the enactment of H.R. 1, the Director of the Congressional Budget Office and the Commissioner of the Bureau of Labor Statistics shall jointly conduct a study that would illustrate the effect that this act will have on job levels and, second, that these effects will be reported on a monthly basis to the American people on the first Friday of each month.

We have competing visions of what the effect of H.R. 1 will be. We have the Economic Policy Institute, which has estimated that the implications of H.R. 1 will be a job loss of over 800,000. We have the Center for American Progress saying that the result of passing H.R. 1 will be a job loss of 650,000 jobs directly and 325,000 indirect jobs lost.

And then we have Speaker BOEHNER. Speaker BOEHNER says, and I'm quoting him exactly, he says that if we reduce spending, we'll create a better environment for job creation in America.

And so very simply put, what my amendment does is it finds out who's right. Is the Economic Policy Institute right? Is the Center for American Progress right? Or is Speaker BOEHNER and others who believe that this will in fact create jobs?

And let me say why I am so focused on this.

H.R. 1 cuts funding for the Office of Science by 20 percent, $1.1 billion; and it cuts funding by 40 percent for the energy efficiency and renewable energy program. These are the two programs that support a Department of Energy lab in my district. That is the second largest employer in my district.

And so I asked the administrators of the lab to tell me what the implications would be. So this is one set of cuts in one district on one facility. And what the implications will be would be a layoff of a third of the workforce and the shutdown of two very important analytical pieces of equipment that attract 3,300 scientists from all over the world.

So we would lay off a third of my constituents, and we would reduce the number of scientists who use this facility by 3,300. So that's 3,300 people not staying in our hotels, not renting our cars, not eating in our restaurants, not buying their coffee in our delis.

That's just one district, one facility, one decision.

Let us find out whether or not this bill, H.R. 1, will in fact be the engine of job creation that the majority has presented it to be, or will it destroy jobs as we believe it will and as the Center for Academic Progress believes that it will.

With that, I yield the balance of my time to the gentlelady from Connecticut (Ms. DELAURO).

Ms. DELAURO. I thank the gentleman and rise to support his amendment.

We should have a quantifiable way of finding out the impact of this continuing resolution on job creation. What else could be more important than that?

There was an examination of the jobs that came out of the economic recovery program. If this continuing resolution would be enacted into law, will the unemployment rate decrease? Will wages go up for middle class families? Will this continuing resolution help to turn the economy around?

I would think that the majority would welcome the opportunity to verify their claim that the continuing resolution would create jobs. Let's prove us wrong. We believe that it will destroy jobs. Prove us wrong—unless you feel that if jobs are lost, so be it.

So why not have the Bureau of Labor Statistics work on these critical issues? And I ask my colleagues on the other side of the aisle, what are you afraid of?

POINT OF ORDER

Mr. ADERHOLT. Madam Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: ''An amendment to a general appropriation shall not be in order if changing existing law.'' The amendment imposes additional duties.

I ask for a ruling of the Chair.

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

Mr. BISHOP of New York. Madam Chairman, I am prepared to accept your ruling on the point of order, but I would like to make this comment.

And the comment is, Why would you not want to have the information that this amendment would elicit? It's very important information. We all know that our actions have consequences. We all know that the Republican leadership promised us the most transparent Congress in history.

The Acting CHAIR. The Chair is prepared to rule. The gentleman is not addressing the point of order.

The Chair finds that this amendment imposes new duties. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1510

Mr. ROGERS of Kentucky. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WESTMORELAND) having assumed the chair, Mrs. CAPITO, 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. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER FURTHER CONSIDERATION OF H.R. 1, FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1 in the Committee of the Whole pursuant to House Resolution 92 and the order of the House of February 17, 2011, it shall be in order for the chair or ranking minority member of the Committee on Appropriations to offer amendments en bloc consisting of amendments specified in the order of the House of February 17 not earlier disposed of, and that amendments so offered shall be debatable for 10 minutes equally divided and controlled by said chair and ranking minority member, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

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

Mr. DICKS. Reserving the right to object, and I do not intend to object. This is for the Members who want to voluntarily enter into this arrangement.

Is that correct?

Mr. ROGERS of Kentucky. The gentleman is correct.

Mr. DICKS. I withdraw my reservation, Mr. Speaker.

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

There was no objection.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The SPEAKER pro tempore. Pursuant to House Resolution 92 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. 1.

□ 1510

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. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, with Mrs. CAPITO (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. 336 offered by the gentleman from New York (Mr. BISHOP), had been disposed of, and the bill had been read through page 359, line 22.

Pursuant to the order of the House of today, the chair or ranking minority member of the Committee on Appropriations may offer certain amendments en bloc, to be considered under the terms of that order.

AMENDMENT NO. 414 OFFERED BY MR. BISHOP OF NEW YORK

Mr. BISHOP of New York. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by division B of this Act may be used for the National Bio and Agro-Defense Facility in Manhattan, Kansas.

The Acting CHAIR. Pursuant to the order of the House of February 17, 2011, the gentleman from New York (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. Madam Chair, I yield myself 3 minutes.

My amendment is very straightforward. It would simply stipulate that none of the funds available in this act may be used to further the construction of the National Bio and Agro-Defense Facility in Manhattan, Kansas, commonly referred to as NBAF.

NBAF, in my view, is a government boondoggle that anyone concerned about fiscally responsible behavior should want to be stopped. Anyone who is concerned about fiscally responsible behavior should be supporting my amendment.

Here are the facts:

NBAF was originally estimated to cost $451 million. Current estimates are that the cost will be in excess of $915 million.

The Department of Homeland Security has consistently stated that the sale of Plum Island in my district would cover the cost of NBAF. This is not even remotely accurate. Any reasonable estimate of the cost of Plum Island will be no better than $80 million.

Why should the American taxpayer invest $1 billion in this project with hardly any offset for a project that is essentially redundant?

Now my friends from Kansas—and I certainly understand their interest—have criticized this amendment as constituting parochial politics. And I would say, with respect to my friends, that I don't see anything parochial about trying to shield the American taxpayer from an investment of $1 billion in a facility that we do not need.

So I would urge my colleagues to support this amendment. I would urge my colleagues who are concerned about spending—and every one of us in this Chamber is concerned about spending—here's an opportunity to cut spending that we simply do not need.

Madam Chairman, I yield the balance of my time to the gentleman form North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I commend the gentleman from New York for raising this issue, and I thank him for the time.

As he knows, I've had a longstanding concern about the decision to relocate the National Bio and Agro-Defense Facility to the mainland without a comprehensive and validated strategy to prevent the release of harmful pathogens into the community.

When I was chairman of the subcommittee overseeing appropriations for the Department of Homeland Security, I championed a requirement that prohibited the use of funds in fiscal 2010 for NBAF construction until a site-specific risk assessment was completed and the results were validated by the National Academy of Sciences. This work was completed last November and the results were somewhat disconcerting with respect to the possible release of foot and mouth disease.

Now the Department of Homeland Security believes that this risk is exaggerated and does not take into account planned mitigation strategies. So I appreciate the language in the continuing resolution that requires a revised risk assessment once the facility is 50 percent designed and that this assessment be again reviewed by the National Academy of Sciences. This is good oversight, but this must be done before DHS can responsibly provide construction funding for NBAF.

I would prefer to condition funds on completion of this additional oversight; however, I also recognize that there are no funds in the underlying CR for NBAF in fiscal 2011, making such a conditioning of funds unnecessary. Therefore, I have no objection to my friend from New York's approach.

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

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

Mr. ADERHOLT. Madam Chairman, there is broad consensus that construction and eventual operation of this facility is crucial to our national security. This language that we have included in the CR will help ensure that we get this project done while existing firm oversight and risk costs are being considered.

We have included rigorous oversight language in the CR requiring the Science and Technology to revise its risk analysis once it has completed 50 percent of the design planning of the facility, at which time it will have fully incorporated the Department's planned biosafety security measures. The CR also provides for the National Academy of Sciences to review the revised analysis.

Madam Chairman, I yield 2 minutes to the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman for yielding.

In 2009, after an exhaustive 3-year review, the Department of Homeland Security chose Manhattan, Kansas, as the site for the new National Bio and Agro-Defense Facility.

NBAF will be a cutting-edge research facility, and it will accelerate our Nation's ability to protect ourselves, our food supply, and our economy from biological threats. It will become the world's premiere animal health research facility and further solidify our Nation's place as the international leader in animal health research.

NBAF has the support of both the Bush and Obama administrations. In fact, this week, President Obama included $150 million in his budget to begin its construction. This inclusion shows a commitment from the President and Secretary Napolitano to see that this cutting-edge facility moves forward as planned so we can safely conduct critical research to develop vaccines and countermeasures in order to protect the public and our livestock from the threats of devastating disease.

Simply put, this debate should be about our national security, not parochial politics. In this age of uncertainty and global threats, conducting vital research to protect our Nation could not be more crucial, and the truth of the matter is we are dangerously underprotected from the threat of a biological attack against our people and food. In fact, the bipartisan Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism recently issued a report card that gave the Federal Government a failing grade for efforts to prevent a biological attack.

We need to protect our food and our families from danger. We need to stay on the cutting edge of this research field. Our security is at risk, and delaying this project further because the gentleman from New York would prefer to preserve a stunningly outdated lab that just happens to be in his district is not an option. We need to move forward and we need NBAF.

I urge my colleagues to vote against this destructive amendment.

□ 1520

Mr. ADERHOLT. Madam Chair, I yield 1 minute to the gentleman from Kansas (Mr. YODER).

Mr. YODER. I rise today in strong opposition to the Bishop amendment.

Madam Chair, reports indicate that the most imminent, critical threat to our Nation's homeland security is a biological attack that could result in a serious food crisis brought on by disease spread by terrorists hoping to infect cattle and other livestock in the agriculture production in this country. Simply put, the results could be devastating.

The National Bio and Agro Defense facility, a safe, secure agricultural and bio-containment lab, is the proper facility to research and protect American agriculture from the threats that exist, both foreign and abroad, from agriculture bioterrorism.

I ask my colleagues today to join me in an effort to oppose the Bishop amendment, which would turn back the clock in our efforts to combat biological terrorism and which would save

the country no money in the name of stopping this very worthy project.

The facts on NBAF are clear.

The Weapons of Mass Destruction Commission's report, The Clock Is Ticking, indicates that the most imminent threat to our Nation's homeland security is a biological attack.

The same Commission gives our Nation a failing grade in our ability to recognize, respond to and recover from a biological attack.

Current and previous Administrations have affirmed these threats and the need to prepare and respond.

Currently, the Plum Island Animal Disease Center is where much of the Biosafety Level-3 Agricultural research is performed. However, this facility was built in the 1950s, is nearing the end of its lifecycle, and does not contain the necessary biosafety level facilities to meet the NBAF research requirements.

A rigorous, three-year site selection process for the NBAF was conducted by civil servants and independent experts in the Departments of Homeland Security and Agriculture.

Nearly 30 potential locations were reviewed all around the country, including Plum Island. After thorough risk, environmental, and security assessments were completed, Manhattan, Kansas was unanimously selected as the best place on the merits to carry out the NBAF's essential research mission.

NBAF in Manhattan, Kansas will be a state-of-the-art biocontainment facility for the study of foreign animal, emerging and zoonotic (transmitted from animals to humans) diseases that threaten the U.S. animal agriculture and public health.

The selection process was affirmed by the DHS Inspector General, was conducted in accordance with Federal regulations and was fair.

The funding for the NBAF was included in the budget and was not an earmark. The funding will be matched by more than $150 million from the State of Kansas and will also be offset by the sale of the antiquated Plum Island facility. The State of Kansas has already spent $18 million to prepare for the NBAF site.

It is crucial that we do not turn this discussion on the spending reductions our government must take into a debate between states. Funding of NBAF is not a local issue, it is a national issue rooted in our national security.

Mr. ADERHOLT. Madam Chair, let me just say again that there is broad consensus that the construction and eventual operation of this facility are crucial to our national security.

This amendment reflects a well-crafted, stringent oversight requirement that was developed on a bipartisan basis with the ranking member of this subcommittee, so I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

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

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

Mr. BISHOP of New York. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 519 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. 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:

At the end of the bill (before the short title), insert the following:

SEC. ___. Each amount made available by this Act (other than an amount required to be made available by a provision of law) for the Departments of Defense and Homeland Security is hereby reduced by 3.5 percent.

The Acting CHAIR. Pursuant to the order of the House of February 17, 2011, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Madam Chairwoman, Secretary Gates and Secretary Clinton have said that our debt is a national security issue. Indeed, it is. They are correct. When you look at our debt, it is a function of multiple deficits. The largest spending item we have in the Federal Government are the entitlements, but number two is defense.

We cannot reduce our deficit substantially and deal with our debt problem without reducing the costs of our number one and number two expenses. This amendment deals with number two, which are the Department of Defense and the Department of Homeland Security. In the bill before us, those Departments have a roughly 1 percent increase in spending. We are trying to reduce the deficit here, and we have increased Defense and Homeland Security.

What this amendment would do is turn that 1 percent increase into a roughly 2½ percent decrease in spending. Now, it is across the board, although it does not affect overseas contingency operations. The wars in Iraq and Afghanistan will be unaffected. However, the opposition will come up in a moment and decry how this is somehow going to devastate the country and make us unable to defend ourselves. I submit that that is not the case, and let me give you a few reasons.

First of all, this funding is 98 percent of last year's funding. Any organization, including the Departments of Defense and Homeland Security, ought to be able to complete their missions and serve their constituencies for 98 percent of last year's costs.

Second, there are 755,000 civilian employees in the Department of Defense. That is one civilian employee for every two uniformed personnel. Do we really need that many civilian employees in the Department of Defense?

Third, there are many weapons systems funded in the Defense Department which the Defense Department does not want. They are there because of influential Members of Congress who have put them in. Defense has always been the most earmarked section of the entire budget.

Fourth, there are many items in Defense that are unrelated to defense. Spenders in this House have figured out that if they put in unrelated spending—environmental spending, medical research, other things in the Department of Defense—it will be shielded from being reduced. That should not be the case.

Fifth, since 2006, defense spending has increased by 32 percent, in a period of almost no inflation, while the war in Iraq was winding down.

We must learn how to defend this country for less, and we can do that. There are plenty of things we can do. We need to defend our country against vulnerabilities; but our debt, which is now 47 percent held by foreigners—and that percentage is increasing—is a greater threat to the security of this country than any aircraft carrier. It is a greater threat than any military force out there. We have to deal with that, but we can't deal with this debt unless we include the large spending in the Departments of Defense and Homeland Security and defend this country for less.

I reserve the balance of my time.

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

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

Mr. ADERHOLT. The CR that we are debating here, and have been for the last couple of days, strikes the right balance between sustaining programs that are crucial to our Nation's security and keeping our discretionary spending in check.

This CR doesn't make a choice between fiscal discipline and security. It supports both, and it does so in a responsible manner. In fact, the CR significantly reduces the funding available to the Department of Homeland Security by more than $1 billion, and it fully pays for FEMA's $1.6 billion disaster relief shortfall.

Madam Chair, this CR attempts to carefully cut the fat out of the Department of Homeland Security and does so in a way that does not harm vital security operations. The gentleman's amendment cuts everything across the Department, and that is both unnecessary and potentially harmful, especially at a time of heightened threats and terrorist activity.

At this point, I yield 1 minute to the gentleman from Washington (Mr. DICKS).

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

The Department of Defense was not spared from cuts. The bill already slashes $15 billion from the President's request for FY11. This amendment would take it down another $18 billion, or $33 billion in total. I am concerned that the levels of cuts proposed by the gentleman from California go too far and will adversely affect many defense readiness programs. Just as I have said about cuts in other areas, this is not time to take a hatchet to these programs.

The amendment would cause DOD to terminate contracts, which will, in turn, force companies to lay off employees. Defense spending cannot, of course, be justified simply by jobs; but at the same time, the prospect of adding to our unemployment just as we are emerging from the recession should be a consideration.

In total, the Office of Secretary of Defense has identified 124 major acquisition programs that would be significantly disrupted by approaching the FY10 funding levels. Dropping funding by an additional $18 billion to reach the 3.5 percent reduction would seriously disrupt the readiness and safety of our forces.

This is a very bad amendment; and on a bipartisan basis, we should defeat it.

Mr. ADERHOLT. Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I join with the ranking member in opposing this amendment. The current allocation for defense is already $14.8 billion below the fiscal year 2011 request, an almost 3 percent reduction; and of course our committee wants to help to address the Federal deficit, too, as do other committees. Further, arbitrary reductions, especially of this magnitude of over $23.5 billion, will basically bring the Department of Defense to a grinding halt, perhaps one beyond what is reasonable.

Specifically, the amendment would require reducing and canceling training for returning troops; canceling Navy training exercises; reducing Air Force flight training; delaying or canceling the maintenance of aircraft, ships or vehicles; delaying important safety and quality-of-life repairs to facilities and military barracks.

At a time of war, we should be showing support for our troops and not undercutting them, even though for good reasons, in order to lower the Federal deficit by making reductions of this amount.

Mr. ADERHOLT. Madam Chair, I yield 1 minute to the ranking member of the subcommittee on Homeland Security, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

Madam Chair, I rise in strong opposition to this amendment, which reduces funding for the Department of Homeland Security by 3½ percent. Under the CR, funding for Homeland Security is already 3 percent below the 2010 enacted level.

□ 1530

The $1.56 billion in supplemental disaster needs funded in this bill already cuts deep into Homeland Security programs. An additional 3.5 percent reduction would dangerously weaken our security. If this reduction were adopted, critical programs such as border security, disaster relief, immigration enforcement, and transportation security would no longer be shielded from ill-advised cuts.

The Department would be required to lay off critical staff we have hired over the past 2 years, including Border Patrol agents, CBP officers at the ports of entry, ICE investigators along the southwest border, and the Secret Service agents that respond to heightened threats against the President.

This reduction would mean the Department would need to abandon critical technology procurements that would better protect our aviation and transit system against possible attacks.

In short, Madam Chair, this amendment is ill advised in the extreme. I urge Members to vote ''no.''

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

Mr. CAMPBELL. Madam Chair, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining and the gentleman from Alabama has 1 minute remaining.

Mr. CAMPBELL. Madam Chair, I yield the balance of my time to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. I thank the gentleman from California for yielding me this time.

First I would like to commend Chairman ROGERS and his staff, because I am sure they have tried to do as much as they thought they possibly could in what would get through the Senate.

But I rise at this time to especially commend the gentleman from California (Mr. CAMPBELL) for making what I consider to be a very courageous amendment. He knows that this amendment is probably not going to get many votes, but I will tell you, this amendment makes a very important point and sends a very powerful message, and that is that nothing should be left off the table. There should be no sacred cows.

As he has pointed out, as the gentleman from California has pointed out, the Pentagon actually receives an increase under this bill. But we can no longer afford to have higher military spending than all the other nations of the world combined.

We are facing an astounding $1.6 trillion deficit, a $14 trillion debt, and there is no way we can come even anywhere close to doing what we should do if we leave any departments or agencies off or make them not look for savings.

The President's commission on the debt said that very thing. They said that the Pentagon was going to have to look for savings. And as far as Homeland Security, The Wall Street Journal had an editorial that they noticed that we were voting for almost anything and everything if it had the word ''security'' attached, and they said from now on we should give four times the weight and twice the scrutiny to anything that had the word ''security'' in it.

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

Mr. ADERHOLT. Madam Chair, let me just reiterate again that the gentleman's proposed cuts just go too far. They would undoubtedly cut and harm border security, transportation security, maritime security, cargo security, cybersecurity, immigration enforcement, and disaster preparedness. The list of crucial programs that would be adversely impacted by this across-the-board amendment goes on and on.

I would urge my colleagues to oppose this amendment.

I yield back the balance of my time.

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

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

Mr. CAMPBELL. 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 California will be postponed.

AMENDMENT NO. 246 OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for beach replenishment projects by the Army Corps of Engineers.

The Acting CHAIR. Pursuant to the order of the House of February 17, 2011, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Madam Chairman, my amendment would prevent funding of the U.S. Army Corps' beach replenishment program and projects. Authorized at $91 million for 2011, up almost a billion dollars over the next decade, the Army Corps plans to replenish sand at certain beaches to slow the course of erosion.

First and foremost, this is not a proper constitutional function for the Federal Government. Each beach community, along with their local government, should decide how they will best approach erosion. As the primary beneficiaries, they can best decide their needs and financial priorities.

The top-down system currently employed comes from a flawed mindset, a mindset that we must address if we hope to escape our spending crisis, a mindset that the Federal Government does everything for everybody. This is simply Federal spending that we cannot afford and Federal control that we don't need.

I ask that my colleagues support my amendment to defund this now and work with me to strip this and other similar projects from future budgets as well.

I reserve the balance of my time.

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

The Acting CHAIR (Mr. MACK). The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I share the gentleman's concern over responsible spending and the need to address the Nation's deficit problem. That's why our continuing resolution before us reduces spending by historic proportions.

Where I differ from my colleague is whether there is a Federal interest in beach replenishment projects. Beach replenishment projects aren't just about dumping sand on shores so people can have fun. These projects provide States with protection from coastal storms for individuals and businesses, and these projects must meet the same standards of economic justification and cost benefit ratios as other levee projects and navigation projects.

I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), former chairman of the committee.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

As much as I admire and respect the introducer of this amendment, I really have to oppose this amendment.

The beaches are an important and a valued asset to the United States of America. Economically, they are a huge economic factor. For protection of properties on land, it is a huge protection device, beaches against the hurricane, the storm surge.

You might get the idea that I represent a district that has a lot of beaches, and I would tell you that this is extremely important to our economy. When the BP oil spill was flowing through the Gulf of Mexico, we worried every day whether that was going to come to our beaches.

In my part of the State it did not, thank God. But we were concerned what that might do to destroy a major part of our economy.

Mr. FRELINGHUYSEN makes a strong argument, and I thank him for letting me support him in his opposition.

Mr. FRELINGHUYSEN. I yield 1 minute to the ranking member, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I appreciate the gentleman yielding.

I understand there is a school of thought that we should just let nature take its way. But on the west coast of Washington State, we have from time to time had to come out and put in replenishment projects to save cities and save housing. We have done this with the Corps of Engineers very effectively using the best science.

In Mississippi, they have a big Army Corps center where they study how to do these things. And, it does cost a little bit of money, but we are saving assets, and billions and billions of dollars.

I just think that this is a very unfortunate amendment, and we should, in a bipartisan basis, defeat it and let the Corps do what it has to do to save cities and coastal areas across America.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. KINGSTON), a fellow member of the committee.

Mr. KINGSTON. I thank the gentleman for yielding.

I want to say to my friend from Athens, Georgia, where you do not have beaches, you know that the local share, once the Corps of Engineers does a cost-benefit analysis, which it always does, there is a requirement the State and the local government kick in. The State gives a pretty good amount of money. But the reason why they may be more motivated from a economic basis is they directly benefit from the economic impact.

I do agree with you the Federal Government should not be worried about the economic impact, but where the Federal Government is most concerned is in flood control. As you and I know, the more sand you have in between you and the high tide when the hurricane comes, the more protected you are going to be.

And as long as we have FEMA that writes checks after disasters and a National Flood Insurance Program, there is a good reason that the Federal Government is involved with beach renourishment.

□ 1540

It has nothing to do with recreation, really less to do with economics, but a heck of a lot to do with flood protection. And that is why the Federal Government is involved in it. So to my friend from Athens, you are welcome to come down to Tybee Island anytime you want to despite this irresponsible amendment of yours. But I am going to oppose it, and welcome you to come. Bring your own suntan oil.

Mr. FRELINGHUYSEN. Mr. Chairman, can I inquire about time.

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. FRELINGHUYSEN. I yield the remaining minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise in strong opposition to this amendment. Beach replenishment is an economic engine for shore towns and for the tourism industry. It ultimately creates jobs. And also it's based on an Army Corps cost-benefit analysis that says for every dollar we spend on beach replenishment we save $2 or $3, depending on the cost-benefit analysis, that doesn't have to get paid by the Federal Government during a hurricane or northeaster or other disaster.

So beach replenishment actually saves the Federal Government money. It has to, otherwise the projects are not authorized by the Army Corps of Engineers. In addition to that, there is no way that local municipalities would be able to afford to do this. Many of them are very small; they have a few thousand people. I use my own State of New Jersey as an example. So you would be cutting off any kind of beach replenishment, any kind of protection in the event of a storm. And ultimately having to pay out those dollars in FEMA down the road makes no sense.

This is actually something that will cost the Federal Government money over the long run, and it is very ill-advised for that reason alone.

Mr. BROUN of Georgia. Mr. Chairman, I love beaches at Tybee Island, and my friend from Florida's beaches, as well as my friend from Washington's beaches, as well as my friend from Oregon's beaches. In these hard economic times, I think it's just absolutely incredible that we are spending this kind of money, almost a billion dollars over the next 10 years, just for beach replenishment.

I yield 1 minute to my friend from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this underappreciated subject. He is raising an issue that I think is sensitive and frankly deserves far more consideration than it has been given by Congress.

There is great debate, frankly, about the science of artificial beach construction. Part of the concern about the cycle of the Federal Government routinely bailing people out is, in fact some locational decisions in the first place. The cost allocation can be quite variable. There have been real questions about some of the projects that have been dictated. In fact, in one instance actually a Corps of Engineers item on artificial beach replacement embedded in a reauthorization was one of the biggest public works projects over the course of 50 years, and really didn't get appropriate scrutiny.

Now, whether you think extreme weather events are part of climate change caused by humans or whether it's part of a natural cycle of weather, the gentleman is spotlighting a very significant long-term area of Federal responsibility.

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

Mr. BROUN of Georgia. I yield the gentleman 1 additional minute.

Mr. BLUMENAUER. And if we're not careful, the taxpayer could be on the hook for a great deal more money. There are some cases that the beaches in question aren't even available to the public. And the concern about some of the artificial beach construction techniques, of fortification and putting additional sand, actually deflects the problems further up along the coast. This can create more problems in other places and make them more severe.

So I appreciate the gentleman putting the spotlight on this question. I think it is important that every Member of Congress look at the history of

these projects, the long-term obligations, and look for ways that we might be able to do this in a way that's more fiscally responsible and environmentally sensitive. And I thank him for the time.

Mr. BROUN of Georgia. I thank the gentleman for weighing in on this. Certainly the science is questionable, as a lot of science is questionable on the policy that we generate; but it's also fiscally irresponsible I think to spend this kind of money. And so I hope that my colleagues will support this commonsense, fiscally responsible amendment and vote for my amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 263 OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay any dues to the United Nations.

N O T I C E

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

558. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sodium and Potassium salts of N-alkyl (C8-C18)-beta-iminodipropionic acid; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0098; FRL-8861-9] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

559. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2010-0982; FRL-8859-6] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

560. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — n-Octyl alcohol and n-Decyl alcohol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0181; FRL-8860-7] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

561. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — (S,S)-Ethylenediamine Disuccinic Acid Trisodium Salt; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0733; FRL-8860-6] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

562. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyprodinil; Pesticide Tolerances [EPA-HQ-OPP-2010-0385; FRL-8860-3] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

563. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Isobutane; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0676; FRL-8860-4] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

564. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bispyribac-sodium; Pesticide Tolerances [EPA-HQ-OPP-2009-0796; FRL-8860-2] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

565. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Revocation of Requirements for Full-Size Baby Cribs and Non-Full-Size Baby Cribs received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

566. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Additional Air Quality Designations for the 2006 24-Hour Fine Particle National Ambient Air Quality Standards, 110(k)(6) Correction and Technical Correction Related to Prior Designation, and Decisions Related to the 1997 Air Quality Designations and Classifications for the Annual Fine Particles National Ambient Air Quality Standards [EPA-HQ-OAR-2007-0562; EPA-HQ-OAR-2010-0163; FRL-9261-3] (RIN: 2060-AQ30) received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

567. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination Of Attainment for PM10; Columbia Falls and Libby Nonattainment Areas, Montana [EPA-R08-OAR-2010-0749; FRL-9260-6] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

568. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Colorado; Revision to Definitions; Construction Permit Program; Regulation 3 [EPA-R08-OAR-2007-1027; FRL-9251-1] received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

569. 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; Pennsylvania; 2002 Base Year Emissions Inventory, Reasonable Further Progress Plan, Contingency Measures, Reasonably Available Control Measures, and Transportation Conformity Budgets for the Pennsylvania Portion of the Philadelphia-Wilmington-Atlantic City 1997 8-Hour Moderate Ozone Nonattainment Area [EPA-R03-OAR-2010-0552; FRL-9262-7] received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

570. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alaska: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision [EPA-R10-OAR-2010-0921; FRL-9257-1] received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

571. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Florida: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R04-RCRA-2010-0810; FRL-9262-2] received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

572. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — North Carolina: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R04-RCRA-2009-0962; FRL-9261-9] received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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. SMITH of Nebraska (for himself and Mr. COSTA):

H.R. 795. A bill to expand small-scale hydropower; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, 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. DEFAZIO:

H.R. 796. A bill to amend title II of the Social Security Act to ensure that the receipts and disbursements of the Social Security trust funds are not included in a unified Federal budget and to provide that Social Security contributions are used to protect Social