatives, which shall include—

''(i) information with respect to the activities of the advisory board;

''(ii) information with respect to the Program, including—

''(I) the number of participants in the Program;

''(II) the number of States participating in the Program;

''(III) local educational agencies and schools in where participants are employed;

''(IV) the grade levels at which participants teach;

''(V) the academic subjects taught by participants;

''(VI) rates of retention of participants by the local educational agencies and public charter schools employing participant;

''(VII) other demographic information as may be necessary to evaluate the effectiveness of the program; and

''(VIII) a review of the stipend and bonus available to participants under paragraphs (3) and (4)(A) of subsection (d); and

''(iii) recommendations for—

''(I) improvements to local, State, and Federal recruitment and retention efforts;

''(II) legislative or executive policy changes to improve the Program, enhance participant experience, and increase participation in the program; and

''(III) other changes necessary to ensure that the Program is meeting the purpose described in subsection (b).''.

AMENDMENT NO. 15 OFFERED BY MR. HASTINGS OF FLORIDA

The text of the amendment is as follows:

At the end of title XII, add the following:

SEC. 1237. REPORT ON CERTAIN IRAQIS AFFILIATED WITH THE UNITED STATES.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, the Attorney General, the Secretary of Homeland Security, the Administrator of the United States Agency for International Development, and the heads of other appropriate Federal agencies (as determined by the Secretary of Defense), shall submit to the Congress a report containing the information described in subsection (b). In preparing such report, the Secretary of Defense shall use available information from organizations and entities closely associated with the United States mission in Iraq that have received United States Government funding through an official and documented contract, award, grant, or cooperative agreement.

(b) INFORMATION.—The information described in this subsection is the following:

(1) The number of Iraqis who were or are employed by the United States Government in Iraq or who are or were employed in Iraq by an organization or entity closely associated with the United States mission in Iraq that has received United States Government funding through an official and documented contract, award, grant, or cooperative agreement.

(2) The number of Iraqis who have applied—

(A) for resettlement in the United States as a refugee under section 1243 of the Refugee Crisis in Iraq Act of 2007 (subtitle C of title XII of division A of Public Law 110–181; 122 Stat. 395 et seq.); or

(B) to enter the United States as a special immigrant under section 1244 of such Act.

(3) The status of each application described in paragraph (2).

(4) The estimated number of individuals described in paragraph (1) who have been injured or killed in Iraq.

(c) EXPEDITED PROCESSING.—The Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security shall develop a plan using the report submitted under subsection (a) to expedite the processing of the applications described in subsection (b)(2) in the case of Iraqis at risk as the United States withdraws from Iraq.

AMENDMENT NO. 30 OFFERED BY MR. SHADEGG OF ARIZONA

The text of the amendment is as follows:

Page 260, after line 19, insert the following:

SEC. 674. EXCLUSION OF PERSONS CONVICTED OF COMMITTING CERTAIN SEX OFFENSES FROM RECEIVING CERTAIN BURIAL-RELATED BENEFITS AND FUNERAL HONORS.

(a) PROHIBITION AGAINST INTERMENT OR MEMORIALIZATION IN NATIONAL CEMETERY ADMINISTRATION, ARLINGTON NATIONAL CEMETERY, AND CERTAIN STATE VETERANS' CEMETERIES; PROHIBITION AGAINST PROVISION OF PRESIDENTIAL MEMORIAL CERTIFICATE, FLAG, AND HEADSTONE OR MARKER.—Section 2411(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(4) A person who is classified as a tier III sex offender under the Sex Offender Registration and Notification Act.''.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to terminate any benefit available to any person except those benefits specifically terminated by the amendment made by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to interments and memorializations that occur on or after the date of the enactment of this Act.

(d) CONSTITUTIONAL AUTHORITY.—The constitutional authority on which this section rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in article I, section 8, clause 14 of the United States Constitution.

AMENDMENT NO. 32 OFFERED BY MR. HOLT OF NEW JERSEY

The text of the amendment is as follows:

Page 266, after line 8, insert the following:

SEC. 706. SUICIDE AMONG MEMBERS OF THE INDIVIDUAL READY RESERVE AND INDIVIDUAL MOBILIZATION AUGMENTEES.

(a) FINDINGS.—Congress finds that a veteran who is a member of the Individual Ready Reserve (or who is an individual mobilization augmentee) and is not assigned to a unit that musters regularly and has an established support structure is less likely to be helped by existing suicide prevention programs carried out by the Secretary of Defense and the Secretary of Veterans Affairs.

(b) IN GENERAL.—

(1) SUICIDE PREVENTION.—Chapter 55 of title 10, United States Code, is amended by adding after section 1074l the following new section:

''§ 1074m Suicide prevention for members of the Individual Ready Reserve and individual mobilization augmentees

''(a) IN GENERAL.—The Secretary of Defense shall ensure that each covered member receives a telephone call described in subsection (b) not less than once every 90 days during the period in which—

''(1) the covered member is a member of the Individual Ready Reserve; or

''(2) the Secretary determines that the covered member is an individual mobilization augmentee.

''(b) COUNSELING CALL.—A telephone call described in this subsection is a call from properly trained personnel to determine the emotional, psychological, medical, and career needs and concerns of the covered member.

''(c) REFERRAL.—(1) The personnel making a telephone call described in subsection (b) shall refer a covered member identified as being at-risk of self-caused harm to the nearest military medical treatment facility or accredited TRICARE provider for immediate evaluation and treatment by a qualified mental health care provider.

''(2) If a covered member is referred under paragraph (1), the Secretary shall confirm that the member has received the evaluation and any necessary treatment.

''(d) REPORTS.—Not later than January 31 of each year, beginning in 2011, the Secretary shall submit to Congress a report on the number of covered members who have been referred for counseling or mental health treatment under this section, as well as the health and career status of such members.

''(e) COVERED MEMBER DEFINED.—In this section, the term 'covered member' means—

''(1) a member of the Individual Ready Reserve described in section 10144(b) of this title who has deployed to Afghanistan or Iraq in support of a contingency operation; or

''(2) a member of a reserve component who the Secretary determines is an individual mobilization augmentee who has deployed to Afghanistan or Iraq in support of a contingency operation.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074l the following new item:

''1074m. Suicide prevention for members of the Individual Ready Reserve and individual mobilization augmentees.''.

AMENDMENT NO. 55 OFFERED BY MR. LUETKEMEYER OF MISSOURI

The text of the amendment is as follows:

At the end of subtitle H of title V, add the following new section:

SEC. 5__. REVIEW REGARDING AWARD OF MEDAL OF HONOR TO JEWISH AMERICAN WORLD WAR I VETERANS.

(a) REVIEW REQUIRED.—The Secretary of the Army and the Secretary of the Navy shall review the service records of each Jewish American World War I veteran described in subsection (b) to determine whether that veteran should be posthumously awarded the Medal of Honor.

(b) COVERED JEWISH AMERICAN WAR VETERANS.—The Jewish American World War I veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any Jewish American World War I veteran who was previously awarded the Distinguished Service Cross, the Navy Cross, or other military decoration for service during World War I.

(2) Any other Jewish American World War I veteran whose name is submitted to the Secretary concerned for such purpose by the Jewish War Veterans of the United States of America before the end of the one-year period beginning on the date of the enactment of this Act.

(c) CONSULTATIONS.—In carrying out the review under subsection (a), the Secretary concerned shall consult with the Jewish War Veterans of the United States of America and with such other veterans service organizations as the Secretary considers appropriate.

(d) RECOMMENDATION BASED ON REVIEW.—If the Secretary concerned determines, based upon the review under subsection (a) of the service records of any Jewish American World War I veteran, that the award of the Medal of Honor to that veteran is warranted, the Secretary shall submit to the President a recommendation that the President award the Medal of Honor posthumously to that veteran.

(e) AUTHORITY TO AWARD MEDAL OF HONOR.—A Medal of Honor may be awarded posthumously to a Jewish American World

War I veteran in accordance with a recommendation of the Secretary concerned under subsection (a).

(f) WAIVER OF TIME LIMITATIONS.—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 3744, 6248, or 8744 of title 10, United States Code; and

(2) any regulation or other administrative restriction on—

(A) the time for awarding the Medal of Honor; or

(B) the awarding of the Medal of Honor for service for which a Distinguished Service Cross, Navy Cross, or other military decoration has been awarded.

(g) DEFINITIONS.—In this section:

(1) The term ''Jewish American World War I veteran'' means any person who served in the Armed Forces during World War I and identified himself or herself as Jewish on his or her military personnel records.

(2) The term ''Secretary concerned'' means—

(A) the Secretary of the Army, in the case of the Army; and

(B) the Secretary of the Navy, in the case of the Navy and the Marine Corps.

(3) The term ''World War I'' means the period beginning on April 6, 1917, and ending on November 11, 1918.

AMENDMENT NO. 61 OFFERED BY MS. MARKEY OF COLORADO

The text of the amendment is as follows:

Page 258, after line 12, insert the following:

SEC. 674. SCHOLARSHIP PROGRAM FOR VETERANS FOR PURSUIT OF GRADUATE AND POST-GRADUATE DEGREES IN BEHAVIORAL HEALTH SCIENCES.

(a) SCHOLARSHIP PROGRAM.—

(1) PROGRAM.—The Secretary of Veterans Affairs shall carry out a program to provide scholarships to qualifying veterans for pursuit of a graduate or post-graduate degree in behavioral health sciences.

(2) DESIGNATION.—The program carried out under this section shall be known as the ''Department of Veterans Affairs HONOR Scholarship Program'' (in this section referred to as the ''scholarship program'').

(b) QUALIFYING VETERANS.—For purposes of this section, a qualifying veteran is any veteran who—

(1) during service on active duty in the Armed Forces, participated for such period as the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall specify for purposes of the scholarship program in a theater of combat or during a contingency operation overseas;

(2) was retired, discharged, separated, or released from service in the Armed Forces on or after a date (not earlier than August 2, 1990) specified by the Secretary of Defense for purposes of the scholarship program;

(3) at the time of the submittal of an application to participate in the scholarship program, holds an undergraduate or graduate degree, as applicable, from an institution of higher education that qualifies the veteran for pursuit of a graduate or post-graduate degree in behavioral sciences; and

(4) meets such other qualifications as the Secretary of Veterans Affairs may establish for purposes of the scholarship program.

(c) APPLICATION.—Each qualifying veteran seeking to participate in the scholarship program shall submit to the Secretary of Veterans Affairs an application therefor setting forth such information as the Secretary shall specify for purposes of the scholarship program.

(d) AGREEMENT.—Each qualifying veteran selected by the Secretary of Veterans Affairs for participation in the scholarship program shall enter into an agreement with the Secretary regarding participation in the scholarship program. The agreement shall contain such terms and conditions as the Secretary shall specify for purposes of the scholarship program.

(e) SCHOLARSHIPS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall provide to each qualifying veteran who enters into an agreement under subsection (d) a scholarship for such number of academic years as the Secretary shall specify in the agreement for pursuit of a graduate or post-graduate degree in behavioral health sciences at an institution of higher education offering such degree that is approved by the Secretary for purposes of the scholarship program.

(2) ELEMENTS.—The scholarship provided a qualifying veteran for an academic year shall consist of payment of the following:

(A) Tuition of the qualifying veteran for pursuit of the graduate or post-graduate degree concerned in the academic year.

(B) Reasonable educational expenses of the qualifying veteran (including fees, books, and laboratory expenses) in pursuit of such degree in the academic year.

(C) A stipend in connection with the pursuit of such degree in the academic year in such amount as the Secretary shall specify in the agreement of the qualifying veteran under subsection (d).

(f) OBLIGATED SERVICE.—Each qualifying veteran who participates in the scholarship program shall, after completion of the graduate or post-graduate degree concerned and as jointly provided by the Secretary of Veterans Affairs and the Secretary of Defense in the agreement of such qualifying veteran under subsection (d), perform service as follows:

(1) Such service for the Department of Veterans Affairs in connection with the furnishing of mental health services to veterans, and for such period, as the Secretary of Veterans Affairs shall specify in the agreement.

(2) Such service for the Department of Defense in connection with the furnishing of mental health services to members of the Armed Forces, and for such period, as the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, specify in the agreement.

(3) Such combination of service described by paragraphs (1) and (2), and for such period, as the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, specify in the agreement.

(g) BREACH OF AGREEMENT.—Each qualifying veteran participating in the scholarship who fails to complete satisfactorily the terms of the agreement of such qualifying veteran under subsection (d), whether through failure to obtain the graduate or post-graduate degree concerned or failure to perform service required of the qualifying veteran under subsection (f), shall be liable to the United States in such form and manner as the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, specify in the agreement.

(h) CONTINGENCY OPERATION DEFINED.—In this section, the term ''contingency operation'' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

AMENDMENT NO. 64 OFFERED BY MR. MINNICK OF IDAHO

The text of the amendment is as follows:

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

SEC. 5___. SUPPORT FROM DEPARTMENT OF EDUCATION TO HELP COVER COSTS OF NEW STATE PROGRAMS UNDER NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

Paragraph (2) of section 509(d) of title 32, United States Code, is amended to read as follows:

''(2) The limitation in paragraph (1) may not be construed as a limitation on the amount of assistance that may be provided to a State program of the Program for a fiscal year from sources other than the Department of Defense. Using funds available to the Department of Education, the Secretary of Education may provide assistance to cover the difference between the amount provided by the Department of Defense and the total costs of operating a new State program of the Program during the first three full fiscal years in which the new State program is in operation.''.

AMENDMENT NO. 66 OFFERED BY MR. SCHRADER OF OREGON

The text of the amendment is as follows:

Page 266, after line 8, insert the following:

SEC. 706. PROVISION OF INFORMATION TO MEMBERS OF THE RESERVE COMPONENTS REGARDING HEALTH CARE BENEFITS.

(a) PROVISION OF INFORMATION.—The Secretary of Defense shall ensure that each member of a reserve component of the Armed Forces who is mobilized or demobilized is provided, together with the orders providing for such mobilization or demobilization, a clear and comprehensive statement of the medical care and treatment to which such member is entitled under Federal law by reason of being so mobilized or demobilized.

(b) FREQUENCY.—The statement required to be provided a member under subsection (a) upon a mobilization or demobilization shall be provided to the member each time the member is mobilized or demobilized, as the case may be.

(c) ELEMENTS.—The statement provided a member under subsection (a) shall include the following:

(1) A clear, comprehensive statement of the medical care and treatment to which the member is entitled under Federal law by reason of being mobilized or demobilized, as applicable, including—

(A) the nature and range of the care and treatment to which the member is entitled;

(B) the departments and agencies of the Federal Government that will provide such care and treatment;

(C) the period for which such care and treatment will be so provided; and

(D) the obligations, if any, of the member in connection with the receipt of such care and treatment.

(2) A clear, comprehensive statement of the health care insurance available under Federal law for the member's family, if any, by reason of the mobilization or demobilization of the member.

(3) A clear, comprehensive description of the mental health assessments available to the member before, during, and after deployment pursuant to section 708 of the national defense authorization act for fiscal year 2010 (public law 11184; 123 Stat. 2376; 10 U.S.C. 1074f note).

(4) Such other matters as the Secretary considers appropriate.

AMENDMENT NO. 67 OFFERED BY MR. SCHRADER OF OREGON

The text of the amendment is as follows:

Page 219, after line 5, insert the following:

SEC. 599. STUDY OF TREATMENT OF MEMBERS OF THE RESERVE COMPONENTS.

(a) STUDY.—The Inspector General of the Department of Defense shall conduct a study of the treatment of members of the reserve components.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) An analysis of the treatment of members of the reserve components—

(A) at mobilization and demobilization sites of the Army, including warrior transition units and joint medical battalions; and

(B) during predeployment and postdeployment medical examinations under section 1074(f) of title 10, United States Code.

(2) An analysis of the quality of care, treatment, and information that members of the reserve components receive before, during, and after deployment.

(3) An analysis of patterns of treatment of members of the reserve components during the period following a deployment, including during medical examinations or other actions that could affect health care and disability benefits, as compared to the treatment of members of the regular components during such period.

(4) Identification of any improvements needed so that members of the reserve components and members of the regular components are treated equally.

(c) REPORT.—Not later than December 31, 2010, the Inspector General shall submit to the congressional defense committees a report on the study under subsection (a).

AMENDMENT NO. 74 OFFERED BY MR. KLEIN OF FLORIDA

The Clerk read as follows:

Page 296, line 5, add after ''Defense'' the following: '', beginning 90 days after the date of the enactment of this Act,''.

Page 296, lines 13 and 14, strike ''with actual knowledge, engages'' and insert ''when entering into a contract with the Department of Defense for goods and services, fails to certify to the contracting officer that the entity does not engage''.

Page 296, line 15, strike ''have been imposed'' and insert ''may be imposed''.

Page 296, strike line 17 and all that follows through page 297, line 22, and insert the following:

(b) REMEDIES.—

(1) IN GENERAL.—If the Secretary of Defense, in consultation with the Secretary of State, determines that an entity has submitted a false certification under subsection (a)(2), the Secretary of Defense may terminate a contract with such entity or debar or suspend such entity from eligibility for Department of Defense contracts for a period of not more than 3 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations.

(2) INCLUSION ON LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT AND NONPROCUREMENT PROGRAMS.—The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) each entity that is debarred, suspended, or proposed for debarment or suspension by the Secretary on the basis of a determination of a false certification under paragraph (1).

(c) WAIVERS.—

(1) AUTHORITY.—The Secretary of Defense may on a case-by-case basis waive the requirement that an entity make a certification under subsection (a)(2) if the Secretary determines that it is in the interest of national security to do so.

(2) CONTENTS OF CERTIFICATION.—Upon issuing a waiver under paragraph (1) with respect to an entity, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification that identifies the entity involved, the nature of the contract, and the rationale for issuing the waiver.

AMENDMENT NO. 77 OFFERED BY MS. PINGREE OF MAINE

The Clerk read as follows:

Page 251, after line 18, insert the following:

SEC. 654. CONTINUED OPERATION OF COMMISSARY AND EXCHANGE STORES SERVING BRUNSWICK NAVAL AIR STATION, MAINE.

The Secretary of Defense shall provide for the continued operation of each commissary or exchange store serving Brunswick Naval Air Station, Maine, through September 30, 2011, and may not take any action to reduce or to terminate the sale of goods at such stores during fiscal year 2011.

AMENDMENT NO. 32 OFFERED BY MR. HOLT OF NEW JERSEY, AS MODIFIED

The Acting CHAIR. The Clerk will report the modification to amendment No. 32.

The Clerk read as follows:

Page 266, after line 8, insert the following:

SEC. 706. SUICIDE AMONG MEMBERS OF THE INDIVIDUAL READY RESERVE AND INDIVIDUAL MOBILIZATION AUGMENTEES.

(a) FINDINGS.—Congress finds that a veteran who is a member of the Individual Ready Reserve (or who is an individual mobilization augmentee) and is not assigned to a unit that musters regularly and has an established support structure is less likely to be helped by existing suicide prevention programs carried out by the Secretary of Defense and the Secretary of Veterans Affairs.

(b) IN GENERAL.—

(1) SUICIDE PREVENTION.—Chapter 55 of title 10, United States Code, is amended by adding after section 1074l the following new section:

''§ 1074m Suicide prevention for members of the Individual Ready Reserve and individual mobilization augmentees

''(a) IN GENERAL.—The Secretary of Defense shall ensure that each covered member receives a telephone call described in subsection (b) not less than once every 90 days during the period in which—

''(1) the covered member is a member of the Individual Ready Reserve; or

''(2) the Secretary determines that the covered member is an individual mobilization augmentee.

''(b) COUNSELING CALL.—A telephone call described in this subsection is a call from properly trained personnel to determine the emotional, psychological, medical, and career needs and concerns of the covered member.

''(c) REFERRAL.—(1) The personnel making a telephone call described in subsection (b) shall refer a covered member identified as being at-risk of self-caused harm to the nearest emergency room for immediate evaluation and treatment by a qualified mental health care provider.

''(2) If a covered member is referred under paragraph (1), the Secretary shall confirm that the member has received the evaluation and any necessary treatment.

''(d) REPORTS.—Not later than January 31 of each year, beginning in 2011, the Secretary shall submit to Congress a report on the number of covered members who have been referred for counseling or mental health treatment under this section, as well as the health and career status of such members.

''(e) COVERED MEMBER DEFINED.—In this section, the term 'covered member' means—

''(1) a member of the Individual Ready Reserve described in section 10144(b) of this title who has deployed to Afghanistan or Iraq in support of a contingency operation; or

''(2) a member of a reserve component who the Secretary determines is an individual mobilization augmentee who has deployed to Afghanistan or Iraq in support of a contingency operation.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074l the following new item:

''1074m. Suicide prevention for members of the Individual Ready Reserve and individual mobilization augmentees.''.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent that we dispense with the reading.

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

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 1404, the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. MCKEON) each will control 10 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chairman, I yield 2 minutes to my friend, the gentlelady from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I rise today in support of the Courtney-Petri-Matsui amendment regarding Troops to Teachers. The amendment includes provisions of the bipartisan 9/11 Troops to Teachers Enhancement Act, which I worked on with my colleagues and has 170 cosponsors.

Our amendment would make the program more accessible to those returning from Iraq and Afghanistan. Additionally, it is the clear intent of this amendment to expand the number of school districts eligible to participate in the Troops to Teachers program.

With their proven service, diverse backgrounds, and leadership traits, our Nation's veterans can serve their country again by serving as teachers in our Nation's most vulnerable schools. Witnessing the success of this program in schools in my community has strengthened my determination to expand the Troops to Teachers program.

I urge the Members to vote in support of this amendment.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the amendment; however, I don't intend to oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. At this time I would like to yield such time as he may consume to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I rise in support of the en bloc amendment, but in particular in support of my amendment in that amendment, number 30.

Under current American law, veterans are entitled to certain emoluments when they pass. These include burial in a veterans cemetery or in one of our national cemeteries or in a State cemetery supported by veterans' funds, a flag to drape the coffin, a military honor guard, and a certificate from the President.

In 1997, however, following the bombing in Oklahoma City, this Congress recognized that those benefits were still accorded to veterans who had committed even capital offenses, and they recognized that Timothy McVeigh, the Oklahoma City bomber, would have been entitled under current law to be buried with all of those honors.

So this Congress, in good judgment, decided to revoke those emoluments, those honorary benefits from veterans who had been convicted of the violent crime of murder. And, indeed, we revoked it for all capital offenses. In 1997, we expanded that and said it would be applicable to anybody convicted of a capital offense, whether they were sentenced to death or not, but we left a gaping hole in the law.

My amendment simply seeks to fill that hole. It's a gaping hole which says that if you have been convicted of the violent rape of a woman, you may still receive all of those honorary emoluments, you may still be buried in a veterans cemetery with an American flag, with a certificate from the President, and with a military honor guard. That dishonors all of our Nation's veterans who are indeed buried in those cemeteries as appreciation for their great service to this country.

I believe, and I believe that this body recognizes that rape is one of the most violent of all crimes. It's not committed in the heat of passion as murder sometimes is. It is indeed a plotted, carried-out crime, a crime of immense violence.

This issue came to my attention when Jenny Bush, a recent college graduate, went home on Halloween evening from her job, entered her home, and was accosted there by a man who had entered during the day through a first-story window. He taped her with duct tape, held her at knifepoint, and violently raped her. Fortunately, her rapist was caught, and in the course of the proceedings it was determined that he was a serial rapist. He had indeed raped 10 other women, including a 9-year-old girl. And yet under the law in America, he was entitled, upon his death, to receive all of the military honors we give to those who have not committed such heinous crimes. That is an injustice, and it is an injustice that this amendment corrects.

This amendment was brought to me by Jenny Bush's father following the incident where the rapist, the serial rapist who raped this young lady committed suicide on the morning of his sentencing and then was buried with all of those military honors.

I don't think that we should say that our veterans cemeteries are open to the burial and to utilization by sex offenders who have committed violent rape against America's women. This has been a 3-year struggle where we have sought to amend the law.

I want to thank the Rules Committee for making this amendment in order. I want to thank Steve Bush and his daughter Jenny for their courage in raising this issue. I want to thank Ann Ream, who is with the Voices and Faces Project; Stephanie Hanson and Joanne Archambault with End Violence Against Women International for their work in trying to help pass this legislation. It seems to me that it is well time for us to correct the injustice which exists in our law on this issue. I commend the committee for making it possible for us to correct this.

I want to make it clear that this amendment only takes away those honorary emoluments. It does not financially punish the family of the perpetrator of these crimes. It simply says that we are not going to give these special honors to someone convicted of such a heinous crime as rape.

I want to thank the chairman of the committee and the ranking member of the committee. I believe this is something that will in fact honor this Congress by recognizing we do not, as a Nation, tolerate violent crimes against women. Our Uniform Military Code of Justice indeed already provides that rape is in fact a capital crime. So this brings our code in line with the current provision of the law.

The FBI ranks rape second only to murder. And as I have already indicated, I believe you can make the argument that rape is indeed a more heinous crime than murder because it is always carried out with forethought and planning and perpetrated often with great violence, as it was against Jenny Bush.

This legislation mirrors a bill which I have introduced in the Congress for the last 3 years called Jenny's Law, named after Jenny Bush. It has been officially endorsed by the RAINN Network, which is the Rape, Abuse and Incest National Network, and has also been endorsed by the Military Order of the Purple Heart.

I will insert a letter from the Military Order of the Purple Heart in support of this amendment for the RECORD at this point.

MILITARY ORDER OF THE PURPLE HEART,
Springfield, VA, March 1, 2010.

Hon. JOHN SHADEGG,
Washington, DC.

DEAR MR. SHADEGG: I am writing to inform you that the Military Order of the Purple Heart (MOPH) is in total support of H. R. 731 ''Jenny's Law.''

MOPH shares your view that regardless of the service to America, if following that service, those individuals who are convicted of committing certain sex crimes should not receive certain burial benefits and funeral honors. These individuals should not be eligible for burial in National cemeteries administered by the Department of Veterans' Affairs, Arlington National Cemetery and certain State Veterans' Cemeteries.

While these individuals may have served honorably in the Armed Forces, their crimes following that service are so onerous that the crimes, in our opinion, negate that service.

Respectfully,

JAMES M. SIMS,
National Commander.

Let me simply conclude that I encourage my colleagues to support the en bloc amendment.

I yield to the ranking member.

Mr. MCKEON. I want to thank the gentleman for bringing this amendment. This is something I was totally unaware of. I appreciate his work. This is a great addition to the bill. I support it wholeheartedly.

Mr. SHADEGG. Reclaiming my time, let me just briefly say I have spent a great deal of my life advocating for the victims of crime. It seems to me this is an outrage that exists in current law. The victims of crime should not be revictimized. In this case, American law does revictimize those victims of rape under these circumstances. I think it is high time that we correct it.

I thank, again, the chairwoman of the Rules Committee and the chairman and ranking member of the Armed Services Committee for making the correction of this injustice possible.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to my friend, a member of the Armed Services Committee, the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, first of all I want to congratulate Chairman SKELTON for the outstanding work that he has performed bringing this bill onto the floor and, in particular, salute the fact that this bill will actually, for the first time since the beginning of the Virginia-class submarine program, bring the production level up to two submarines a year. That was a target that we were supposed to reach as a Nation in 2002. It had been delayed year in and year out. And through his leadership, we are finally going to reach that level, which will be important for our submarine force and our Navy.

□ 2250

I also rise in support of the en bloc amendment in particular to talk about the Troops to Teachers Enhancement Act that Congresswoman MATSUI referred to earlier. Again, she described her efforts to try and expand the scope of this program to the Title I school district.

In addition to that, this is an amendment which will move the program into the Department of Defense from the Department of Education, a place

where it has been almost de facto over the last few years in any case. And even more importantly, it will shorten the service requirements from 6 years to 4 years for our military personnel, which will allow many more Iraq and Afghanistan war veterans to participate in this program, which, as she indicated, is a program that has provided a pathway for some of the finest Americans to participate and be in the classroom with all of the qualities of team work, discipline, particularly their strengths in the STEM area, which the Troops to Teachers Program in its present program's limited scope has demonstrated and recruited, again, outstanding teachers into the classrooms.

In addition to that as also introduced, male teachers and minority teachers—something which, again, I think is going to benefit our public education system greatly. It is an amendment that's been endorsed by veterans services organizations across the board from the American Legion to the VFW. In addition to that, education groups such as NEA and AFT have endorsed this measure.

And I thank the chairman for including this amendment in the en bloc amendment and urge support and passage of the entire en bloc amendment in the bill as a whole.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. Thank you, Mr. Chairman. I am proud to rise in support of en bloc amendment number 9 and particularly my amendment, which is included, which directs a review of the service records of eligible Jewish American veterans from World War I.

I want to particularly thank Chairman SKELTON, Ranking Member MCKEON, and other members of the committee for their support on this important issue.

We owe much to the patriotic Americans who have worn and are wearing uniforms of our Nation's Armed Forces. Our country has been blessed to have citizens who have selflessly volunteered to defend our Nation and freedom. Unfortunately, qualified soldiers have not been considered for the Medal of Honor, the highest military decoration awarded by our government, due to discrimination.

In 2001, Congress passed the Leonard Kravitz Jewish War Veterans Act, which had broad bipartisan support. This important piece of legislation presented Jewish soldiers the opportunity to receive the Medal of Honor for their service in World War II.

However, Jewish veterans of World War I have faced the same discrimination and have not been afforded the opportunity to receive recognition for their service. William Shemin, for whom this act is named, was a Jewish American who earned the Distinguished Service Cross in 1918 for saving three of his fellow soldiers' lives during an intense 3-day battle in France while also leading his platoon in combat after more senior soldiers were wounded or killed. Shemin passed away in 1973 but his daughter, Elsie Shemin Roth, a resident of my district, has passionately worked on behalf of her father and other Jewish soldiers' legacies.

This amendment would build on past legislation and recognize the sacrifices of Jewish soldiers during World War I.

I urge my colleagues to support this en bloc amendment number 9 and honor the work of these veterans and brave soldiers.

Mr. SKELTON. I might make a comment about the gentleman from Missouri. It was our fellow Missourian, Harry Truman, upon awarding a Medal of Honor to a World War II marine, said he would rather have that than be President. And it is quite an honor, and it's a good thing that you do.

Mr. Chairman, I yield 2 minutes to my friend, the gentlelady from Colorado (Ms. MARKEY).

Ms. MARKEY of Colorado. Thank you, Chairman SKELTON.

I rise today in support of this en bloc amendment, which contains my amendment to create a scholarship program for veterans to work toward advanced degrees in behavioral health.

One in three veterans of Iraq and Afghanistan have some form of invisible injury like PTSD or TBI. The VA has diagnosed nearly 250,000 vets as having some mental health injury. Yet it is well known that less than half of those with these injuries are ever diagnosed or treated.

The Department of Veteran Affairs Honor Scholarship Program is a critical investment in the treatment of veterans suffering from invisible injuries like posttraumatic stress disorder and traumatic brain injuries.

This amendment will help veterans receive professional behavioral health training so that they can provide peer-to-peer training to other combat veterans. Who better to counsel recently returned veterans than those who have shared similar experiences in combat. The veterans who have served our country deserve the best possible mental health treatment.

I urge my colleagues to stand with American veterans, to honor America's veterans, and to support this amendment.

Mr. MCKEON. Mr. Chairman, I guess this is the end of our debate. This is the last of the amendments.

I want to thank the chairman for the good work that he's done on this bill. I want to thank all of the staff. Everybody has worked very hard. The subcommittee chairs, ranking members, for all of the work that they've done to get us to this point.

I'm sorry that Democratic leadership didn't give us more time to debate Don't Ask, Don't Tell so I had to spend a lot of time talking about it at other times. In fact the time they gave us for the debate was less time than we had to vote on it. Ten minutes to debate, 15 minutes to vote.

But I announced with my opening statement that if that amendment passed, the Don't Ask, Don't Tell amendment passed, that I would reluctantly have to vote against the bill. It will be the first time in my 18 years here that I will vote against the defense reauthorization bill. And I do that with a very heavy heart.

But I, again, thank you, Mr. Chairman. It's been a joy, a pleasure, working with you, and I appreciate your integrity and the leadership that you provide to the committee.

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

Mr. SKELTON. I yield 2 minutes to my colleague, the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. I thank the gentleman from Missouri for his great leadership on defense issues.

Mr. Chairman, I rise today to support the en bloc amendment number 9, which includes my amendment to H.R. 5136, the Defense Authorization Act. As Congress continues to consider robust Iran sanctions, we must work every day to ensure that Iran does not get a nuclear weapon in the meantime.

Therefore, I've offered an amendment to require Department of Defense contractors to certify that they do not conduct business in Iran. For months, I and others have been urging the State Department to enforce existing law on Iran sanctions, to investigate and punish those companies who are breaking the law by investing in Iran's energy sector or facilitating a weapons program.

While the State Department is making progress in these investigations, these investments continue. According to the Congressional Research Service, several companies have violated the Iran Sanctions Act over the last number of years. And according to The New York Times, over $107 billion in government contracts have gone to companies that are doing business in Iran.

That is why we cannot wait for companies to be designated as violators of the Iran Sanctions Act. Taxpayer money is being spent now on goods and services to companies that are thwarting the law. Companies must be able to self-certify that they are not conducting illegal business in Iran or not do business with the United States government.

All companies with U.S. operations, especially those who receive taxpayer funds intended for our national defense, should not be undermining U.S. foreign policy and our troops or our national security.

□ 2300

The certification requirement reflects the choice that each of these companies must make: either do business with the United States Government or do business with Iran. Iran must not get a nuclear weapon, not on our watch, and certainly not on our dime.

I would like to thank Chairman SKELTON and Ranking Member MCKEON for their leadership in beginning the fight to prevent U.S. defense contractors from contributing to Iran's dangerous nuclear program.

I urge support of the amendment.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to my friend, the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the chairman of the Armed Services Committee, Mr. SKELTON, for joining me in this. And I also want to recognize the cosponsors, Mr. BISHOP and Mr. HIMES, for their support of this amendment, which seeks to address a serious gap in our military suicide prevention efforts, a gap that cost the life of one young constituent of mine, Sergeant Coleman Bean of East Brunswick, New Jersey, and has cost the lives of an unknown number of others.

During two tours of duty in Iraq, Coleman saw the horrors of war firsthand; and like others, he sought treatment for post-traumatic distress disorder when he returned home in 2004. Unfortunately, because Coleman was a member of the Individual Ready Reserve, neither the Army nor the VA would take the lead on treating him. Tragically, only months after returning from his second tour in Iraq, Sergeant Coleman Bean took his life in September 2008.

Our amendment seeks to prevent future such tragedies by requiring the Secretary of Defense to ensure that members of the IRR or those who serve as Individual Mobilization Augmentees who have completed at least one tour in either Iraq or Afghanistan receive a counseling call from properly trained personnel not less than once every 90 days so long as the servicemember remains in the IRR or as an IMA, to take whatever follow-up measures are required to help identify at-risk Reservists, and to report to Congress on the program's effectiveness.

I ask my colleagues to support this important and I think very necessary amendment.

Mr. SKELTON. Mr. Chairman, I wish to pay special tribute to the ranking member, BUCK MCKEON, a gentleman of the first order who has not only continued the bipartisan attitude and bipartisan work in our committee, but has made it work very, very well. We all owe him a debt of gratitude, and I want to say a special word of thanks to him for his excellent work and cooperation in making our committee so bipartisan in nature.

A special thanks also to the fantastic staff that we have. We Members take credit for all of the good work that they do. So often they go as unsung heroes, but they really make this committee work so well and so solidly; and to each one of them, who are professionals, I express deep thanks and gratitude.

Mr. PETRI. Mr. Chair, the Courtney/Petri/Matsui amendment would transfer the successful Troops to Teachers Program back to the Department of Defense and make important changes to the program to ensure it will continue to provide opportunities for veterans to transition into second careers as educators.

I have been a supporter of the Troops to Teachers program since its authorization in the 1994 Defense Authorization Act, and I am proud of its success in placing over 12,000 veterans in our Nation's classrooms. Troops to Teachers is a unique program that provides veterans with a $5,000 stipend to help cover the costs of obtaining a teaching certification in exchange for 3 years service in an eligible school. An additional bonus of $5,000 is available for teaching in a "high need school."

This structure has proven very effective in transitioning qualified retiring military personnel into second careers in teaching. Indeed, Troops participants fill several critical needs among educators: 80 percent are male, over one-third are ethnic minorities, and a majority bring an expertise in science and math to the classroom. Furthermore, these troops also bring valuable life experience and character traits that are uncommon in our Nation's classrooms.

However, the success of this program is in jeopardy without the needed changes that are included in the Courtney/Petri/Matsui amendment. When the program was transferred to the Education Department, a simple drafting error in the 2002 No Child Left Behind Act resulted in an Education Department ruling restricting the number of school districts in which veterans can fulfill their teaching requirement. Since the implementation of this ruling in September 2005, retiring military have found the number of schools at which they would be eligible to teach drastically reduced.

The Department's new interpretation locks out schools in many rural areas and small communities. This is a shame, especially given the success of this program and its ability to meet some of our Nation's greatest teaching needs. In my own State of Wisconsin, only 11 out of 426 school districts qualify for participants to fulfill their teaching requirements. A 2006 Government Accountability Report, GAO, of the program found that the 2005 ruling had reduced interest and participation in the program, as schools in regions where troops lived were no longer considered eligible.

Our amendment would correct this ruling and ensure that veterans participating in the Troops to Teachers program receive a $5,000 stipend for teaching 3 years in any school that is in a district receiving Title 1 funds. This would result in a 49 percent increase in the number of schools eligible under the program. The amendment does not change the criteria for the additional $5,000 bonus, maintaining the incentive for troops to teach in the highest need schools.

Let me be clear, as the language of H.R. 3943 would provide, it is the intent of this amendment to strike "high need" from the stipend participation language in the Troops to Teachers statute. There was a late night drafting error that mistakenly did not delete the term "high need" as was contemplated and is consistent with the language in H.R. 3943. So as this provision is finalized in conference, it is important that this technical change be made to implement the original intent of the amendment.

The amendment also makes the Troops to Teachers Program more accessible by reducing the length of service requirements for active military. The make-up of our military has drastically changed since this program was first authorized 16 years ago. Many of our young men and women returning from service in Iraq and Afghanistan who would like to pursue teaching careers are currently ineligible for the program.

Third, to ensure continued success of the program the amendment creates an advisory board charged with improving awareness, increasing participation and ensuring the program meets the needs of schools and veterans.

Earlier this year, Representatives COURTNEY, MATSUI and I introduced H.R. 3943, the Post 9/11 Troops to Teachers Enhancement Act, that contains these needed improvements to the program. This bill has 169 bipartisan cosponsors and the support of both military and educational organizations. These include: the American Legion, National Education Association, Association of the United States Army, Association of the United States Navy, Military Order of the Purple Heart, National Association of the State Boards of Education and many more.

Finally, our amendment transfers the Troops to Teachers Program back to the Department of Defense. Currently, the program is operated by the Defense Activity for Non-Traditional Education Support, DANTES. The Department of Education simply transfers funds to DANTES. Both the Department of Defense and the Department of Education support this transfer, which is reflected in the Administration's Fiscal Year 2011 budget request.

I want to thank Representative COURTNEY and Representative MATSUI for their work on this amendment, as well as both the Armed Services and Education and Labor Committees for their assistance. I urge my colleagues to support the amendment.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Missouri (Mr. SKELTON).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentleman from Missouri will be postponed.

Mr. SKELTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DEUTCH) having assumed the chair, Mr. SCHRADER, 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. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 27, 2010.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI: This letter serves as my intent to resign from the Committee on Armed Services, effective today, May 27, 2010.

Sincerely,

BILL SHUSTER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ADMINISTRATION GIVES FALSE IMPRESSION

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

Mr. SMITH of Texas. Mr. Speaker, one day after the administration announced that President Obama would send National Guard troops to secure the border, the State Department announced that—surprise—the Guard troops would not be used to stop illegal immigration. This suggests the National Guard announcement was designed to leave Americans with a false impression that the administration was going to strengthen border security.

There appears to be a contradiction within the administration; we don't know who to believe from one day to the next. We are starting to learn on health care, on taxes, on transparency, on the stimulus, and now on immigration policy that the administration's words are seldom what they appear to be.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. KLEIN) is recognized for 5 minutes.

(Mr. KLEIN of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 5 minutes.

(Ms. WASSERMAN SCHULTZ addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. WHITFIELD) is recognized for 5 minutes.

(Mr. WHITFIELD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2310

LEGAL CESSPOOLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Thank you, Mr. Speaker.

There are certain requirements of this body that the Constitution sets forth. This is the body that controls the purse strings of the country. This body has an obligation to make sure that we act cautiously and carefully in spending the money that we legally steal from those who produce it. It would be theft except we are authorized to pass laws to make it legal theft when we take it from people who produce that money in this country, but it should come home to folks around this body that we have an obligation to those people to be conscientious in the things we do; and, accordingly, it is the obligation of this body to prepare a budget in order to have control over our appropriations.

The people who I serve with, who have been here for years, say this is the first year they recall ever not voting on a budget in the House of Representatives. There is no budget. When politics is more important than actually protecting the country that we are sworn to protect, then from a political viewpoint, it's easy to see why someone might want to do this for the first time in so many years and avoid putting forth a budget. Because if a budget were brought forth in this election year with so many people already upset—with tea parties so angry at the vast overspending—they would be able to see exactly how off the charts this body's spending has been and is projected to be with that money that we legally steal from people who produce it in the country.

So we haven't had time or the political fortitude to step up in this body and to prepare a budget as is required. We have an obligation to protect private property; but as we have seen with the gulf coast, that hasn't happened.

We heard this week from the Minerals Management Service and from those with the Department of the Interior that they have been on guard since day one, since this bill happened. Well, why wouldn't they have been on guard since day one when drilling commenced?

We know from the records and from the hearings we've had that, when the Deepwater Horizon platform was put in place back in 2001, for the first 40 months it was in place, every month, as is supposed to occur, there were offshore inspections done. From there, it gets very fuzzy. We find out that MMS can't tell us exactly how many inspections there have been since then of the Deepwater Horizon platform and of their drilling operations.

We did hear in our hearing and during the question-and-answer time—it was part of the public record yesterday in Natural Resources—that they're not really sure how many times the inspections occurred, but what some of us, through some digging, had found out is that there is one entity, and one alone, in the Minerals Management Service that is allowed to be unionized, and that is the offshore inspectors.

Now, that struck some of us as strange because the offshore inspectors

seem a bit like our Armed Forces. You know, they stand between our homeland and bad things that could destroy or harm our homeland. So who would have thought that something, some entity, with obligations similar to our uniformed services, which are to stand between our homeland and harm, would have union contracts?

Well, we couldn't find out from DOI, the Department of the Interior, or from the MMS yesterday in our hearing exactly what is in those union contracts. Normally, union contracts would have limits on travel, limits on the number of hours that could be worked, limits on all kinds of things. You put limits on how much those standing between us and harm can serve and can travel to get between us and harm?

Yet we've done nothing about that. No.

In fact, what has happened is we've now learned that the Department of the Interior, Secretary Salazar, has decided and this administration has decided that MMS has not been functioning very well, so we're going to divide it into three separate entities.

I don't care that it's not a new problem and that it goes back a number of administrations. The fact is it's a problem now, and unionizing people who stand between us and harm allows there to be limits on just what kind of service we can expect from those standing between us and vast amounts of harm. It should never happen. That shouldn't be allowed to take place. What we heard yesterday was, actually, that we are going to possibly let unions take hold in all three of these entities. We don't really know right now. We may let everybody in all three of these things unionize.

But what kept coming to mind for me, having grown up in east Texas, is that I've been around stagnant ponds that stunk to high heaven, that became so stagnant, nonmoving, with no water coming in. They just stunk so bad you could hardly stay around them. It seems that MMS has been a bit that way.

The things that have gone on in MMS stink to high heaven. They are repugnant to anybody with any type of moral fiber: the investigations going on, the bribes that have occurred, nobody's knowing when or if they actually did the inspections they were supposed to, whether they observed or not testing that was supposedly done. We found out literally there may have been inspectors who were in bed with people they were supposed to be inspecting, that there were favors, perks, gifts potentially given, bribes to look the other way.

We don't know what all happened on Deepwater Horizon. The investigation, we're told, is ongoing; but we really haven't done a lot about that yet. Here we have this stagnant cesspool where so much has not been done that was supposed to have been and where so much may have been done that was illegal. Rather than deal with the issues, it sounds like this body is just going to go along and divide it up into three.

Well, now I know, having seen stagnant, stinking cesspools, that if you divide them up, they still stink; they're still repugnant. If you just completely clean them out and put fresh water in, then you've got something to start from, but we're not doing that. We're dividing it up into three groups, and we're going to add to the stagnant cesspool, but we're not going to clean them out. Not only that, we're going to allow the situation to even grow bigger with the potential unionization of people so they can have their travel and hours and things limited so you can't expect as much from them as you would from somebody who is standing between us and great harm.

□ 2320

So we are not doing our job in so many of these areas.

You look further at the kind of money that has been appropriated and you find out that we are appropriating billions of dollars to countries that don't like us. We provided, I believe, $100 million to Somalia. We know just in the last couple of days there is a potential threat that is arising from Somalia, we have been told. We have given them $100 million.

We have given Yemen $100 million, $200 million, I am not sure exactly of the number. There has been a big deal made here that $3 billion was given to Israel, but when you look at all the money added up we have given to the enemies of Israel, it is appears that it is more than that.

So I have a bill that we call the U.N. Voting Accountability Act. I am sure it will not see the light of day in this Congress. But it simply says countries that vote against the United States more than half the time do not receive any financial assistance the following year.

The report comes out each March 31st. We have got the report from last year that came out March 31st of this year, and we see that the vast majority, most of the countries in the U.N. that we give money to, billions of dollars total, they voted against us the vast majority of the time. Some of them voted against us 90–95 percent of the time, and we are just lavishing money upon them.

What occurs to me repeatedly is, you don't have to pay countries to hate you. They will hate you for free. And yet this body just keeps throwing money at that.

We have thrown money at Wall Street. I had begged people on this floor, in private conference, around this Hill, read the bill, read the bill. I begged people. I have implored people. Because if they read the TARP bill, they would have seen that Wall Street was going to have a slush fund, and that has been continued by the current Secretary of the Treasury, a slush fund, bail out your buddies.

Goldman Sachs had the biggest year they have had in history. We can't find out how much of their billions of dollars they made last year came from the United States Government, the U.S. taxpayers, or money we borrowed from China that our great-grandchildren will eventually pay so that people could engorge themselves right now on Wall Street.

We are not really taking care of that issue. We are looking the other way, because we find out, gee, Wall Street is donating four-to-one to the Democrats, so why should we really clean up? We will call them fat cats, we will talk about how rotten they are, but when push comes to shove, we have a financial so-called reform bill that is more of a financial deform bill that is going to empower the very people that are being objected to in ways some of us can't imagine.

We are going to have people in the government pick winners and losers. We are going to say, you are a systemic risk as a bank or a company, which means we won't let you fail. You can run your competition out of business, but we are not going to let you fail. So we are picking winners and losers, and that is in that financial deform bill.

We are not doing our job around here. But we can come in here today and we can go meddling with the greatest military that mankind has ever seen. The men and women of our uniformed services are unrivaled up to now.

No, we haven't had time this year to do a budget, and we apparently are not going to do one. No, we haven't really done much of anything to protect private property. No, we haven't done anything, absolutely zero, to bring down the price of energy. In fact, we are going to skyrocket that.

But one thing we are all so proud of is when it comes to health care and the seniors that were counting on Medicare, we are cutting $500 billion out of Medicare. And as the President himself said, and this is a basic quote, whereas in the past when you went to the doctor and got five tests, now you will go to the doctor and get one test.

Well, it took several tests, many tests, to find my mother's brain tumor, and by virtue of their finding it we had 15 extra years with my mother, and I cherished them all.

But no, we are not going to do that for the future, because, you see, some seniors, they just cost too much. So we are going to cut $500 billion, and we are going to call it waste, fraud and abuse. But we are not really doing anything in the bill to clean up the waste, fraud and abuse. That is going to be ongoing. But we are going to cut that money.

Then we have got our willing lackeys over in CBO. They will score anything that this administration and this majority sends over. I was told last summer, the CBO will not score anything that is not in final bill form. Then we find out, well, that is if it comes from a Republican. Because if somebody in the Democratic Party just sends over a few notes, oh, they will score it, and they will give them the score they

need. And if it doesn't work out, well, we will have a meeting at the White House or here at the Capitol, and then before you know it, if the majority leadership says it is going to be under $1 trillion, they will ignore this amount of money, $250 billion here, they will ignore $150 billion here and wait and suddenly find that 30 days after the bill passes. Their willing lackeys will help them.

We have to do away with the CBO. They are not fair. I am sure, talking to Director Elmendorf, I really believe he means well. I believe he is trying to do the right thing. But the fact is they are funded by the majority in Congress, and they know that. You are not going to ever get an appropriate score, and that is the reason you have over 600 bills from the majority scored by CBO and just barely over 100 scored that were Republican. Over 600 scored, and only about 100 were Republican.

A former speaker told me when I described my health care alternative plan, he said, you got to get that scored. That could absolutely transform the debate over health care because it would save money and give control to patients. Medicare patients would have control over their own health care, yet it would be financed by the taxpayers. They have the best of both worlds. And yet it would be cheaper than what we are spending now. I could not for a year now, nearly a year now, have not been able to get CBO to score it. It is a travesty.

But, oh, yes, we come back again to the military. We don't have time to do the jobs that the Constitution requires this body to do, but, boy, we sure are going to meddle with the greatest military mankind has ever seen or heard of. It is phenomenal.

When I compare the state of the military right now to the way it was when I was in the Army after Vietnam, there is no comparison. This military today is phenomenal. They are incredible. And yet we found something that wasn't broken, and we decided to mess with it and see what we could do, not intentionally, of course, but this majority decided they were going to fix something that wasn't broken.

''Don't Ask, Don't Tell'' it was called. And what it meant when President Clinton instituted that program was that whatever you are drawn to sexually, you keep it private, you don't let it get out and become open with regard to your military service, and we want you in the military. That is what it comes down to.

But that hasn't been good enough. We have too many people in here that did not have good history teachers. They don't know the lessons from history, and so we are destined to repeat them. And that is what we are doing now, we are repeating the lessons of history.

Historians would have a hard time going back and finding any great nation, even to the earliest city states, that achieved greatness, and then toward the end of their existence they forced homosexuality to be accepted in areas like the military. Why have we not learned this? Why couldn't we let the military do their jobs?

Frankly, with as much respect as I have for our majority leader, I was shocked in the debate over Don't Ask, Don't Tell to hear the Americans with Disabilities Act brought up, because I think most everybody on this floor agrees that the Americans with Disabilities Act that made this Nation accessible to so many wonderful people who just happened to have disabilities was a good thing. It really was a wonderful thing. It makes you feel good to know the accessibility that there is, and there continues to be, and there will be until the Nation is gone.

So, why would we want to hasten the demise of this great Nation? Why would we want to mess with the entity that stands between those who want to destroy us and our homes?

Well, we haven't had time to do a budget. We haven't had time to protect our homeland adequately by doing adequate oversight over the Minerals Management Service, or the Immigration Service, or Homeland Security or the Federal Reserve. No, no, no. We just let them run themselves basically.

But, boy, we have found time to work on social engineering to please a political left in an election year, just so some people have their base happy when they come to November.

□ 2330

We're following the footsteps of nations that have walked to the dust heap of history.

Now, I know people think this is such a grand and glorious job in Congress. They have no idea. But it is an honor and it is a privilege to get to serve in these hallowed Halls, and we owe our predecessors so much better than what we've done.

We've had time to make sure that we continue to allow the unborn to be killed. We've had time to make sure that Federal tax dollars can be taken from taxpayers who believe that it's murder to kill a helpless, unborn child and put that into a health care bill and call it health care.

We've had time to cut $500 billion from the health care for seniors.

But we've learned nothing, apparently, about preserving liberty. As Chuck Colson said a little over a year ago in a Bible study: you have morality, you've got economic stability, and you've got liberty. And when you lose morality, you lose economic stability and you get economic chaos.

Well, folks, we've lost economic stability because we've accepted the loss of morality. We've looked the other way when you had the Madoffs engorging themselves. We've looked the other way when the Paulsens and Geithners were seeing that their friends on Wall Street were enriched and engorged. We've looked the other way.

We've looked the other way when the bankruptcy laws were just completely disregarded that required secured creditors to be protected and unsecured creditors to be on the short end of the stick, flipped the laws upside down because the unsecured creditors included the unions. So we give the unions ownership interest in the auto companies. We take a big ownership interest, and we violate some of the very principles on which this Nation was founded.

And it doesn't matter whether it's a Democrat or a Republican President that says we're going to make money for the taxpayers. It's not their job; it's not the job of this Congress. It's the job of taxpayers to make money with their money, not this body and not the White House.

And it was a shame on the Supreme Court when they allowed that auto task force, illegal, unconstitutional order to go through. Ruth Bader Ginsburg, to her credit, stayed it for 24 hours, and then the Court looked the other way and allowed that illegal, unconstitutional bill to go through, because, apparently, the White House convinced them that if they didn't let this illegal, unconstitutional bill go through, people in the auto industry would all lose their jobs. Hogwash. They would have been forced into reorganization. The union contracts would have had to have been renegotiated. It would have all gone through a reorganization process. It would have come out leaner, meaner, more efficient. But we couldn't allow that because there were political paybacks to those that helped the majority and the President get elected.

There are some who've said maybe it's a good thing for us Republicans that the health care bill got passed because it was so harmful and detrimental to America that, gee, it'll help us get back in the majority.

As I've said on this floor before, I'd rather stay in the minority than see a bill that devastating to America, to the principles of private property and of sanctity of life just be frittered away. I'd rather stay in the minority than have my party helped by such a devastating bill.

Didn't have time to do the right thing and all that. Didn't have time to read the stimulus bill—$787 billion. Didn't have time to read that. The ''crap and trade'' bill, didn't have time to really read that. We had 300 pages of amendments that were added in the wee hours of the morning when we were to vote on it; and even when we voted on it, as I pointed out, the Clerk hadn't even got the whole 300 pages enmeshed and included with the bill so you could read it and know what it really meant.

But we had to pass it. We didn't have time to wait. We didn't have time for any of these important bills that will devastate America.

But, boy, we have time to meddle with the United States military.

We heard some isolated cases of someone who ended up having to leave

the military because they couldn't control their sexual hormones to the point that they could keep their sexual orientation private.

But what about the thousands and hundreds of thousands of people in the military who have now been betrayed?

They were promised we're going to have a study, and we're going to make sure that we don't do anything to harm the military. But a little problem came up in this body keeping its promise to the military. That problem is the November election's coming up. And the problem is that some of the solid base, left wing of the majority were not happy. They didn't feel like enough had been done to suit them, and so we had to break our word to the military, rush this bill in here and eliminate Don't Ask, Don't Tell.

But, oh, no, we heard from people that, gee, we're going to roll back Don't Ask, Don't Tell. Sure, of course we are. But we're going to wait until we find out what the study says about how devastating it'll be to the military.

Yes, the Secretary of Defense and Chairman of the Joint Chiefs of Staff both said they would follow the order of their superior officer, the Commander in Chief. But those who were not politically appointed by the Commander in Chief sure didn't go along with it. They didn't agree to it. You'd find a commander every now and then that would. But we have hundreds of thousands and millions of people who have served, who hope to serve, who are serving now that we have betrayed. And it breaks my heart. I'm so sorry that this body broke its word for political gain.

Now, under the scenario this majority and this administration have pursued, we're in trouble.

□ 2340

The one thing you find historically after Nations on their way to the dust heap of history take after passing things like we just did today, you see a great deal of cockiness arise to belittle those who have studied history and know where this all goes. And we seek to destroy them.

When this Nation was founded, one of the most popular slogans, some quote Cicero, some quote Voltaire, but the same slogan, ''I disagree with what you say, but I will defend to the death your right to say it.'' We have obliterated that as a hallmark of this Nation's founding and its existence today so that now the slogan is more truthfully, I disagree with what you say, and I am going to destroy you. I am going to get you fired. I am hoping I can get you put in jail.

We have passed laws in this body that will help do that and have already allowed arrests of some, even though, as was pointed out, well, they dropped the charges. Putting people in jail because we disagree with what they say. So we don't defend to the death any longer their right to say it. We want to destroy them. And the people in power will make sure that happens. You disagree politically with the party in power, you have a right to be concerned.

We didn't have time to do a budget; we didn't have time to read these big bills that we have run through and voted on, but we have had time to take over the student loan business. That's right. If you need student loans for your children, Mr. Speaker, those in America to get their kids through college, as my wife and I have because we gave up the private sector and went into public service, we needed student loans and we took them. Thank God I got our kids through college, was at graduation of my youngest Saturday with my wife, a proud moment. Thank goodness we got her graduated before the only source for a student loan was to come begging to the government to let me have a loan for my child to go to college.

You think politics could ever come into play in who gets a student loan and who doesn't? Gee, it sure came into play in who got to keep their car dealership. Gee, it sure came to play as to which States get more government facilities taken away and which have more facilities added. It's certainly come into play in all kinds of things. So why wouldn't it come into play eventually in who gets a student loan?

Now we have taken over Fannie Mae and Freddie Mac. You would think if it were somebody serious in leadership about reforming the financial sector that we would first reform the two entities that brought this Nation to the brink of ruin, Fannie Mae and Freddie Mac. But instead, we are not going to reform them. Goodness no. We are going to make matters worse because we are going to give the government even more power and more control over everyone's financial situation.

Certainly part of the health care bill. Yes, sir, we get to now tell you what private products you buy and can't buy. This is a time of tragedy. I realize that we have been less than moral as a Nation and we are paying a price. I realize that when you begin to kill 10 million, 20 million, 30 million, 40 million, 50 million sweet little innocent babies—I know our first was prematurely born, and she held onto my finger for hours as the doctor said, ''She's drawing life, she's drawing support from you.'' Those sweet little innocent children. We have supported their being killed.

And as I was at the Lincoln Memorial a couple of weeks ago again—I try to go regularly. I find it inspirational. Reading those words on the inside north wall of the Lincoln Memorial and think about the unborn being killed, the sweet, innocent children doing anything they could to cling to life. My baby could not see, as the doctor said, but she knew enough to hang on. She wanted to live. She struggled to live. And I love her dearly, and I am proud she is my daughter.

And as I read those words on the north wall, I thought about all the shed blood through the death of innocent children. And the words of Abraham Lincoln were these as he tried to make sense of the destruction and the almost complete destruction of this grand experiment in democracy, and how families could fight families and kill family members, how a Nation could turn against itself. But they had been allowing the unthinkable. They had been allowing slavery. They had been allowing brothers and sisters to treat others by putting them in chains and bondage and outrageous treatment.

And as Lincoln sought to make theological sense of it and he thought about the North and South and the destruction of each other, he said, you know, ''Both read the same Bible, both pray to the same God, and each invokes his aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not that we be not judged. The prayers of both could not be answered—that of neither has been fully answered. The Almighty has his own purposes.''

Lincoln adds as a quote from Scripture, quote, ''Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh.'' Lincoln went on, ''If we shall suppose that American slavery,'' or nowadays American abortion, ''is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to him? Fondly do we hope, fervently do we pray, that this mighty scourge of war,'' and I would pray abortion, ''may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so still it must be said 'the judgments of the Lord are true and righteous altogether.'

''With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all Nations.''

Lincoln knew about sacrifice. He lost a son. He believed it was punishment for not ending slavery more quickly. I don't know what the future holds, but I know what has happened to Nations when they have pursued the exact

course that we have in the last 20 years in this Nation.

□ 2350

We need to get on track because, as Coulson said, When you lose morality, you get economic chaos. And when you get economic chaos, you get those who are always willing to sacrifice liberty to get economic stability. No greater example than Germany in the 1920s and 1930s. They had a little guy with a mustache who was evil who promised economic stability. And he delivered it at the price of their liberty.

It is time to stop the madness. It's time to stop passing bills that have not been read. It's time to stop meddling with the greatest military that the world has ever known and trying to disrupt it by our own social engineering. I couldn't believe I heard the majority leader bring up the Americans With Disabilities Act in the context of talking about open homosexuality in the military.

So immediately I am thinking, what does that mean? We did a wonderful thing when Congress passed the Americans With Disabilities Act, but does that mean next this body is going to force the military to accept the disabled on the front lines? We're going to have to make—as a former prisoner of war said, What, are we going to make our ejection seats wheelchairs so that they roll when they hit?

The military has one purpose, and we need able-bodied people to do it. And we need nothing that detracts from their military mission. It's not a place for social engineering. It's a place for people with single-mindedness, single focus, to be on the military mission, to prevent those who would destroy this country and our freedoms from being successful. And if someone can't control their sexual hormones, then that's a distraction to the military no matter what gender, what sexual orientation. It's a problem.

Don't destroy the military that has been the greatest its ever been.

This still has to pass the Senate, but we haven't seen a great deal of courage on this issue down the hall, and there may be those down there who believe that it will help with the next election. I'm telling you again I'd rather stay in the minority than have things like this that hurt our country and hurt the chances of its survival.

Let's do the right thing. We didn't do it today. And it breaks my heart to hear the applause over the fact that we broke our word to the military who trusted us.

So it is with a very deep, broken heart, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTINGS of Florida (at the request of Mr. HOYER) for today after 6 p.m. and the balance of the week.

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for today on account of personal medical issues.

Mr. DAVIS of Kentucky (at the request of Mr. BOEHNER) for today and the balance of the week on account of attending the funeral of a family member.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHRADER) to revise and extend their remarks and include extraneous material:)

Mr. KLEIN of Florida, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2711. An act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the ''Private First Class Garfield M. Langhorn Post Office Building''.

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the ''George Kell Post Office''.

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the ''E.V. Wilkins Post Office''.

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the ''Ann Marie Blute Post Office''.

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the ''Congresswoman Jan Meyers Post Office Building''.

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the ''Sergeant Matthew L. Ingram Post Office''.

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the ''Roy Wilson Post Office''.

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the ''W.D. Farr Post Office Building''.

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the ''Martin G. 'Marty' Mahar Post Office''.

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the ''Captain Luther H. Smith, U.S. Army Air Forces Post Office''.

H.R. 4628. An act to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the ''Sergeant Christopher R. Hrbek Post Office Building''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Friday, May 28, 2010, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7665. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2009 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

7666. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2010-0003; Internal Agency Docket No. FEMA-8127] received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7667. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received May 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7668. A letter from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's report that no exceptions to the prohibition against favored treatment of a government securities broker or government securities dealer were granted by the Secretary during the period January 1, 2009, through December 31, 2009; to the Committee on Financial Services.

7669. A letter from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's report on three modifications to the auction process in 2009 that are deemed significant, pursuant to Public Law 103-202, section 203; to the Committee on Financial Services.

7670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; General Provisions [EPA-R05-OAR-2009-0290; FRL-9142-1] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7671. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Indiana; Redesignation of the Ohio and Indiana Portions of the Cincinnati-Hamilton Area to Attainment for Ozone [EPA-R09-OAR-2009-0928; EPA-R05-OAR-2010-0026; FRL-9147-3] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7672. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans, State of California, San Joaquin Valley Unified Air Pollution Control District, New Source Review [EPA-R09-OAR-2010-0062; FRL-9141-3] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7673. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of Lake and Porter Counties to Attainment for Ozone [EPA-R05-OAR-2009-0512; FRL-9147-2] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7674. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Disapproval of State Implementation Plan Revisions, South Coast Air Quality Management District [EPA-R09-OAR-2009-0573; FRL-9146-5] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7675. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2010 [EPA-HQ-OAR-2009-0566; FRL-9147-8] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7676. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program [EPA-HQ-OAR-2005-0161; FRL-9147-6] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7677. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Alternative Affirmative Defense Requirements for Ultra-low Sulfur Diesel and Gasoline Benzene Technical Amendment [EPA-HQ-OAR-2007-1158; FRL-9147-4] (RIN: 2060-AO71) received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7678. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2010-0286; FRL-9138-6] received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7679. A letter from the Managing Associate General Counsel, Government Accountability Office, transmitting a report on the Major final rule ''Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco To Protect Children and Adolescents''; to the Committee on Energy and Commerce.

7680. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7681. A letter from the Acting Deputy Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Italy (Transmittal No. 02-10) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7682. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report for 2009 on the International Atomic Energy Agency (IAEA) Activities in countries described in Section 307(a) of the Foreign Assistance Act, pursuant to Public Law 105-277, section 2809(c)(2); to the Committee on Foreign Affairs.

7683. A letter from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting the Department's Fiscal Year 2009 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

7684. A letter from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting the Department's annual report for Fiscal Year 2009 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7685. A letter from the Assistant General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Employee Contribution Elections and Contribution Allocations; Methods of Withdrawing Funds from the Thrift Savings Plan [BILLING CODE 6760-01-P] received May 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7686. A letter from the Acting President, Overseas Private Investment Corporation, transmitting the Department's Fiscal Year 2009 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

7687. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassification of the Oregon Chub From Endangered to Threatened [Docket No.: FWS-R1-ES-2009-0005] (RIN: 1018-AW42) received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7688. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Revised Critical Habitat for Hine's Emerald Dragonfly (Somatochlora hineana) [Docket No.: FWS-R3-ES-2009-0017] (RIN: 1018-AW47) received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7689. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties, pursuant to Public Law 110-53, section 803 (121 Stat. 266, 360); to the Committee on the Judiciary.

7690. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's second quarter report for fiscal year 2010 from the Office of Security and Privacy, pursuant to Public Law 110-53, section 803; to the Committee on Homeland Security.

7691. A letter from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting the Department's annual report for Fiscal Year 2009 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Homeland Security.

7692. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2009''; jointly to the Committees on Ways and Means and Energy and Commerce.

7693. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2009 and Federal Fiscal Year 2010 [CMS-2309-N] (RIN: 0938-AP90) received May 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 5297. A bill to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, and for other purposes; with an amendment (Rept. 111–499). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BROUN of Georgia (for himself and Mr. SHADEGG):

H.R. 5421. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, repeal the 7.5 percent threshold on the deduction for medical expenses, provide for increased funding for high-risk pools, allow acquiring health insurance across State lines, and allow for the creation of association health plans; to the Committee on Energy and Commerce, and in addition to the Committees on Appropriations, Ways and Means, Education and Labor, the Judiciary, Natural Resources, Rules, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER:

H.R. 5422. A bill to authorize the Secretary of Agriculture to make grants for the prevention of cruelty to animals to States that have enacted laws prohibiting the devocalization of dogs and cats for purposes of convenience; to the Committee on Agriculture.

By Mr. FOSTER (for himself, Mr. BARTLETT, and Mr. EHLERS):

H.R. 5423. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for an annual electric production cost report; to the Committee on Energy and Commerce.

By Mr. HERGER (for himself, Mr. BOEHNER, Mr. CANTOR, Mr. PENCE, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. MCCARTHY of California, Mr. BLUNT, Mr. CAMP, Mr. BARTON of Texas, Mr. KLINE of Minnesota, Mr.

SHIMKUS, Mr. PRICE of Georgia, Mr. BRADY of Texas, Mr. LINDER, Mr. TIBERI, Mr. DAVIS of Kentucky, Mr. REICHERT, Mr. BOUSTANY, Mr. HELLER, and Mr. ROSKAM):

H.R. 5424. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and enact the Common Sense Health Care Reform and Affordability Act; to the Committee on Energy and Commerce, and in addition to the Committees on Appropriations, Ways and Means, Education and Labor, the Judiciary, Natural Resources, House Administration, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 5425. A bill to amend the Patient Protection and Affordable Care Act to permit a State to elect not to establish an American Health Benefit Exchange; to the Committee on Energy and Commerce.

By Mrs. MILLER of Michigan (for herself, Mr. LUCAS, Mr. GRAVES, Mr. CONAWAY, Mr. MORAN of Kansas, Mr. THOMPSON of Pennsylvania, Ms. JENKINS, Mr. HOEKSTRA, Mr. LUETKEMEYER, and Mr. NEUGEBAUER):

H.R. 5426. A bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Washington:

H.R. 5427. A bill to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes; to the Committee on Natural Resources.

By Mr. FILNER:

H.R. 5428. A bill to direct the Secretary of Veterans Affairs to educate certain staff of the Department of Veterans Affairs and to inform veterans about the Injured and Amputee Veterans Bill of Rights, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HARMAN (for herself and Mr. DREIER):

H.R. 5429. A bill to provide a retroactive increase in deposit insurance for depositors in certain institutions; to the Committee on Financial Services.

By Mrs. MCCARTHY of New York (for herself, Mr. HINOJOSA, Mrs. DAVIS of California, and Mr. WU):

H.R. 5430. A bill to direct the Secretary of Agriculture to award grants to eligible entities for projects that leverage community resources and support student access to physical activity, nutrition education, and nutritious foods during the regular school calendar; to the Committee on Education and Labor.

By Mrs. MCCARTHY of New York (for herself and Mr. WU):

H.R. 5431. A bill to amend section 17 of the Richard B. Russell National School Lunch Act to promote health and wellness in child care, and for other purposes; to the Committee on Education and Labor.

By Mrs. MCCARTHY of New York (for herself, Mr. HINOJOSA, and Mr. WU):

H.R. 5432. A bill to authorize the Secretary of Agriculture to enter into an interagency agreement with the Corporation for National and Community Service to support a Nutrition Corps; to the Committee on Education and Labor, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mr. SESSIONS, Mr. OLSON, Mr. SAM JOHNSON of Texas, and Mr. BURGESS):

H.R. 5433. A bill to repeal certain provisions of the Patient Protection and Affordable Care Act relating to the limitation on the Medicare exception to the prohibition on certain physician referrals for hospitals and to transparency reports and reporting of physician ownership or investment interests; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARR (for himself, Mr. GERLACH, Mrs. CAPPS, and Mr. YOUNG of Florida):

H.R. 5434. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture.

By Mr. BRALEY of Iowa:

H.R. 5435. A bill to amend the Internal Revenue Code of 1986 to extend certain renewable fuel, and energy, tax incentives, and to deny the deduction for income attributable to domestic production of oil, or primary products thereof; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 5436. A bill to prohibit the Minerals Management Service from issuing permits or environmental or safety waivers for any deepwater drilling rig in the Gulf of Mexico until the discharge of oil from the last Deepwater Horizon well has stopped and a congressional committee has issued a report finding the cause of the explosion on and sinking of the Deepwater Horizon; to the Committee on Natural Resources.

By Mr. CROWLEY:

H.R. 5437. A bill to amend the Internal Revenue Code of 1986 to provide that the treatment of tenant-stockholders in cooperative housing corporations also shall apply to stockholders of corporations that only own the land on which the residences are located; to the Committee on Ways and Means.

By Mr. DONNELLY of Indiana (for himself and Mr. MCCOTTER):

H.R. 5438. A bill to amend title 23, United States Code, to direct the Administrator of the Environmental Protection Agency to publish annually a list of vehicles that satisfy requirements for certification as a low emission and energy-efficient vehicle, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FLAKE (for himself and Mr. FRANK of Massachusetts):

H.R. 5439. A bill to require that United States contributions to the fund established by the United States and Brazil to provide technical assistance and capacity building be offset by reductions in direct payments for cotton producers under the Farm Bill; to the Committee on Agriculture.

By Mr. KENNEDY (for himself and Ms. ESHOO):

H.R. 5440. A bill to secure the promise of personalized medicine for all Americans by expanding and accelerating genomics research and initiatives to improve the accuracy of disease diagnosis, increase the safety of drugs, and identify novel treatments, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mr. CASTLE, and Mrs. CAPPS):

H.R. 5441. A bill to authorize assistance to aid in the prevention and treatment of obstetric fistula in foreign countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MARKEY of Massachusetts (for himself, Mrs. BIGGERT, Mr. MCNERNEY, and Ms. ESHOO):

H.R. 5442. A bill to establish programs to accelerate, provide incentives for, and examine the challenges and opportunities associated with the deployment of electric drive vehicles, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Science and Technology, Ways and Means, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NYE (for himself and Mr. GARAMENDI):

H.R. 5443. A bill to amend title 38, United States Code, to provide for the entitlement of surviving spouses of members of the Armed Forces who die while serving on active duty to educational assistance under the Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL:

H.R. 5444. A bill to amend the Internal Revenue Code of 1986 to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and to replace it with provisions reforming the health care system by putting patients back in charge of health care; to the Committee on Energy and Commerce, and in addition to the Committees on Appropriations, House Administration, Ways and Means, Education and Labor, Natural Resources, the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERLMUTTER (for himself and Mr. COFFMAN of Colorado):

H.R. 5445. A bill to establish a program for providing loan guarantees and interest rate subsidies for successful companies to establish and implement long-term United States growth plans, and for other purposes; to the Committee on Financial Services.

By Mr. POSEY (for himself, Mr. HASTINGS of Florida, Mr. YOUNG of Florida, Ms. CORRINE BROWN of Florida, Mr. PUTNAM, Ms. WASSERMAN SCHULTZ, Mr. STEARNS, Mr. BOYD, Mr. MICA, Mr. MEEK of Florida, Mr. MILLER of Florida, Ms. CASTOR of Florida, Mr. CRENSHAW, Mr. KLEIN of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Ms. KOSMAS, Ms. ROS-LEHTINEN, Mr. DEUTCH, Ms. GINNY BROWN-WAITE of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. ROONEY, Mr. BILIRAKIS, Mr. BUCHANAN, and Mr. MACK):

H.R. 5446. A bill to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the ''Harry T. and Harriette Moore Post Office''; to the Committee on Oversight and Government Reform.

By Mr. ROSS:

H.R. 5447. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPRATT (for himself, Mr. BISHOP of New York, Mrs. MCMORRIS

RODGERS, and Mr. GEORGE MILLER of California):

H.R. 5448. A bill to amend section 466(b) of the Higher Education Act of 1965 to extend the deadline for the distribution of late collections for the Federal Perkins Loan program; to the Committee on Education and Labor.

By Ms. SUTTON (for herself, Mr. JONES, Mr. HARE, Mr. WALZ, Ms. KILROY, Mr. COURTNEY, and Mr. BOCCIERI):

H.R. 5449. A bill to amend section 310 of the Supplemental Appropriations Act, 2009 to extend the period of time during which claims for retroactive stop-loss special pay may be submitted; to the Committee on Armed Services.

By Ms. WATSON (for herself, Mr. BECERRA, Mr. BERMAN, Mr. BILBRAY, Mrs. BONO MACK, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPPS, Mr. CARDOZA, Ms. CHU, Mr. COSTA, Mrs. DAVIS of California, Mr. DREIER, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GALLEGLY, Mr. GARAMENDI, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Ms. LEE of California, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Mr. MCKEON, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. MCNERNEY, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mr. NUNES, Mr. RADANOVICH, Mr. ROHRABACHER, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Ms. SPEIER, Mr. STARK, Mr. THOMPSON of California, Ms. WATERS, Ms. WOOLSEY, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Ms. ZOE LOFGREN of California, Mr. BACA, Mr. SHERMAN, and Mr. WAXMAN):

H.R. 5450. A bill to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the ''Tom Bradley Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.R. 5451. A bill to provide for the application of the Recreation and Public Purposes Act to the Connell Lake area of the Ketchikan Gateway Borough, Alaska, so that the Borough may obtain that land under the basic terms and conditions of that Act; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 5452. A bill to establish a Native American Economic Advisory Council, and for other purposes; to the Committee on Natural Resources.

By Ms. PINGREE of Maine:

H. Con. Res. 282. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. CARNEY (for himself, Mr. HOLDEN, Mr. SESTAK, Mr. PITTS, Mr. BRADY of Pennsylvania, Ms. SCHWARTZ, and Mr. DOYLE):

H. Con. Res. 283. Concurrent resolution honoring the 28th Infantry Division for serving and protecting the United States; to the Committee on Armed Services.

By Mr. RUSH (for himself, Mr. PAYNE, Mr. LEWIS of Georgia, Ms. CLARKE, Mr. RANGEL, Mr. FILNER, Mr. CLAY, Mrs. CHRISTENSEN, Mr. FATTAH, Ms. FUDGE, Mr. DAVIS of Illinois, Ms. CORRINE BROWN of Florida, Ms. WATSON, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. CLEAVER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEK of Florida, Ms. NORTON, Mr. GRIJALVA, Mr. BISHOP of Georgia, Mr. GARAMENDI, Mr. COHEN, Mr. MEEKS of New York, Ms. JACKSON LEE of Texas, Ms. DELAURO, Mr. REYES, Mr. ORTIZ, Mr. GENE GREEN of Texas, Mr. SIRES, Mr. SALAZAR, Mr. BACA, Mrs. NAPOLITANO, Mr. TOWNS, Mr. RODRIGUEZ, Ms. EDWARDS of Maryland, Mr. TONKO, and Mr. GONZALEZ):

H. Res. 1405. A resolution congratulating the people of the 17 African nations that in 2010 are marking the 50th year of their national independence; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Washington (for himself and Mr. BISHOP of Utah):

H. Res. 1406. A resolution directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the potential designation of National Monuments; to the Committee on Natural Resources.

By Mrs. BIGGERT (for herself, Mr. CARNAHAN, Mr. KIRK, Mr. LOEBSACK, Mr. SCHOCK, Mr. EHLERS, Mr. BAIRD, and Ms. SCHWARTZ):

H. Res. 1407. A resolution supporting the goals and ideals of High-Performance Building Week; to the Committee on Science and Technology.

By Ms. BEAN (for herself, Mr. ALTMIRE, Mr. BURTON of Indiana, Mr. DELAHUNT, Mr. GALLEGLY, Mr. MCMAHON, Mr. JACKSON of Illinois, Mr. ROSKAM, Mr. FOSTER, Mr. QUIGLEY, Mr. SCHOCK, and Mr. POMEROY):

H. Res. 1408. A resolution congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community; to the Committee on Foreign Affairs.

By Mr. ROE of Tennessee (for himself and Mr. DUNCAN):

H. Res. 1409. A resolution expressing support for designation of June 20, 2010, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Ms. SPEIER, Mr. CASTLE, Mr. SESTAK, Mr. JOHNSON of Georgia, Mr. PITTS, Mr. SHULER, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Ms. NORTON, Ms. ESHOO, Mr. MORAN of Virginia, Mrs. CAPPS, Mr. KUCINICH, Mr. WU, Mr. ROE of Tennessee, Mr. BARROW, Mrs. BIGGERT, Mr. KIRK, and Mr. DENT):

H. Res. 1410. A resolution expressing support for designation of May 2010 as National Brain Tumor Awareness Month; to the Committee on Energy and Commerce.

By Ms. SCHWARTZ:

H. Res. 1411. A resolution honoring the service and commitment of the 111th Fighter Wing, Pennsylvania Air National Guard; to the Committee on Armed Services.

By Mr. SMITH of New Jersey (for himself, Ms. GRANGER, and Mrs. MALONEY):

H. Res. 1412. A resolution congratulating the Government of South Africa upon its first two successful convictions for human trafficking; to the Committee on Foreign Affairs.

By Mr. TIAHRT:

H. Res. 1413. A resolution expressing the sense of the House of Representatives that the holding in Miranda v. Arizona may be interpreted to provide for the admissibility of a terrorist suspect's responses in an interrogation without administration of the Miranda warnings, to the extent that the interrogation is carried out to acquire information concerning other threats to public safety; to the Committee on the Judiciary.

MEMORIALS

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

301. The SPEAKER presented a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 125 memorializing the Congress to allow farmers the opportunity to purchase adequate sweet potato crop insurance; to the Committee on Agriculture.

302. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 127 memorializing the Congress to take such actions as are necessary to support passage of and fund the Agent Orange Equity Act of 2009, H.R. 2254; to the Committee on Veterans' Affairs.

303. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 101 commending the efforts of the United States Government to support the export of goods and services by the small businesses of Louisiana; jointly to the Committees on Small Business and Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 270: Mr. CLAY.

H.R. 413: Mr. KANJORSKI, Ms. BEAN, and Mr. KENNEDY.

H.R. 442: Mr. WOLF.

H.R. 613: Mr. BILIRAKIS.

H.R. 1189: Mr. BISHOP of Georgia.

H.R. 1250: Mr. TIM MURPHY of Pennsylvania.

H.R. 1337: Mr. COHEN.

H.R. 1420: Mr. GARRETT of New Jersey.

H.R. 1686: Mr. COSTELLO.

H.R. 1691: Mr. DONNELLY of Indiana.

H.R. 1806: Mrs. MILLER of Michigan and Ms. LEE of California.

H.R. 2067: Mrs. NAPOLITANO and Mr. LANGEVIN.

H.R. 2160: Mr. MCINTYRE.

H.R. 2240: Mr. CALVERT.

H.R. 2324: Mr. DEUTCH.

H.R. 2363: Mr. BARTLETT.

H.R. 2417: Ms. WOOLSEY.

H.R. 2447: Mr. BUCHANAN.

H.R. 2642: Mr. MICHAUD.

H.R. 2727: Ms. ROS-LEHTINEN.

H.R. 2746: Mr. MCCOTTER and Mr. REHBERG.

H.R. 2766: Mr. KILDEE.

H.R. 2850: Mr. TIM MURPHY of Pennsylvania.

H.R. 2980: Mr. LUJÁN.

H.R. 3001: Mrs. DAVIS of California.

H.R. 3040: Mr. DELAHUNT and Mr. HILL.

H.R. 3147: Mr. LEWIS of Georgia.

H.R. 3202: Mr. PALLONE.

H.R. 3212: Mr. BOREN.

H.R. 3225: Mr. MINNICK.

H.R. 3301: Mr. PETRI, Mrs. EMERSON, Mr. CARNEY, and Mr. BURTON of Indiana.

H.R. 3421: Mr. YARMUTH and Mr. DAVIS of Illinois.

H.R. 3441: Mr. LIPINSKI.

H.R. 3564: Mr. MARKEY of Massachusetts and Mr. ENGEL.

H.R. 3577: Mr. ARCURI.

H.R. 3666: Mr. PAULSEN.

H.R. 3668: Ms. BORDALLO, Mr. HONDA, Mr. LATOURETTE, Ms. WOOLSEY, Mr. ETHERIDGE, Mr. DUNCAN, Mr. GORDON of Tennessee, Mr. THOMPSON of Pennsylvania, Mr. NUNES, Mr. DICKS, Mr. MCKEON, and Mr. BOUCHER.

H.R. 3734: Ms. WATSON.

H.R. 3936: Ms. GIFFORDS.

H.R. 3974: Mr. LANGEVIN and Mr. CLAY.

H.R. 3989: Mr. BOREN, Mr. YOUNG of Alaska, and Mr. GALLEGLY.
H.R. 4144: Mr. HELLER.
H.R. 4197: Mr. ROHRABACHER.
H.R. 4237: Mr. ACKERMAN.
H.R. 4264: Mr. HONDA.
H.R. 4278: Mr. COHEN and Mr. SALAZAR.
H.R. 4296: Mrs. MCCARTHY of New York.
H.R. 4306: Mr. MANZULLO.
H.R. 4347: Mr. YOUNG of Alaska and Mrs. NAPOLITANO.
H.R. 4352: Mr. NUNES.
H.R. 4371: Mr. SCHOCK.
H.R. 4375: Ms. WOOLSEY.
H.R. 4386: Mrs. MALONEY and Mr. BLUMENAUER.
H.R. 4420: Mr. ARCURI.
H.R. 4427: Mr. BOOZMAN.
H.R. 4489: Ms. LINDA T. SÃNCHEZ of California.
H.R. 4525: Mr. CONNOLLY of Virginia.
H.R. 4530: Ms. JACKSON LEE of Texas.
H.R. 4544: Mr. MURPHY of New York and Mr. SESTAK.
H.R. 4594: Ms. SHEA-PORTER, Mr. MCMAHON, Mr. MCDERMOTT, Mr. HOLDEN, Mr. FALEOMAVAEGA, and Mr. BARROW.
H.R. 4662: Mr. ELLISON, Ms. MCCOLLUM, Mr. KING of New York, Mr. RUPPERSBERGER, and Mr. BERMAN.
H.R. 4684: Ms. BEAN, Mr. FRANK of Massachusetts, Mr. LATHAM, Mr. LYNCH, Ms. SCHAKOWSKY, Mrs. CAPPS, Mr. GRIJALVA, Mr. DELAHUNT, and Mr. MARCHANT.
H.R. 4689: Mr. MARSHALL, Ms. JENKINS, Mr. RAHALL, and Ms. WOOLSEY.
H.R. 4717: Mr. MINNICK.
H.R. 4787: Ms. PINGREE of Maine.
H.R. 4790: Mr. PERLMUTTER.
H.R. 4804: Ms. TITUS.
H.R. 4818: Mr. COHEN.
H.R. 4879: Mr. HODES, Ms. BERKLEY, Mr. JOHNSON of Georgia, Mr. CROWLEY, Ms. PINGREE of Maine, Mr. BOUCHER, Mr. CONNOLLY of Virginia, Mr. SCHIFF, and Mr. SCOTT of Virginia.
H.R. 4914: Mr. RANGEL and Mr. BLUMENAUER.
H.R. 4939: Mrs. EMERSON.
H.R. 4940: Mrs. BIGGERT.
H.R. 4946: Mr. CHAFFETZ and Mr. MANZULLO.
H.R. 4961: Mr. HONDA.
H.R. 4985: Mr. LAMBORN and Mr. PITTS.
H.R. 5000: Mr. TEAGUE.
H.R. 5008: Mr. MOORE of Kansas.
H.R. 5016: Mr. WITTMAN, Mr. REHBERG, Mr. KLINE of Minnesota, Mr. MCCAUL, Mr. HOEKSTRA, Mr. HALL of Texas, Mrs. MYRICK, and Mr. COBLE.
H.R. 5028: Mr. COHEN.
H.R. 5032: Mrs. MCCARTHY of New York.
H.R. 5034: Mr. HOEKSTRA, Mrs. MILLER of Michigan, and Mr. SAM JOHNSON of Texas.
H.R. 5040: Ms. NORTON.
H.R. 5041: Mr. COHEN, Ms. LEE of California, Ms. CLARKE, and Mr. LARSON of Connecticut.
H.R. 5081: Mr. CLAY and Mr. HONDA.
H.R. 5092: Mr. CAO, Mr. ROSS, Mr. MCHENRY, Mr. BOEHNER, Mr. TURNER, and Mr. CARTER.
H.R. 5095: Mr. CAMPBELL.
H.R. 5107: Mr. GRIJALVA.
H.R. 5117: Mr. CONNOLLY of Virginia, Mr. GRIJALVA, Mr. YARMUTH, Mr. STARK, Mr. JOHNSON of Georgia, and Mrs. MALONEY.
H.R. 5121: Mr. FRANK of Massachusetts and Mr. KUCINICH.
H.R. 5141: Mr. THOMPSON of Pennsylvania, Ms. GINNY BROWN-WAITE of Florida, and Mr. GALLEGLY.
H.R. 5155: Mr. FRANK of Massachusetts.
H.R. 5156: Mr. CLAY.
H.R. 5173: Mr. PLATTS.
H.R. 5177: Mr. CONAWAY.
H.R. 5191: Mr. MAFFEI and Ms. NORTON.
H.R. 5197: Ms. CHU and Mr. COHEN.
H.R. 5213: Mrs. NAPOLITANO and Ms. HIRONO.
H.R. 5258: Mr. FRANKS of Arizona and Mr. MCCLINTOCK.
H.R. 5259: Mr. MICHAUD.
H.R. 5268: Mr. CARNAHAN and Mr. DOGGETT.
H.R. 5270: Mr. PAUL.
H.R. 5283: Mr. SMITH of Texas and Mr. RANGEL.
H.R. 5294: Mrs. MCMORRIS RODGERS.
H.R. 5298: Mr. BOREN, Mr. TURNER, Mr. MICA, Ms. SHEA-PORTER, Ms. KILROY, Mr. PETERSON, Mr. HOLDEN, Mr. AL GREEN of Texas, Ms. HIRONO, Mr. MCCOTTER, and Mr. FATTAH.
H.R. 5300: Mr. MCNERNEY.
H.R. 5313: Mr. SKELTON.
H.R. 5318: Mr. WESTMORELAND.
H.R. 5340: Mr. SENSENBRENNER.
H.R. 5353: Mr. HASTINGS of Florida and Ms. SLAUGHTER.
H.R. 5355: Mrs. NAPOLITANO, Mr. POLIS, and Ms. HIRONO.
H.R. 5371: Mr. ROGERS of Alabama, Mr. ROTHMAN of New Jersey, Mr. MARCHANT, and Mr. MCGOVERN.
H.R. 5372: Ms. BERKLEY.
H.R. 5377: Mr. LAMBORN.
H.R. 5395: Mr. DEUTCH.
H.J. Res. 76: Mr. LUCAS.
H.J. Res. 86: Mr. BURTON of Indiana, Mr. CONAWAY, Mr. MCCAUL, Mr. TOWNS, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, Ms. BORDALLO, Mr. GARRETT of New Jersey, Mr. BRIGHT, Mrs. BACHMANN, Mr. CAPUANO, Mr. MCKEON, Ms. SPEIER, Mr. NUNES, Mr. THOMPSON of Pennsylvania, Mr. INGLIS, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. CARSON of Indiana, Ms. WATSON, Mr. RUSH, Ms. CORRINE BROWN of Florida, Mr. ACKERMAN, Mr. REICHERT, Ms. LORETTA SANCHEZ of California, and Mr. REHBERG.
H. Con. Res. 20: Mr. GARAMENDI.
H. Con. Res. 198: Mr. SMITH of Texas, Ms. WATSON, and Mr. PRICE of North Carolina.
H. Con. Res. 204: Mr. PLATTS.
H. Con. Res. 259: Mr. DELAHUNT, Ms. GINNY BROWN-WAITE of Florida, Mr. BROWN of South Carolina, and Mr. MURPHY of Connecticut.
H. Con. Res. 266: Mrs. BACHMANN, Mr. KINGSTON, Mr. GARRETT of New Jersey, Mr. SMITH of New Jersey, Mr. CAMP, Mr. RUSH, Mr. WESTMORELAND, Mr. BISHOP of Utah, Mr. SENSENBRENNER, Mr. REHBERG, Mr. ROGERS of Alabama, and Mr. BURGESS.
H. Res. 173: Mr. CARNAHAN and Mr. PUTNAM.
H. Res. 440: Mr. GUTHRIE and Mr. MCCLINTOCK.
H. Res. 898: Mr. HOLT.
H. Res. 1219: Ms. NORTON.
H. Res. 1229: Mr. ETHERIDGE.
H. Res. 1241: Mr. MACK, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. SESSIONS.
H. Res. 1273: Mr. SULLIVAN.
H. Res. 1302: Mr. MORAN of Virginia and Mr. MAFFEI.
H. Res. 1319: Mr. WU and Mr. LOEBSACK.
H. Res. 1322: Ms. WATSON and Mr. BACA.
H. Res. 1326: Mr. ELLISON.
H. Res. 1355: Mr. MORAN of Virginia and Mr. WALZ.
H. Res. 1368: Mr. LANGEVIN, Mrs. MILLER of Michigan, Mr. CALVERT, and Mr. MCNERNEY.
H. Res. 1371: Ms. FOXX and Mrs. MILLER of Michigan.
H. Res. 1379: Mr. MORAN of Virginia, Mr. GALLEGLY, Mr. PETERSON, Mr. PAYNE, Mr. MANZULLO, and Mr. COHEN.
H. Res. 1389: Mr. COBLE, Mr. CALVERT, and Mr. LAMBORN.
H. Res. 1391: Mr. QUIGLEY, Mr. DANIEL E. LUNGREN of California, Mrs. MILLER of Michigan, Mr. MEEK of Florida, Ms. CORRINE BROWN of Florida, Mr. SCALISE, and Mr. LATTA.
H. Res. 1394: Mr. BILIRAKIS.
H. Res. 1398: Ms. CLARKE.
H. Res. 1401: Ms. MOORE of Wisconsin, Mr. SHULER, Ms. MCCOLLUM, Mr. REHBERG, Mr. CAPUANO, and Mr. ISRAEL.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4899, Emergency Supplemental Appropriations Act, as amended.

Senate agreed to H. Con. Res. 282, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4473–S4562

Measures Introduced: Twenty-one bills and six resolutions were introduced, as follows: S. 3432–3452, S. Res. 541–545, and S. Con. Res. 64.

Pages S4528–29

Measures Reported:

H.R. 553, to require the Secretary of Homeland Security to develop a strategy to prevent the overclassification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, with an amendment in the nature of a substitute. (S. Rept. No. 111–200)

H.R. 4506, to authorize the appointment of additional bankruptcy judges. **Pages S4527–28**

Measures Passed:

Emergency Supplemental Appropriations Act: By 67 yeas to 28 nays (Vote No. 176), Senate passed H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, after agreeing to the committee amendment in the nature of a substitute, an amendment to the title, and taking action on the following amendments proposed thereto: **Pages S4474–S4507**

Adopted:

By 60 yeas to 37 nays (Vote No. 173), Collins Amendment No. 4253, to prohibit the imposition of fines and liability under certain final rules of the Environmental Protection Agency.

Pages S4475, S4491–96, S4501–02

By 60 yeas to 35 nays (Vote No. 174), Inouye Amendment No. 4299, to allow unobligated balances in the Construction, Major Projects account to be utilized for major medical facility projects of the Department of Veterans Affairs otherwise authorized by law. **Pages S4502–03**

Inouye (for Reid) Amendment No. 4178, to facilitate a transmission line project. **Page S4503**

Inouye (for Levin) Amendment No. 4205, to make a technical correction. **Pages S4503–04**

Inouye (for McCain) Amendment No. 4217, to provide for the submittal of the charter and reports on the High-Value Detainee Interrogation Group to additional committees of Congress. **Page S4504**

Inouye (for Webb) Amendment No. 4222, to limit the use of funds for the Department of Veterans Affairs for the presumption of service-connection between exposure of veterans to Agent Orange during service in Vietnam and certain additional diseases until the period for disapproval by Congress of the regulation establishing such presumption has expired. **Page S4504**

Inouye (for Wicker) Amendment No. 4224, to make a technical correction related to Amtrak security in the Consolidated Appropriations Act, 2010. **Page S4504**

Inouye (for Leahy) Amendment No. 4245, to add a provision relating to commitments of resources by foreign governments. **Page S4504**

Inouye (for Leahy) Amendment No. 4246, to strike a technical clarification. **Page S4504**

Inouye (for Leahy) Amendment No. 4249, to modify a condition on the availability for funds to support the work of the Independent Electoral Commission and the Electoral Complaints Commission in Afghanistan. **Page S4504**

Inouye (for Lugar) Amendment No. 4260, to clarify that non-military projects in the former Soviet Union for which funding is authorized by this Act for the purpose of engaging scientists and engineers shall be executed through existing science and technology centers. **Page S4504**

Inouye (for Sanders) Amendment No. 4280, to require the Administrator of General Services to make publicly available the contractor integrity and performance database established under the Clean Contracting Act of 2008. **Page S4504**

Inouye (for Landrieu) Further Modified Amendment No. 4184, to require the Secretary of the Army to maximize the placement of dredged material available from maintenance dredging of existing navigation channels to mitigate the impacts of the Deepwater Horizon Oil spill in the Gulf of Mexico at full Federal expense. **Pages S4475, S4503, S4504**

Inouye (for Bond/Coburn) Amendment No. 4259, to require assessments on the detainees at United States Naval Station, Guantanamo Bay, Cuba. **Page S4504**

Inouye (for Isakson/Chambliss) Amendment No. 4255, to make a technical correction. **Pages S4504–05**

Inouye (for Leahy) Amendment No. 4248, to authorize the Secretary of State to award task orders for police training in Afghanistan under current Department of State contracts for police training. **Page S4505**

Inouye (for Byrd) Amendment No. 4200, to make a technical correction. **Page S4505**

Inouye (for Landrieu) Modified Amendment No. 4213, to provide authority to the Secretary of the Interior to immediately fund projects under the Coastal Impact Assistance Program on an emergency basis. **Pages S4474 S4505**

Inouye (for Merkley) Further Modified Amendment No. 4251, to provide funds for drought relief, with an offset. **Pages S4505, S4506**

Inouye (for Shelby/Vitter) Modified Amendment No. 4287, to provide fisheries disaster relief, conduct a study on ecosystem services, and conduct an enhanced stock assessment for Gulf of Mexico fisheries impacted by the Deepwater Horizon oil discharge. **Pages S4505–06**

Rejected:

By 18 yeas to 80 nays (Vote No. 168), Feingold Amendment No. 4204, to require a plan for safe, orderly, and expeditious redeployment of the United States Armed Forces from Afghanistan. **Pages S4474, S4481–82**

Coburn/McCain Modified Amendment No. 4231, to pay for the costs of supplemental spending by reducing waste, inefficiency, and unnecessary spending within the Federal Government. (By 53 yeas to 45 nays (Vote No. 169), Senate tabled the amendment.) **Pages S4475, S4482–83**

Coburn/McCain Amendment No. 4232, to pay for the costs of supplemental spending by reducing Congress' own budget and disposing of unneeded Federal property and uncommitted Federal funds. (By 50 yeas to 47 nays (Vote No. 170), Senate tabled the amendment.) **Pages S4475, S4483**

By 37 yeas to 58 nays (Vote No. 175), Burr Amendment No. 4273, to strike section 901, relating to the transfer of amounts to the Filipino Veterans Equity Compensation Fund. **Pages S4502–03**

Withdrawn:

McCain Amendment No. 4214, to provide for the National Guard support to secure the southern land border of the United States. **Pages S4474, S4475–79**

Kyl/McCain Modified Amendment No. 4228 (to Amendment No. 4202), to appropriate $200,000,000 to increase resources for the Department of Justice and the Judiciary to address illegal crossings of the Southwest border, with an offset. **Pages S4475, S4479–81**

Cornyn/Kyl Further Modified Amendment No. 4202, to make appropriations to improve border security, with an offset from unobligated appropriations under division A of Public Law 111–5. **Pages S4474, S4479**

Isakson/Chambliss Amendment No. 4221, to include the 2009 flooding in the Atlanta area as a disaster for which certain disaster relief is available. **Pages S4475, S4494**

Reid Amendment No. 4174, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions. **Page S4474**

Sessions/McCaskill Amendment No. 4173, to establish 3-year discretionary spending caps. **Pages S4474, S4496–97**

Wyden/Grassley Amendment No. 4183, to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter. **Page S4474**

Lautenberg Modified Amendment No. 4175, to provide that parties responsible for the Deepwater Horizon oil spill in the Gulf of Mexico shall reimburse the general fund of the Treasury for costs incurred in responding to that oil spill. **Page S4475**

Cardin Amendment No. 4191, to prohibit the use of funds for leasing activities in certain areas of the outer Continental Shelf. **Page S4475**

Landrieu/Cochran Amendment No. 4179, to allow the Administrator of the Small Business Administration to create or save jobs by providing interest relief on certain outstanding disaster loans relating to damage caused by the 2005 Gulf Coast hurricanes or the 2008 Gulf Coast hurricanes. **Page S4475**

Landrieu Amendment No. 4180, to defer payments of principal and interest on disaster loans relating to the Deepwater Horizon oil spill. **Page S4475**

Landrieu Amendment No. 4182, to require the Secretary of the Army to use certain funds for the

construction of authorized restoration projects in the Louisiana coastal area ecosystem restoration program. **Page S4475**

Landrieu Amendment No. 4234, to establish a program, and to make available funds, to provide technical assistance grants for use by organizations in assisting individuals and businesses affected by the Deepwater Horizon oil spill in the Gulf of Mexico. **Page S4475**

Ensign/Reid Amendment No. 4229, to prohibit the transfer of C–130 aircraft from the National Guard to a unit of the Air Force in another State. **Page S4475**

Ensign/Reid Modified Amendment No. 4230, to establish limitations on the transfer of C–130H aircraft from the National Guard to a unit of the Air Force in another State. **Page S4475**

Menendez Amendment No. 4289 (to Amendment No. 4174), to require oil polluters to pay the full cost of oil spills. **Page S4475**

During consideration of this measure today, Senate took the following actions:

By 51 yeas to 46 nays (Vote No. 165), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 302(f) of the Congressional Budget Act of 1974, with respect to McCain Amendment No. 4214, to provide for the National Guard support to secure the southern land border of the United States. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and pursuant to the order of May 26, 2010, the amendment was withdrawn. **Page S4479**

By 54 yeas to 44 nays (Vote No. 166), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, with respect to Kyl/McCain Modified Amendment No. 4228 (to Amendment No. 4202), to appropriate $200,000,000 to increase resources for the Department of Justice and the Judiciary to address illegal crossings of the Southwest border, with an offset. Subsequently, the point of order that the amendment was in violation of section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, was sustained, and pursuant to the order of May 26, 2010, the amendment was withdrawn. **Page S4479**

By 54 yeas to 43 nays (Vote No. 167), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, with respect to Cornyn/Kyl Further Modified Amendment No. 4202, to make appropriations to improve border security, with an offset from unobligated appropriations under division A of Public Law 111–5. Subsequently, the point of order that the amendment was in violation of section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, was sustained, and pursuant to the order of May 26, 2010, the amendment was withdrawn. **Pages S4480–81**

By 69 yeas to 29 nays (Vote No. 171), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the committee-reported substitute amendment. **Page S4483**

By 45 yeas to 52 nays (Vote No. 172), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to suspend Rule XXII for purpose of offering DeMint Amendment No. 4177. **Page S4501**

Subsequently, the motion to invoke cloture on the bill was withdrawn. **Page S4501**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Inouye, Byrd, Leahy, Harkin, Mikulski, Kohl, Murray, Dorgan, Feinstein, Durbin, Johnson, Landrieu, Reed, Lautenberg, Nelson (NE), Pryor, Tester, Specter, Cochran, Bond, McConnell, Shelby, Gregg, Bennett, Hutchison, Brownback, Alexander, Collins, Voinovich, and Murkowski. **Page S4507**

Antitrust Criminal Penalty Enhancement and Reform Act: Senate passed H.R. 5330, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, clearing the measure for the President. **Pages S4559–60**

American Eagle Day: Senate agreed to S. Res. 542, designating June 20, 2010, as "American Eagle Day", and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States. **Pages S4560–61**

National Prader-Willi Syndrome Awareness Month: Senate agreed to S. Res. 543, expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research on the disorder. **Page S4561**

United States Beef Products: Senate agreed to S. Res. 544, supporting increased market access for exports of United States beef and beef products. **Pages S4561–62**

Authorize the Production of Records: Senate agreed to S. Res. 545, to authorize the production

of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs. **Page S4560**

Adjournment Resolution: Senate agreed to H. Con. Res. 282, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S4562**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S4562**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the National Security Strategy of the United States of America; which was referred to the Committee on Armed Services. (PM–58) **Page S4525**

Nominations Received: Senate received the following nominations:

J. Thomas Dougherty, of Wyoming, to be Ambassador to Burkina Faso.

Eric D. Benjaminson, of Oregon, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe.

Paul M. Tiao, of Maryland, to be Inspector General, Department of Labor.

Robert Anacletus Underwood, of New Jersey, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Anthony Bryk, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2011.

Beverly L. Hall, of Georgia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring March 15, 2012.

Kris D. Gutierrez, of Colorado, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

James E. Shadid, of Illinois, to be United States District Judge for the Central District of Illinois.

Max Oliver Cogburn, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

William J. Ihlenfeld II, of West Virginia, to be United States Attorney for the Northern District of West Virginia for the term of four years.

John William Vaudreuil, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.

Neile L. Miller, of Maryland, to be Principal Deputy Administrator, National Nuclear Security Administration.

Routine lists in the Marine Corps, and Navy. **Page S4562**

Messages from the House: **Page S4525**

Executive Communications: **Pages S4525–27**

Executive Reports of Committees: **Page S4528**

Additional Cosponsors: **Pages S4529–31**

Statements on Introduced Bills/Resolutions: **Pages S4531–56**

Additional Statements: **Pages S4524–25**

Amendments Submitted: **Pages S4556–59**

Authorities for Committees to Meet: **Page S4559**

Record Votes: Twelve record votes were taken today. (Total—176) **Pages S4479–83, S4501–03, S4507**

Recess: Senate convened at 9:30 a.m. and recessed at 9:53 p.m., until 10 a.m. on Friday, May 28, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4562.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Elisabeth Ann Hagen, of Virginia, to be Under Secretary for Food Safety, who was introduced by Senator Casey, and Catherine E. Woteki, of the District of Columbia, to be Under Secretary for Research, Education, and Economics, both of the Department of Agriculture, and Sara Louise Faivre-Davis, of Texas, Lowell Lee Junkins, of Iowa, and Myles J. Watts, of Montana, all to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration, after the nominees testified and answered questions in their own behalf.

AUTHORIZATION: NATIONAL DEFENSE

Committee on Armed Services: Committee ordered favorably reported an original bill entitled ''National Defense Authorization Act for fiscal year 2011''; and

The nominations of 182 pending military nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Sherry Glied, of New York, to be Assistant Secretary of Health and Human Services.

MULTIEMPLOYER PENSION PLANS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine building a secure future for multiemployer pension plans, focusing on long-standing challenges that remain for multiemployer pension plans, after receiving testimony from Phyllis C. Borzi, Assistant Secretary of Labor for Employee Benefits Security Administration; Charles A. Jeszeck, Acting Director, Education, Workforce, and Income Security Issues, Government Accountability Office; Thomas C. Nyhan, Central States Southeast and Southwest Areas Pension Fund, Rosemont, Illinois; Randy G. DeFrehn, National Coordinating Committee for Multiemployer Plans (NCCMP), Washington, D.C.; John R. McGowan, Saint Louis University John Cook School of Business, St. Louis, Missouri; and Norman P. Stein, University of Alabama School of Law, Tuscaloosa, on behalf of the Pension Rights Center.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

H.R.4506, to authorize the appointment of additional bankruptcy judges; and

The nominations of John A. Gibney, Jr., to be United States District Judge for the Eastern District of Virginia, and Stephanie A. Finley, to be United States Attorney for the Western District of Louisiana, Laura E. Duffy, to be United States Attorney for the Southern District of California, Scott Jerome Parker, to be United States Marshal for the Eastern District of North Carolina, Darryl Keith McPherson, to be United States Marshal for the Northern District of Illinois, and Gervin Kazumi Miyamoto, to be United States Marshal for the District of Hawaii, all of the Department of Justice, and Daniel J. Becker, of Utah, James R. Hannah, of Arkansas, Gayle A. Nachtigal, of Oregon, John B. Nalbandian, of Kentucky, Marsha J. Rabiteau, of Connecticut, and Hern n D. Vera, of California, all to be a Member of the Board of Directors of the State Justice Institute.

UNITED/CONTINENTAL AIRLINES MERGER

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine the United/Continental Airlines merger, focusing on how consumers will fare, after receiving testimony from Glenn F. Tilton, UAL Corp, Chicago, Illinois; Jeffery Smisek, Continental Airlines, Inc., and Darren Bush, University of Houston Law Center, on behalf of the American Antitrust Institute, both of Houston, Texas; and William J. McGee, Consumers Union, New York, New York.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the nomination of Marie Collins Johns, of the District of Columbia, to be Deputy Administrator of the Small Business Administration.

DEEPWATER HORIZON OIL SPILL

Committee on Small Business and Entrepreneurship: Committee resumed hearings to examine the impact of the Deepwater Horizon oil spill on small businesses, after receiving testimony from James Rivera, Associate Administrator, Disaster Assistance, Small Business Administration; Rear Admiral Paul Zukunft, Assistant Commandant, Maritime Safety, Security and Stewardship, United States Coast Guard, Department of Homeland Security; Darryl Willis, BP America, Houston, Texas; Mike Voisin, Motivatit Seafoods Inc., Houma, Louisiana; and Carmen Sunda, Louisiana Small Business Development Center, Metairie.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 5421–5452; and 11 resolutions, H. Con. Res. 282–283; and H. Res. 1405–1413 were introduced. **Pages H4021–23, H4082–84**

Additional Cosponsors: **Pages H4023–24, H4084–85**

Report Filed: A report was filed today as follows:

H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, with an amendment (H. Rept. 111–499). **Pages H4021, H4082**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Carl White, Highland Baptist Church, Meridian, MS. **Page H3873**

Adjournment Resolution: The House agreed to H. Con. Res. 282, providing for an adjournment or recess of the two Houses, by a yea-and-nay vote of 230 yeas to 187 nays, Roll No. 306. **Pages H3885–86**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, May 25th:

Honoring the Centennial Celebration of Women at Marquette University: H. Res. 1161, to honor the Centennial Celebration of Women at Marquette University, the first Catholic university in the world to offer co-education as part of its regular undergraduate program, by a ⅔ recorded vote of 380 ayes with none voting "no" and 36 voting "present", Roll No. 308 and **Pages H3887–88**

Honoring the University of Georgia Graduate School on the occasion of its centennial: H. Res. 1372, to honor the University of Georgia Graduate School on the occasion of its centennial, by a ⅔ recorded vote of 412 ayes with none voting "no" and 1 voting "present", Roll No. 309. **Pages H3888–89**

National Defense Authorization Act for Fiscal Year 2011: The House began consideration of H.R. 5136, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense and to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, May 28th.

Pages H3876–85, H3887, H3889–H4019, H4025

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H3900**

Agreed to:

Bartlett amendment (No. 2 printed in H. Rept. 111–498) that prohibits funds authorized to be appropriated in section 101(5) for other procurement, Army, from being obligated or expended by the Secretary of the Army for line-haul tractors unless the source selection is made based on a full and open competition; **Page H3986**

Smith (WA) amendment (No. 3 printed in H. Rept. 111–498) that ensures that the spouse, children and parents of a deployed or deploying member of the Armed Forces, who are not covered under the Family Medical Leave Act, have the ability to take at least two weeks of unpaid leave from their job in order to address issues that arise over the course of a deployment cycle; **Pages H3986–88**

Skelton en bloc amendment No. 1 consisting of the following amendments printed in H. Rept. 111–498: Giffords amendment (No. 9) that authorizes the Secretary of Defense to share with the Department of Homeland Security and the Department of Justice any data gathered during training exercises; Nye amendment (No. 10) that requires the Department of Defense to report to the House Armed Services Committee and the Small Business Committee on their plans to support the Regional Advanced Technology Clusters; Sessions amendment (No. 16) that establishes a 5-year "pay-for-performance" pilot program for the treatment of traumatic brain injuries; Jackson Lee (TX) amendment (No. 24) that requires the Secretary of Defense shall provide, by December 1, 2010, a report to the Congressional Black Caucus that includes a list of minority-owned, women-owned and disadvantaged-owned businesses over the past 10 years who have received contracts resulting from authorized funding to the Department; Watson amendment (No. 36) that inserts language based on H.R. 4900 and H.R. 5247, that contain the following provisions: (1) the establishment of a new National Office for Cyberspace; (2) management and oversight reforms for agency information security programs; (3) security related acquisition requirements for federal information technology investments; (4) the establishment of a federal Chief Technology Officer; and (5) make the Director of the National Office for Cyberspace a member of the National Security Council and grant the office additional government-wide coordinating responsibilities; McMahon amendment (No. 63) that expresses a Sense of Congress to encourage the Secretary of the Navy to name a naval vessel after

Medal of Honor recipient and Navy chaplain, Father Vincent Capodanno; and Tonko amendment (No. 70) that expresses a Sense of Congress encouraging the development of next generation semiconductor technologies; **Pages H3990–H4001**

Skelton en bloc amendment No. 2 consisting of the following amendments printed in H. Rept. 111–498: Burton (IN) amendment (No. 20) that expresses the Sense of Congress that the President, as Commander-in-Chief, should treat all military personnel and military families equally and overturn the policy that prohibits sending a presidential letter of condolence to the family of a member of the Armed Forces who has died by suicide; Holden amendment (No. 22) that makes any person who served in combat as a pilot or crew member of a Medevac unit beginning June 25, 1950, eligible for the Combat Medevac Badge; Pomeroy amendment (No. 23) that authorizes the continuation of the Joint Family Support Assistance Program; Latham amendment (No. 26) that expresses the Sense of Congress that an erroneous interpretation of recent changes to age and service requirements for reserve retirement pay should be corrected; Kennedy amendment (No. 27) that adds neurology to the list of selected residency programs at military medical treatment facilities subject to a program review; and Tim Murphy (PA) amendment (No. 45) that directs the Surgeons General of the Army, Navy, and Air Force to submit a report to Congress on whether additional behavioral health professionals are needed to treat members of the Armed Forces for PTSD/TBI, and offer recommendations for ways to provide incentives for health care professionals to join active and reserve components; **Pages H4003–08**

Skelton manager's amendment (No. 1 printed in H. Rept. 111–498) that corrects a variety of technical errors in the bill (by a recorded vote of 421 ayes with none voting ''no'', Roll No. 310); **Pages H3984–86, H4013–14**

Marshall amendment (No. 4 printed in H. Rept. 111–498) that expresses the sense of Congress that the Chief of the National Guard Bureau should issue fire-resistant utility ensembles to National Guard personnel who are engaged, or likely to become engaged, in defense support to civil authority missions that routinely involve serious fire hazards, such as wildfire recovery efforts (by a recorded vote of 423 ayes with none voting ''no'', Roll No. 311); **Pages H3988–90, H4013–14**

McGovern amendment (No. 13 printed in H. Rept. 111–498) that includes a Sense of Congress stating that hunger and obesity are impairing military recruitment and must be properly addressed (by a recorded vote of 341 ayes to 85 noes, Roll No. 312); **Pages H4001–03, H4014–15**

Andrews en bloc amendment No. 3 consisting of the following amendments printed in H. Rept. 111–498: Pascrell amendment (No. 29) that requires that the same cognitive screening tool be used pre-deployment and post-deployment until a new, comprehensive policy for screening our soldiers to detect cognitive injuries is implemented; Harman amendment (No. 34) that calls for expedited and priority consideration of an application for permanent change of base or unit transfer for victims of sexual assault to reduce the possibility of retaliation against the victim; Brown-Waite amendment (No. 40) that expands the eligibility for the Army Combat Action Badge to those soldiers who served during the dates ranging from December 7, 1941, to September 18, 2001; Space amendment (No. 46) that requires the Secretary of the VA to send an electronic copy of service members' separation paperwork to the States; Walz amendment (No. 48) that revises the language of the Alternative Career Track Pilot Program slightly to ensure officers are not penalized with regards to promotion for participating in the pilot program; Carson amendment (No. 52) that amends the Department of Defense pre-separation counseling program to provide discharging service members and their spouses with financial and job placement counseling; and Hare amendment (No. 54) that directs the Secretary of the Army to deliver a report to Congress that provides a detailed explanation of the Army's Heirloom Chest policy, the Army's plans to continue the Heirloom Chest program, and a cost estimate for the procurement to expand the number of Heirloom Chests to additional family members; **Pages H4015–19**

Skelton en bloc amendment No. 4 consisting of the following amendments printed in H. Rept. 111–498: Owens amendment (No. 12) that provides Congress enhanced and updated budget and quantity information on proposed equipment purchases; Polis amendment (No. 17) that clarifies that federal agencies can procure commercially available fuels that have less than a majority proportion of alternative fuels with greater life cycle emissions than traditional petroleum fuels; Dingell amendment (No. 18), as modified, that requires the Secretary of Defense to provide the Agency for Toxic Substances and Disease Registry with information pertaining to Marine Corps Base Camp Lejeune's historic drinking water contamination no later than 90 days after enactment; Jackson Lee (TX) amendment (No. 25) that makes available post-traumatic stress counseling for civilians affected by the Fort Hood shooting, and shootings at other domestic military bases; Etheridge amendment (No. 28) that clarifies that the Department of Defense Office of Economic Adjustment's

existing grant-making authority for community adjustment and economic diversification to assist communities affected by the 2005 Base Realignment and Closure Process includes development assistance; Putnam amendment (No. 35) that expresses a sense of Congress in support of recreational hunting and fishing on military installations; Chandler amendment (No. 37) that strikes section 2412(c), which would prohibit funds from being allocated to the Blue Grass Army Depot Chemical Demilitarization program as it is currently contracted; and Richardson amendment (No. 44) that requires Transportation Command (TRANSCOM) to update the PORT LOOK 2008 Strategic Seaports study; **Pages H4026–31**

Andrews en bloc amendment No. 5 consisting of the following amendments printed in H. Rept. 111–498: Bordallo amendment (No. 5) that incorporates the text of H.R. 44, the Guam World War II Loyalty Recognition Act, into the bill as Title XVII; Coffman amendment (No. 6) that requires the Department of Defense to formulate and submit a plan to establish a domestic source of neodymium iron boron magnets for use in the defense supply chain; Shea-Porter amendment (No. 7) that requires the President to commission a study to assess the need for and implications of a common alignment of world regions in the internal organization of departments and agencies of the Federal government with international responsibilities; Kratovil amendment (No. 11) that clarifies that no funds authorized to be appropriated in this Act or otherwise made available to the Department of Defense shall be used in violation of section 1040 of the National Defense Authorization Act for Fiscal Year 2010; McGovern amendment (No. 14) that requires the President to certify that the Afghanistan Independent Election Commission and the Afghan Electoral Complaints Commission have the professional capacity, legal authority and independence to carry out and oversee free, fair and honest elections, absent the fraud that characterized the 2009 presidential elections, before funds are made available to support the holding of elections in Afghanistan; Conyers amendment (No. 19) that requires the Secretary of Defense, in coordination with the Secretary of State, to issue a report evaluating naval security in the Persian Gulf and the Strait of Hormuz; Lee (CA) amendment (No. 31) that expresses the Sense of Congress that there is potential for additional and significant cost savings through further reductions by the Secretary of Defense in waste, fraud, and abuse and that the Secretary should make implementation of remaining Government Accountability Office recommendations an utmost priority of the Department of Defense; and Schakowsky amendment (No. 33) that requires the Special Inspector General for Afghanistan Reconstruction to report on existing oversight of contractors in Afghanistan, as well as to make recommendations for increasing oversight, decreasing reliance on contractors responsible for civilian deaths, and preventing contractors responsible for waste, fraud, and abuse from getting future contracts; **Pages H4038–43**

Andrews en bloc amendment No. 6 consisting of the following amendments printed in H. Rept. 111–498: Lipinski amendment (No. 39) that requires the Department of Defense to solicit bids from domestic suppliers when procuring articles, materials, or supplies for use outside of the United States; Braley amendment (No. 41) that requires the Secretary of Defense, with contributions from the Secretary of State and Secretary of Veterans Affairs, to submit a report on the long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom; Murphy (CT) amendment (No. 43) that requires the Department of Defense to include in its yearly assessment of waivers granted under the Buy American Act to include in that report an analysis of the domestic capacity to supply the articles, materials or supplies procured from overseas and an analysis of the reasons for the yearly increase or decrease in Buy American waivers granted; Broun amendment (No. 50), as modified, that expresses the sense of Congress strongly encouraging the President to order the flag of the United States flown on military outposts of the United States in the Republic of Haiti; Edwards (MD) amendment (No. 51) that directs the Department of Defense to include the impact on domestic jobs in their periodic assessments of defense capability; and Price (NC) amendment (No. 57) that extends certain provisions of the Fiscal Year 2008 National Defense Authorization Act pertaining to private security contractors in Iraq and Afghanistan to additional overseas areas with a significant contractor presence; **Pages H4043–48**

McMahon amendment (No. 62 printed in H. Rept. 111–498) that expresses a Sense of Congress concerning the implementation of the Congressionally-mandated recommendations of the Institute of Medicine study; **Page H4048**

Skelton en bloc amendment No. 7 consisting of the following amendments printed in H. Rept. 111–498: Herseth Sandlin amendment (No. 38) that requires reports to Congress on U.S. bomber modernization, sustainment and recapitalization efforts in support of the national defense strategy; Childers amendment (No. 49) that requires the Secretary of Defense to submit a report to Congress regarding the procurement and the feasibility of sustained low-level production of Mine Resistant Ambush Protective Vehicles; Foster amendment (No. 53) that directs the Secretary of Defense to commission an independent study by assessing the optimal balance

of unmanned versus manned platforms, and the current ability of each branch of the military to defend against unmanned aerial vehicles; Luján amendment (No. 60) that instructs the Administrator of the National Nuclear Security Administration to encourage technology transfer activities at its national security laboratories that will lead to enhanced private-sector employment opportunities; Hinchey amendment (No. 72) that requires the Department of Defense to apply the Buy American Act to the procurement of photovoltaic devices purchased through subcontracts; Hinchey amendment (No. 73) that requires armed private security contractors who are using U.S. citizens in Iraq or Afghanistan to hire those individuals as direct employees rather than independent contractors; and Connolly amendment (No. 75) that requires the Secretary of Defense to establish monitoring and evaluation mechanisms for its programs in the Horn of Africa; **Pages H4050–55**

Inslee amendment (No. 82 printed in H. Rept. 111–498) that requires the Department of Defense to take into consideration during the KC–X or any successor aerial tanker replacement program any unfair competitive advantage an offeror may possess, and to report any such unfair competitive advantage to Congressional defense committees within 60 days of bid submissions (by a recorded vote of 410 ayes to 8 noes, Roll No. 313); **Pages H4011–13, H4060**

Gutierrez amendment (No. 21 printed in H. Rept. 111–498) that stipulates that, should the Secretary of Defense determine that BP or its subsidiaries performing any contract with the Department are no longer a ''responsible source,'' the Secretary shall consider debarring BP or its subsidiaries from contracting with the Department no later than 90 days after making such determination (by a recorded vote of 372 ayes to 52 noes, Roll No. 314); **Pages H4031–32, H4060–61**

Eshoo amendment (No. 42 printed in H. Rept. 111–498) that requires the DNI to cooperate with GAO inquiries that are initiated by Committees (by a recorded vote of 218 ayes to 210 noes, Roll No. 315); **Pages H4032–35, H4061–62**

Patrick J. Murphy (PA) amendment (No. 79 printed in H. Rept. 111–498) that repeals ''Don't Ask Don't Tell'' only after: (1) receipt of the recommendations of the Pentagon's Comprehensive Review Working Group on how to implement a repeal of DADT (due December 1, 2010) and (2) a certification by the Secretary of Defense, Chairman of the Joint Chiefs and President that repeal is first, consistent with military readiness, military effectiveness, unit cohesion and recruiting, and second, that the DoD has prepared the necessary policies and regulations to implement its repeal (by a recorded vote of 234 ayes to 194 noes, Roll No. 317); **Pages H4055–60, H4062–63**

Sarbanes amendment (No. 47 printed in H. Rept. 111–498) that requires non-Defense agencies to establish contractor inventories and insourcing programs to mirror current law for the Department of Defense (by a recorded vote of 253 ayes to 172 noes, Roll No. 318); **Pages H4035–38, H4063–64**

Skelton en bloc amendment No. 8 consisting of the following amendments printed in H. Rept. 111–498: Dahlkemper amendment (No. 56) that allows the Secretary of Defense to make excess nonlethal supplies available for domestic emergency assistance purposes, in coordination with the Secretary of Homeland Security; Kirkpatrick amendment (No. 58) that eliminates gaps in existing law that have resulted in unauthorized and improper disposal of Department of Defense property; Kosmas amendment (No. 59) that requires DoD and NASA to conduct a study of the feasibility of joint usage of the NASA Shuttle Logistics Depot; Perriello amendment (No. 65) that ensures that Department of Defense in sourcing decisions are performance based by excluding from consideration the value of employer sponsored health plans and retirement benefits plans provided by both DoD and private government contractors; Titus amendment (No. 69) that provides the Secretary of Defense the flexibility to change the effective date of the Homeowners Assistance Program for members of the armed forces permanently reassigned during the mortgage crisis; Critz amendment (No. 71) that allows military claims offices to pay full replacement value, instead of fair market value, on claims that fall outside the current contractual arrangements for providing full replacement value for the household goods of service members and civilian employees moved at the expense of the Department of Defense; Connolly amendment (No. 76) that standardizes federal agency and OPM reporting requirements regarding federal internship programs; and Grayson amendment (No. 78) that requires cost or price be given at least equal importance in evaluating competitive proposals for procurement contracts with the United States Department of Defense; and **Pages H4064–67**

Teague amendment (No. 68 printed in H. Rept. 111–498) that provides health insurance to dependents of permanently and totally disabled veterans, as well as veterans who died from serviced connected disabilities, through the age of 26. **Pages H4067–68**

Rejected:

Pingree (ME) amendment (No. 80 printed in H. Rept. 111–498) that sought to strike funding for the Joint Strike Fighter's Alternate Engine Program (by

a recorded vote of 193 ayes to 231 noes with 3 voting ''present'', Roll No. 316). **Pages H4008–11, H4062**

Proceedings Postponed:

Shea-Porter amendment (No. 81 printed in H. Rept. 111–498) that seeks to require a penalty for prime contractors that do not provide information to databases on contracts in Iraq and Afghanistan, and it adds a reporting requirement and **Page H4068**

Skelton en bloc amendment No. 9 consisting of the following amendments printed in H. Rept. 111–498: Courtney amendment (No. 8) that seeks to transfer the Troops to Teachers program from the Department of Education to the Department of Defense; Hastings (FL) amendment (No. 15) that seeks to require the Department of Defense, in consultation with the Secretary of State, Attorney General, Secretary of Homeland Security, Administrator of the United States Agency for International Development, and heads of other appropriate Federal agencies to produce a needs assessment of U.S. affiliated Iraqis and their status; Shadegg amendment (No. 30) that seeks to prohibit members of the Armed Forces or veterans from receiving burial benefits if they are convicted of certain sexual offenses requiring them to register as ''Tier III'' sex offenders; Holt amendment (No. 32), as modified, that seeks to require that the Secretary of Defense ensure that each member of the Individual Ready Reserve or those designated as Individual Mobilization Augmentees who have served at least one tour in Iraq or Afghanistan receive at least quarterly counseling and health and welfare calls from personnel properly trained to provide such services; Luetkemeyer amendment (No. 55) that seeks to direct the Secretary of each military department to review the service records of eligible Jewish American veterans from World War I to determine whether such veterans should be awarded the Medal of Honor; Markey (CO) amendment (No. 61) that seeks to create the Department of Veterans Affairs HONOR Scholarship Program for veterans' pursuit of graduate and post-graduate degrees in behavioral health sciences; Minnick amendment (No. 64) that seeks to authorize the Secretary of Education to provide support to help cover operating costs of new state programs under the National Guard Youth Challenge Program; Schrader amendment (No. 66) that seeks to require the Secretary of Defense to ensure that each member of a reserve component of the Armed Forces who is mobilized or demobilized is provided a clear and comprehensive statement of the medical care and treatment to which such member is entitled under Federal law by reason of being so mobilized or demobilized; Schrader amendment (No. 67) that seeks to instruct the DoD Inspector General to conduct a study assessing the medical processing of National Guard and Reserve soldiers mobilizing and demobilizing under Title X; Klein (FL) amendment (No. 74) that seeks to require companies that are applying for Department of Defense contracts to certify that they do not conduct business in Iran, as defined by Section 5 of the Iran Sanctions Act; and Pingree (ME) amendment (No. 77) that seeks to require the Department of Defense to continue commissary and exchange stores at Naval Air Station Brunswick through September 30, 2011.

Pages H4068–73

H. Res. 1404, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 241 yeas to 178 nays, Roll No. 307, after the previous question was ordered without objection.

Page H3887

Committee Resignation: Read a letter from Representative Shuster, wherein he resigned from the Committee on Armed Services, effective today.

Page H4077

Presidential Message: Read a message from the President wherein he transmitted to Congress the National Security Strategy of the United States—referred to the Committee on Armed Services.

Page H3889

Quorum Calls—Votes: Two yea-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H3885–86, H3887, H3889, H388–89, H4013, H4013–14, H4014–15, H4060, H4060–61, H4061–62, H4062, H4062–63 and H4063–64. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:53 p.m.

Committee Meetings

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on BP-Transocean Deepwater Horizon Oil Disaster: Ongoing Response and Environmental Impacts. Testimony was heard from the following officials of the Department of the Interior: Ken Salazar, Secretary; David J. Hayes, Deputy Secretary; Tom Strickland, Assistant Secretary, Fish, Wildlife and Parks; and Marcia McNutt, Director, U.S. Geological Survey; and Bob Perciasepe, Deputy Administrator, EPA.

LOW-INCOME/MINORITY SERVING INSTITUTIONS

Committee on Education and Labor: Subcommittee on Higher Education, Lifelong Learning, and Competitiveness held a hearing Examining GAO's Findings on Efforts to Improve Oversight of Low-Income and

Minority Serving Institutions. Testimony was heard from George A. Scott, Director, Education, Workforce and Income Security Issues, GAO; and Robert Shireman, Office of the Under Secretary, Deputy Under Secretary, Department of Education.

SYNTHETIC GENOMICS' HEALTH/ENERGY IMPLICATIONS

Committee on Energy and Commerce: Held a hearing on Developments in Synthetic Genomics and Implications for Health and Energy. Testimony was heard from Anthony S. Fauci, M.D., National Institute of Allergy and Infectious Diseases, NIH, Department of Health and Human Services; and public witnesses.

BP OIL SPILL

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled ''Combating the BP Oil Spill.'' Testimony was heard from Lisa Jackson, Administrator, EPA; Larry Robinson, Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; David J. Hayes, Deputy Secretary, Department of the Interior; RADM James Watson, USCG, Deputy, Unified Area Command, Department of Homeland Security; and Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works), Department of Defense.

HOUSING FAIRNESS ACT OF 2009

Committee on Financial Services, Subcommittee on Housing and Community Opportunity approved for full Committee action, as amended, H.R. 476, Housing Fairness Act of 2009.

U.S.-MEXICO SECURITY COOPERATION

Committee on Homeland Security: Subcommittee on Border, Maritime, and Global Counterterrorism and the Subcommittee on Western Hemisphere of the Committee on Foreign Affairs held a joint hearing entitled ''U.S.-Mexico Security Cooperation: Next Steps for the Merida Initiative.'' Testimony was heard from Roberta S. Jacobson, Deputy Assistant Secretary, Bureau of Western Hemisphere, Department of State; the following officials of the Department of Homeland Security: Mariko Silver, Deputy Assistant Secretary, Policy, Acting Assistant Secretary, International Affairs; Alonzo R. Peña, Deputy Assistant Secretary, Operations, U.S. Immigration and Customs Enforcement; and Allen Gina, Acting Assistant Commissioner, Office of Intelligence and Operations Coordination, U.S. Customs and Border Protection; and John D. Negroponte, former Director of National Intelligence, former Deputy Secretary of State; and former U.S. Ambassador to Honduras and to Mexico.

GULF COAST OIL SPILL LEGAL LIABILITY

Committee on the Judiciary: Held a hearing on the Legal Liability Issues Surrounding the Gulf Coast Oil Disaster. Testimony was heard from Jim Hood, Attorney General, State of Mississippi; Darryl Willis, Vice President, Resources, BP America; Rachael Clingman, Acting General Counsel, Transocean, Ltd., James W. Ferguson, Vice President and Deputy General Counsel, Halliburton; William C. Lemmer, General Counsel, Cameron International Corporation; and public witnesses.

DEEPWATER HORIZON EXPLOSION'S OIL STRATEGY IMPACT

Committee on Natural Resources: Continued oversight hearings entitled ''Outer Continental Shelf Oil and Gas Strategy and Implications of the Deepwater Horizon Rig Explosion.'' Testimony was heard from Representative Garamendi, Lamar McKay, Chairman and President, BP America, Inc., Steven L. Newman, President and CEO, Transocean Ltd., and public witnesses.

PEDIATRIC OVER-THE-COUNTER MEDICATION RECALLS

Committee on Oversight and Government Reform: Held a hearing regarding the circumstances surrounding the recall of popular children's medicines produced by Johnson & Johnson/McNeil Consumer Healthcare. Testimony was heard from following officials of the FDA, Department of Health and Human Services: Joshua Sharfstein, Principal Deputy Commissioner; Deborah M. Autor, Director, Office of Compliance, Center for Drug Evaluation and Research; and Michael A. Chappell, Acting Associate Commissioner, Regulatory Affairs; and Colleen Goggins, Worldwide Chairman, Consumer Group, Johnson & Johnson.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service, and the District of Columbia approved for full Committee action the following bills: H.R. 3243, to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determination relating to overtime pay; H.R. 3264, as amended, Federal Internship Improvement Act; H.R. 5367, as amended, D.C. Courts and Public Defender Service Act of 2010; and H.R. 5368, United States Postal Service Postal Inspectors Equity Act.

PUBLIC SAFETY COMMUNICATIONS EQUIPMENT INTEROPERABILITY

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on Interoperability in Public Safety Communications Equipment. Testimony was heard from David Boyd, Director, Command, Control and Interoperability, Science and Technology Directorate, Department of Homeland Security; Dereck Orr, Program Manager, Public Safety Communications Systems, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

VETERANS' MEASURES

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the following measures: H.R. 4062, Veterans' Health and Radiation Safety Act; H.R. 4505, To enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces; H.R. 4465, To amend title 38, United States Code, to direct the Secretary of Veterans affairs to take into account each child a veteran has when determining the veteran's financial status when receiving hospital care or medical services; Draft legislation "World War II Hearing Aid Treatment Act"; and Draft legislation on Outreach. Testimony was heard from Representatives Adler of New Jersey, Thornberry and Kissell; Robert Jesse, M.D., Acting Principal Under Secretary, Health, Veterans Health Administration, Department of Veterans Affairs; and representatives of veterans organizations.

TOBACCO SMUGGLING EXCISE TAX COMPLIANCE ISSUES

Committee on Ways and Means: Subcommittee on Oversight held a hearing on tobacco smuggling in the United States and other excise tax compliance issues. Testimony was heard from Representative Doggett; and John J. Manfreda, Administrator, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 28, 2010

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, May 28

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 28

House Chamber

Program for Friday: Complete consideration of H.R. 5136—National Defense Authorization Act for Fiscal Year 2011.

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