GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members be excused from order for the remainder of the day in which to revise and extend their remarks and include extraneous material on H.R. 2219.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 320 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. 2219.

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. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

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

Mr. BURTON of Indiana. The Commissioner of Defense Appropriations Subcommittee.

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

Mr. BURTON. Mr. Chair, this amendment is quite simple. It prohibits any funds in this bill from being used to conduct military operations in Libya, a place where I believe we are engaged in an illegal and certainly unauthorized conflict.

Mr. Chair, I feel a little bit today like a lawyer with two very unpopular clients. One of them is Libya, and the other one is the United States Congress. But in this case, each one of them is an important point to make.

With respect to Libya, let me make it clear, I don’t believe anybody in this Chamber supports Mr. Qadhafi, supports that regime, or wishes it well in any way. But Libya did not attack the United States of America. Libya did not attack any member of NATO. Libya has not allowed al Qaeda to operate with impunity out of its territory. A number of years ago, Libya turned over nuclear material to the United States.

Quite simply, however much we detest Mr. Qadhafi and his regime, we have no reason to be at war or conducting military operations in Libya. And, to me, that situation is unacceptably prolonged to continue. I think we have to ask ourselves: Are we willing to attack any nation any time that we disagree with a regime that we don’t like simply because the President chooses to do so?

More troubling than the attack on Libya, in my view, is the circumvention of this body, the United States Congress, and its war-making authority under both the Constitution and the War Powers Act. Only Congress has the ability to authorize and fund military operations.

The administration consulted with NATO. The administration consulted with the United Nations. The administration consulted with the Arab League. It never, in any sense, consulted with the Congress of the United States before beginning military operations in Libya.

Two weeks ago, this House made clear its opposition to the Libyan venture by refuting even the limited use of force. We should build on that by removing funding today.

Some may question whether or not this amendment is germane to this particular piece of legislation. Frankly, Mr. Chair, I worked very carefully with the Parliamentarian on the language, and, more importantly, it’s modeled after the famous Boland amendment of 1983 to the Defense appropriations bill that year that was approved by this body 411-0.

Some may argue, like the administration, that we really aren’t engaged in hostilities in Libya. That simply is laughable. Attorneys at both the Department of Defense and the Department of Justice of this administration believe that our activity requires congressional authorization under the War Powers Act.

We’ve flown over a thousand combat sorties over Libyan airspace. We’ve launched Tomahawk missiles. We’ve launched over a hundred Predators. We’re refueling and supporting NATO aircraft that are engaged in attacking Libya every single day. If that’s not war on our side of this situation, I can assure you that people on the other side consider it war and certainly consider it hostile.

The reality is we should not be engaged in military action of this level unless it’s authorized and funded by the Congress of the United States. In Libya, the President has, quite simply, overreached. However, in Congress, we have so far allowed him to do so. We’ve not authorized this activity.

There’s not a single line in the Defense authorization bill or in this bill which actually funds this activity, and we ought to explicitly prohibit the President from concluding.

I think, like many in this body, this is a very important moment for the Congress of the United States. Whether or not we claim war-making authority and exercise our power under the Constitution is really the issue here. You could be for the Libyan venture and still be able to support this legislation, one that would be against it.

At the end of the day, it’s extraordinarily important that we stop the erosion of the war-making authority and responsibility of the Congress of the United States, that we end this ill-advised adventure in Libya, and that we reassert the rightful place of this institution in conducting war and authorizing it and funding it.

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

Mr. DICKS. Mr. Chair, I rise in opposition to the amendment.

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

Mr. DICKS. Before I begin, I want to say that I have great respect for Congressman COLE, who serves on the Defense Appropriations Subcommittee. He is one of our most thoughtful members.

The NATO-led mission to defeat Qadhafi and protect the people of Libya undertaken with a broad coalition of nations, including the Arab League, and it followed a resolution adopted in the United Nations Security Council authorizing “all necessary measures.”

This amendment would end our involvement unilaterally. I believe this could materially harm our relationship with NATO, which is also playing a major role in this. We will undoubtedly require support in the future in our dealings with NATO. If we get support in Afghanistan today.

I do support a wider debate and greater oversight of the use and the costs of U.S. military forces engaged in the Libya operation, both in the defense and foreign affairs-related committees as well as here on the House floor. We should let the mission with our NATO allies continue so we can overthrow Qadhafi and protect the Libyan people.

I urge all my colleagues to vote “no” on this amendment.

I yield back the balance of my time.

Mr. BURTON. Mr. Chair, this amendment is quite simple. It prohibits any funds in this bill from being used to conduct military operations in Libya, a place where I believe we are engaged in an illegal and certainly unauthorized conflict.

With respect to Libya, let me make it clear, I don’t believe anybody in this Chamber supports Mr. Qadhafi, supports that regime, or wishes it well in any way. But Libya did not attack the United States of America. Libya did not attack any member of NATO. Libya has not allowed al Qaeda to operate with impunity out of its territory. A number of years ago, Libya turned over nuclear material to the United States.

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upon the United States, its territories or possessions, or its Armed Forces.

None of these criteria were met by the President. He said he went in there because of humanitarian issues. He consulted, as we’ve said before on the floor, with France, England, the United Nations, NATO, and the Arab League. He had 2 or 3 weeks to do that, but he didn’t have time to talk to the Congress of the United States, and he’s gone in there and spent almost a billion dollars at a time when we just don’t have the money.

Now if you’re talking about humanitarian problems, in the Sudan, 2,300 Sudanese have been killed this year alone, and more than 500 people have died in the last 2 weeks. In Darfur, 450,000 to 480,000 have been displaced or killed. Just recently, and one of my colleagues talked about this a while ago, in the Nuba Mountains in the Sudan, they’re killing people every single day. Horrible atrocities are taking place. Human rights violations are occurring, and we’re talking about humanitarian issues, why wouldn’t you go in there as well?

You look, also, at Syria right now. In Syria, there have been an awful lot of people killed. We need to see that on television every night. There are wars of opportunity. If you go to Liberia, if you go and look back at the Khmer Rouge, we didn’t get into those wars, and we’re not getting into these wars right now because it’s not in our national interest, and it’s not a threat to the United States.

The President has taken us into a conflict. He said it’s not a war, but it is a war. We’ve sent about 230 missiles in there at $1.1 million per to kill people. We’ve flown sorties over there dropping bombs on people, and the President says it’s not a war. It is a war, it’s the United States’ war, and it’s being covered by NATO.

We have to be going to war unless this body and the other body say it’s okay. It’s in the Constitution. It’s in the War Powers Act. We should not be there. Nobody likes Muammar Qaddafi. Nobody thinks he should be there. But we can’t be going into wars of opportunity every place, especially at a time when we’re fiscally broke. I think it’s extremely important that legislation like that which the gentleman from Oklahoma just offered should be passed, and I hope we will pass it. There are host of these amendments that are going to be read today and we’re going to be voting on, and we need to send a very clear signal to the White House that this must never happen again.

I yield back the balance of my time.

Ms. BUERKLE. Mr. Chair, I rise in support of the Cole Amendment to H.R. 2219. Mr. COLE’s amendment would restrict the use of funds for furnishing military equipment, military training or advice, and other military activities in Libya.

The President has failed to properly consult Congress on the engagement of hostilities in Libya. The President is also in violation of the War Powers Resolution because of the continued military action past the 90 days allowed under the War Powers Resolution. The Administration’s attempt to excuse the continued U.S. military actions in Libya by saying that the hostilities do not reach the threshold set by the War Powers Resolution is disingenuous.

The power of the purse plays an important part in the U.S. government’s system of checks and balances. This amendment today will prohibit the President from continuing to conduct military action in Libya until he can justify the actions to the Congress. I strongly support the limitation of funding of current military activities with respect to Libya. The President should not have a blank check to conduct wars without the consultation and authorization of Congress.

The CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

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

Mr. DICKS. I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. AMASH

Mr. AMASH. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 9721. None of the funds made available by this Act may be used for the use of military force against Libya.

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

Mr. AMASH. Thank you, Mr. Chair.

First, I would like to thank the distinguished gentleman from Ohio (Mr. KUCINICH) for his tremendous leadership on this issue. There is a growing bipartisan support for this amendment.

It’s an amendment that gives us the opportunity to stop this unconstitutional war in Libya.

The United States has been at war against Libya for nearly 4 months. We have dropped bombs on Libyan buildings. We have flown sorties over Libya.

The CHAIR. An amendment offered by Mr. AMASH to section 9721 of H.R. 2219, which prohibits funds from being used for military force against Libya, is ordered to be reported.

Mr. YOUNG of Florida. Mr. Chair, our amendment does not attempt to prevent or obstruct the use of force against Libya; it simply prohibits funds from being used for military force against Libya.

The CHAIR. The gentleman’s amendment provided funds from being used for military force against Libya. To be clear, I believe that Congress doesn’t need to do anything to stop the President from ordering force against Libya; because the President has not received authorization, the use of force is allowed by our constitutional position, our amendment says that beginning at the start of the fiscal year, on October 1, the Armed Forces may not drop bombs on Libya or otherwise use military force.

Unlike the bill we considered the week before last, our amendment does not implicitly authorize any actions against Libya. It simply says force may not be used because the President has not sought nor has he received authorization for force.

Please vote ‘yes’ on the Amash-Kucinich amendment and defend our constitutional role in war powers.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, if this were a debate on policy, or a debate on philosophy, or a debate specifically on the War Powers Act, the
position that I would take would be somewhat different than I must take today. But as the manager of this bill, what I have to work with is the bill before the House and the amendment before the House.

Now the amendment is simple. None of the funds made available by this act may be used for the use of military force against Libya. What I would say to the Chair is that there are no funds in this bill, in this act, for Libya. I was curious to know. And as chairman preparing to write this bill, in conjunction with Mr. Dicks, the ranking member, I wrote to the President on April 1, and I sent each of our Members a copy, asking the President specific questions about the scope of this activity, the expected cost, et cetera.

On June 22, the White House finally responded, and said that it will not plan to ask for a supplemental appropriations bill. And there is no money in this bill for Libya. The administration says they will ask for supplemental bill to pay for Libya, that they will use funds in the base budget. I wonder from where the administration is going to take money out of the base budget. Now, as chairman of the subcommittee, I don’t have the money. Where do they plan to take the money? That’s only part of the argument. There is no money in this act for Libya to start with.

But secondly, if this amendment should become effective, there are many things that we would not be able to do. We would not be able to fly or perform search and rescue missions of American forces who may be flying aerial activity and have planes go down. Early in the operation, we lost an F-15. Two American pilots went into Libya and safely rescued the pilot of that F-15. We wouldn’t be able to do that under this amendment.

What are we providing today is surveillance and reconnaissance. We wouldn’t be able to do that under this amendment. We wouldn’t be able to provide aerial refueling to our coalition partners, and they are our partners and we have an agreement with those partners. We provide aerial refueling because most of them do not have the capacity to refuel their aircraft in the air. Under this amendment, we would not be able to provide aerial refueling. We couldn’t even provide operational planning, sitting down and talking with our coalition partners about the plan for Libya.

So while this amendment would sound good if we were discussing philosophy and if we were determining a policy, the policy has already been established. And this amendment does not change the policy. It affects something in the bill that’s not even in the bill. So there are no funds in this bill for Libya; and according to the letter from the White House, supplemental fund had, the administration will just pay for the operation out of existing funds. That remains a good question, and I say that again, I am really curious to know what base funds they intend to use to pay for this operation in Libya. I don’t have the answer today. I am hoping that one day soon I may have that answer.

I yield back the balance of my time.

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

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

Mr. KUCINICH. I rise in support of the Amash-Kucinich amendment. The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH. I rise in support of the Amash-Kucinich amendment. This amendment does not change the policy. It affects something that is part of the nature of this forum to understand that we have a higher calling here. And that higher calling is to defend the Constitution of the United States, which describes what our duties are when we come here. We take the oath to defend the Constitution. That’s what we shall do today.

We shall rescue this Congress from the ignominy of having the rights that the people expect us to exercise on their behalf just trampled by an administration that doesn’t think that we have any co-equal role in the government. All members of this House and Senate stand up. Democrats and Republicans alike.

I am proud to work with Mr. AMASH in crafting this bipartisan Kucinich-Amash amendment. This is our moment, Members. Let’s not lose this opportunity to stand up and speak out on behalf of the United States Constitution, on behalf of the separation of powers, on behalf of the co-equality of our House of Representatives and the Congress of the United States. Let’s show the Founders, and the spirit of the Founders is always with us in this place, let’s demonstrate that we remember where we came from when this Constitution was set forth. Let’s demonstrate that we have reached our moment where we stand up.

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

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

Mr. McCUFINTOCK. Mr. Chairman, for more than 3 months, our Nation has been amidst a quiet constitutional crisis that carries immense implications. My friend, the gentleman from Florida, is badly mistaken to dismiss this as a meaningless philosophical discussion. This strikes at the very heart of our constitutional form of government.

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

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

Mr. McCUFINTOCK. Mr. Chairman, for more than 3 months, our Nation has been amidst a quiet constitutional crisis that carries immense implications. My friend, the gentleman from Florida, is badly mistaken to dismiss this as a meaningless philosophical discussion. This strikes at the very heart of our constitutional form of government.

On March 19, completely without congressional authorization, the President ordered an unprovoked attack against another country. In so doing, he crossed a very bright constitutional line placed there specifically to prevent so momentous and fatal a question as war being made by a single individual. The American Founders were explicit on this point. For centuries, European monarchs had plunged their nations into bloody and debilitating wars on whim, and the Founders wanted to protect the American Republic from that fate.

James Madison explained why in a passage in a letter to Hamilton. He
said: “In no part of the Constitution is more wisdom to be found than in the clause which confines the question of war or peace to the legislature, and not to the executive department. The trust and the temptation would be too great for any one man. War is, in fact, the true nurse of executive aggrandizement. In war a physical force is to be created and it is the executive will which is to direct it. In war, the public treasures are to be unlocked, and it is the executive hand which is to dispense them. In war, the honors and the emoluments of office are to be multiplied, and it is the executive patronage under which they are to be enjoyed. Those who are to conduct a war cannot, in the nature of things, be proper or safe judges whether a war ought to be commenced, continued, or concluded.”

The President has tried to justify this, which he sought and obtained, that bombing another country is not really an act of war, that there wasn’t time to consult Congress—though more than enough to consult the United Nations Security Council—or that it was a humanitarian act.

Mr. Chairman, never was there a greater provocation or clearer moral justification for war than the Japanese attack on Pearl Harbor. And never was there a more activist President than Franklin D. Roosevelt.

Yet within 24 hours of that attack, President Roosevelt appeared before a joint session of Congress in this very Hall. He clearly recognized that as Commander-in-Chief his authority only extended to ordering that “all measures be taken for our defense.” He recognized that under the Constitution, anything more, even in this most historic attack, required an act of Congress.

The unprompted attack on Libya was not authorized by this Congress, and it is accordingly unconstitutional and illegal. Indeed, 2 weeks ago, the House considered a resolution authorizing a war and rejected it rejected that measure by a nearly 3-to-1 margin. It then considered a second measure to authorize acts of war against Libya just short of actual combat, including refueling tankers on their way to targets. The identification and selection of targets, operational support, operational planning, it rejected that measure as well.

The precedent being established right now is that the President’s deliberate defiance of the Constitution and the clear will of Congress has profound implications for our Nation’s future. If this act is allowed to stand unchallenged, it means that the checks and balances enshrined into the Constitution on the supreme question of war and peace have been rendered meaningless.

Weeks ago, the House voted to deny authorization for the use of funds for the war on Libya effective October 1. This amendment simply follows through on that decision in the actual appropriations act.

Frankly, we need to do much more than this. Clearly, one of the conditions for increasing the debt limit must be to ensure that no funds, either borrowed or raised, should be used to continue to support this illegal act.

And we need to remember that a war once started cannot always be turned off by an appropriations act. Once we have attacked another country without provocation, we have created an aggrieved belligerent that now has cause to pursue that war regardless of what the Congress later decides.

That’s why this precedent is so dangerous. That’s why the President’s actions are so devastating to our very form of government, and that’s why we need to speak clearly and unequivocally through measures like that offered by the gentlemen from Michigan and Ohio today.

I yield back the balance of my time.

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

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. POE of Texas. Mr. Chairman, the President says we have gone to war in the name of humanity. In other words, the President’s little war in Libya is so that we can preserve humanity in Libya.

In the history of peoples, as the gentleman from California is recognized for 5 minutes. Mr. POE of Texas. Mr. Chairman, the President says we have gone to war in the name of humanity. In other words, the President’s little war in Libya is so that we can preserve humanity in Libya.

So when our ancestors got together and they formed a new and perfect Union, they decided it would not be the leader, which we call the President, it would be the people that would decide if we went to war. They gave that power to the Congress of the United States and only Congress can declare war, not the President.

Mr. Chairman, Congress has the power of the purse, and we must be prepared to use it. We must use this opportunity to send a powerful message. A vote of no confidence in this Libya policy for that we have gone to war. Right before we adjourned almost 2 weeks ago, this body voted against authorizing the use of force in Libya; and then less than 2 hours later, the House voted to continue funding the war we had just refused to authorize.

Mr. Chairman, Congress has the power of the purse, and we must be prepared to use it. We must use this opportunity to send a powerful message. A vote of no confidence in this Libya policy for that we have gone to war. Right before we adjourned almost 2 weeks ago, this body voted against authorizing the use of force in Libya; and then less than 2 hours later, the House voted to continue funding the war we had just refused to authorize.

Hostilities with Libya—and, let’s be frank, these are hostilities—have now been going on for more than 100 days with the cost climbing toward a billion dollars, and that doesn’t even include the moral costs and the cost of civilian lives. The people’s money is too important and too precious, especially during this time of fiscal austerity.

But this is the President’s war; and the President, in my opinion, is in violation of the Constitution. He has led America to our third war. Whether or not the war powers resolution is constitutional or not, we can debate that. But he is in violation of it, too, because we’re still engaged in war, whether you call it hostilities or not. Some say it’s a stalemate. Well, you are recipients of one of those cruise missiles on the ground somewhere in Libya, and you might think that’s a hostile environment towards you. But this country is spending money on a third war, and it is unconstitutional.

Our ancestors had comments about the leader, the king, leading us into war. The writer of the Constitution wrote a letter. James Madison said that “the Constitution supposes what the president, in my opinion, is in violation of it, too, because we’re still engaged in war, whether you call it hostilities or not. Some say it’s a stalemate. Well, you are recipients of one of those cruise missiles on the ground somewhere in Libya, and you might think that’s a hostile environment towards you. But this country is spending money on a third war, and it is unconstitutional.

Our ancestors had comments about the leader, the king, leading us into war. The writer of the Constitution wrote a letter. James Madison said that “the Constitution supposes what the history of all governments has always been the case. It is that the executive branch most interested in war and most prone to it. It has accordingly with studied care vested the
question in this country of war in the legislative body.’"

The first Commander in Chief, the first President of the United States, George Washington, said that “the Constitution vests the power of declaring war with Congress, therefore no offensive expedition of importance can be undertaken until after they have deliberated upon the subject and Congress has authorized such a measure.”

It is our history, it is our heritage, it is our tradition, and it is our principle that Congress must declare war. Congress must be the one to engage in war. And in my opinion, the President has violated that Constitution. He has violated the law of the land and the war powers resolution; and it’s Congress’ duty now, it is our turn and it is our responsibility to weigh in on this war and stop money from going to this war.

Where the President got the $700-plus million that has already been spent on this war I don’t know. We just want to make sure no more money is spent on this unconstitutional action.

Muammar Qadhafi is a tyrant. He’s an outlaw. There are a lot of bad guys in the world, Mr. Chairman, and is it now the President’s turn to pick out the ones he does not like and start blowing up that country in the name of humanity? We don’t know.

So Congress must resume, regain, its rightful authority and role and make sure that we do not fund the President’s little war, or any other future wars, without congressional approval. Mr. Chairman, instead of spending money blowing up Libya, we ought to spend that American taxpayer money in the United States and rebuilding America and not destroying somebody else’s country and being involved in somebody else’s civil war.

And that’s just the way it is. I yield the balance of my time. Mr. ELLISON. Mr. Chairman, I move to strike the last word.

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

Mr. ELLISON. Mr. Chairman, we should not turn our backs on the Libyan people. I want to remind my colleagues that NATO’s campaign in Libya has saved countless lives. Our actions and those of NATO were the only thing that stopped Qadhafi from committing unspeakable atrocities against humanity. In fact, when the United States and NATO intervened, Qadhafi was on the footsteps of Misrata and threatening to kill without mercy. Qadhafi’s forces were on the brink of Benghazi house before NATO’s intervention. Qadhafi literally said that he would kill people with “no mercy, no pity.” He said he would go “house by house, room by room.” Those are the words of a shameless, ruthless killer; and we had to do something, and I’m glad we did.

Constituents of my district whose roots come from Libya have made it clear to me that they want me to stand together with humanity, stand together with vulnerable people. But let me be clear, this is not Iraq, and this will not be the Iraq war. We did not unilaterally declare war on another country. On the contrary, our actions were with the international community. We had the support of the Arab League and, most importantly, the Libyan people themselves.

Our role is limited and constrained, no boots on the ground. We essentially are helping to supply and refuel and told suppliantly those who want to signal to other murderous dictators while the people are standing up for democracy that they have a free hand to slaughter their public? I hope not.

I say listen to regular Libyans on the street today. They want more NATO involvement, not less. They want the United States to remain involved. If we pull out now, the NATO coalition could fall apart and tens of thousands of refugees fleeing Qadhafi’s wrath would set upon what some transitional states in both Egypt and Tunisia. This issue has regional implications. It’s not limited to Libya alone.

As my constituents know, and my legislative record reflects, I was adamantly against the invasion of Iraq. I am adamantly in favor of a faster withdrawal from Afghanistan. In fact, I’m almost always against the use of the military option. Seldom is it the right course, in my opinion. But ‘seldom’ doesn’t mean always. Srebrenica, Darfur and Rwanda all warranted our engagement as Libya does today. We made it to the Balkans, but we didn’t make it to Darfur or Rwanda, and literally millions of people died because of that.

But at the same time, I cannot turn a blind eye to the slaughter of innocent people. My hope is that the day may never come when I will ignore the cries of innocent people being murdered by a vicious and brutal tyrant. I cannot turn a blind eye to a murder of a tyrant. I cannot turn my back on people demanding the same freedom we enjoy in America.

I understand my colleagues’ aversion to military conflict, I share it. I understand their fear of mission creep. I support the President’s clear violation of this important law. However, I was concerned some wording could have raised a point of order. That being said, I’m proud to co-sponsor Mr. KUCINICH’s important amendment, which will completely cut off funds for this illegal war.

Mr. Chairman, on March 19, President Obama announced he had authorized U.S. military forces to conduct operations in Libya. Unfortunately, the President did this without receiving authorization from Congress even though he made sure to get the U.N.’s approval. By not being open and honest with Congress, he left Members in the dark and unsure of what our ultimate mission was. To this day, the President hasn’t come to Congress to ask for formal approval.

Initially, when the President committed our military operations in Libya, he said it would be days, not months. Well, now we are definitely talking months because it is a little over a week we’ve been engaged in military operations in Libya for nearly 4 months. In an effort to escape his responsibility, to this day the President has refused to acknowledge that the U.S. is engaged in hostilities in Libya. That being said, those in the Pentagon seem to disagree with the President on this issue.

While the President has turned a blind eye to truth, the Department of Defense has decided to award imminent danger pay to servicemembers who fly over Libya and for those who serve on ships within 110 nautical miles of the shore. As of June 3, 93 percent of the cruise missiles, 66 percent of the personnel, 50 percent of the ships, and 50 percent of the planes used in NATO operations against Libya were by the United States of America.

Mr. Chair, firing a cruise missile at Libya qualifies as hostilities. In early June, it was estimated that Libya was already costing the American taxpayers over $700 million.

I have three sons that are currently in the military, and I will support our troops no matter where the President sends them. However, I cannot support the President’s decision to commit our military forces’ operations without the required congressional authorization. That’s why I cosponsored this amendment, the 2012 Department of Defense appropriations bill Kucinich amendment.

With that, I ask all my colleagues, all Members, to come down here on the House floor and to express support for this important amendment, to reframe our Constitution, to reframe the validity of this Congress as it relates to committing troops to war.

Mr. Chairman, I support this amendment. I encourage all my colleagues to support this amendment.

I yield back the balance of my time.
Mr. DICKS. I believe this is an important debate in the House today as we, appropriately, exercise congressional oversight of the use of force and the costs associated with our engagement in Libya.

In my judgment, the President's initial commitment of U.S. air power and naval forces to support the international effort was appropriate, and certainly within his power as Commander-in-Chief. In March, the President clearly outlined the rationale for our involvement in this military action. Now if I were advising the President, I would have said send up a resolution and get approval from the House and Senate. There is no question that would have been the preferred course of action.

The U.S. effort was undertaken in concert with a broad coalition of nations, and it followed a resolution adopted in the United Nations Security Council authorizing “all necessary measures” to protect Libyan civilians attempting to overthrow the oppressive regime of Muammar al Qadhafi. The Qadhafi government’s response to the uprising that was the “Arab Spring” movement, was to use force against civilians and opposition forces, and the brutal measures prompted the international outcry and the United Nations action. While the direct U.S. leadership of this effort lasted a brief time, U.S. forces remain engaged in the NATO operation.

When I hear many of my colleagues speak in favor of abandoning this cause, I believe it is important to reflect on the fundamental reason why we are concerned here. This is the same individual, Muammar al Qadhafi, who had been planning terrorist actions against United States citizens and others for decades. This is the same terrorist leader against whom President Ronald Reagan authorized a military strike in 1986—and he didn’t ask Congress for approval—following the bombings in Berlin and definitive proof of Qadhafi’s involvement in other terrorist activity. At that time, President Reagan publicly denounced Qadhafi as the “Mad Dog of the Middle East” who espoused the goal of world revolution.

Mr. Chairman, I can only wonder what Ronald Reagan would say today about those who would propose immediate withdrawal of U.S. assistance to the broad coalition of nations attempting to finish the job that President Reagan started.

Now, just to make it clear, the administration, when they sent up their report under the Boehner amendment, I believe, they did list out the military cost for the operation. Daily operations up to $13.7 million, munitions, $398.3 million; global lift and sustain, $1.6 million. The subtotal for military operations was $713.6 million. And then the drawdown of DOD supplies, $1.3 million; humanitarian assistance, $1 million; for a total of $715.9 million.

Now munitions come out of the munition funds; daily operations came out of O&M funds for the Army and the Navy. The estimate by September 30, 2011, is that daily operations will total $618 million; munitions, $450 million; global lift and sustain, $10 million; for a total of $1.078 billion. Drawdown of DOD supplies would be $25 million and humanitarian assistance of $1 million, for a total of $1.104 billion. I think that is a pretty clear indication.

Now, our chairman is absolutely correct. They have not asked for a supplemental here. They are going to use existing funds that we already appropriated to take care of this operation. And of course we would all like to see this thing resolved as quickly as possible, and a political settlement may be possible. But I think it would be wrong to undermine the President and our country and our involvement with NATO and with the U.N. and with our Arab allies on this subject.

I urge a “no” vote on the Amash-Kucinich amendment. I yield back the balance of my time. Mr. HOYER. Mr. Chair, last month, the House voted against defending the American military mission in Libya. That was the right decision, and it still is: along with our NATO allies, we intervened in response to Moammar Qadhafi’s violent repression of his own people, and the explicit promise of worse to come. It’s also important to remember that Qadhafi has more American blood on his hands than anyone other than Osama bin Laden. And we must remember that we intervened with the United Arab League, the United Nations, the European Union, and a unanimous NATO.

Our allies have taken the leading role in Libya, but it is crucial that America continue to support them. It’s crucial because the campaign against Qadhafi has made significant progress, which would be dramatically set back by a sudden withdrawal of American support; because that sudden withdrawal of support could endanger civilian lives and stall democratic movements across the Middle East; and because it would represent a failure to keep faith with our NATO allies. As I said the last time this issue came to the floor: either we are in an alliance, or we are not. And if we are, that means supporting our allies in their time and place of need, so that they will continue to do the same for us—a principle that is especially important when civilian lives are at stake. I urge my colleagues to oppose this amendment.

The CHAIR. The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. AMASH) are postponed. The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Chair will redesignate the amendment. The Chair redesignated the amendment.

Mr. Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume. The amendment already printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. LEE of California.
An amendment by Mr. GARAMENDI of California.
An amendment by Mr. NADLER of New York.
Amendment No. 1 by Mr. POE of Texas.
Amendment No. 41 by Mr. COHEN of Tennessee.
An amendment by Mr. CICILLINE of Rhode Island.
An amendment by Mr. COHEN of Tennessee.
Amendment No. 2 by Mr. POE of Texas.
Amendment No. 1 by Ms. MCCOLLUM of Minnesota.
Amendment No. 2 by Ms. MCCOLLUM of Minnesota.
Amendment No. 13 by Mr. COLE of Oklahoma.
An amendment by Mr. AMASH of Michigan.

The Chair will reduce to 2 minutes the time for the second through the 13th vote. The final two votes will be 5-minute votes.

AMENDMENT OFFERED BY MS. LEE

The CHAIR. The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Chair will redesignate the amendment. The Chair redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 97, noes 322, not voting 12, as follows:

[Roll No. 502]

AYES—97

Amash
Rocha
Balduín
Bass (CA)
Beccerra
Blinmaner
Bowser
Brady (PA)
Bray (LA)
Campbell
Caspano
Chu
Cicilline
Clarke (NY)
Clyburn
Coble
Cole
Costello
Crowley
Cummins
Davis (IL)
DeFazio
DeJoy
Duncan (TN)
Edwards
Ehlo
Fatouh
Pfiffer
Final
Polis
Quigley
Rangel
Richardson
Rohrabacher
Rokita
Rush
Sánchez, Linda
Sánchez, Loretta
Schakowsky
Scott (VA)
Serrano
Shadid
Slaughter
Speier
Stark
Thompson (CA)
Thompson (MS)
Turner
Tonko
Town
Tenney
Velázquez

FRANK (MA)
Pudger
Garamendi
Grijalva
Gutiérrez
Hastings (FL)
Hincher
Hinojosa
Hino
Holt
Honda
Jackson (IL)
Jackson Lee
(TX)
Johnson (IL)
Johnson, R. B.
Jones
Kucinich
Lake
Larsen (CT)
Lee (CA)
Lofgren, Zoe
Markley
Matsui
McGovern
Michael
Moore
Murphy (CT)
Napolitano
Neal
Olver
Palone

Pastor (AZ)
Pau
Petri
Pingree (ME)
Polis
Quigley
Rangel
Richardson
Rohrabacher
Rokita
Rush
Sánchez, Linda
T.
Sánchez, Loretta
Schakowsky
Scott (VA)
Serrano
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[END OF RECORDED VOTE]
ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is one minute remaining in this vote.


MESSRS. CONNOLLY of Virginia, MILLER of North Carolina, SCOTT of South Carolina, and LYNCH changed their vote from “aye” to “no.”

MESSRS. BRADY of Pennsylvania, CROWLEY, and Murphy of Connecticut changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARAMENDI

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 133, noes 295, not voting 3, as follows:

[Roll No. 503]
Ms. PELOSI changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 251, not voting 6, as follows:

[Roll No. 505]

AYES—174

Adams
Ackerman
Ackerman, Chuck
Adams
Adams
Adams
Adams
Adams, Nanner
Aderholt
Adams, Quayle
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The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2, offered by the gentlewoman from California (Ms. Lee) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment. The Clerk redesignates the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

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 OFFERED BY MS. LEE**

Mr. CONYERS changed his vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CONYERS changed his vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.
Amash
Andrews
Baca
Balduin
Bass (GA)
Bass (NH)
Becerra
Benishek
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Braley (PA)
Braley (IA)
Brooks
Bruen (GA)
Brown (FL)
Butterfield
Campbell
Capuano
Carlozzi
Carney
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cochrane
Conolly (VA)
Conyers
Corder
Costello
Courtney
Critz
Crowley
Crumplin
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dicks
Dolgoff
Dole

CONGRESSIONAL RECORD — HOUSE
July 7, 2011

ANNOUNCEMENT OF THE CHAIR

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. COHEN

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 210, noes 217, not voting 4, as follows:

(Roll No. 507)

AYES—210

Baca
Balduin
Bass (GA)
Bass (NH)
Becerra
Benishek
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Braley (PA)
Braley (IA)
Brooks
Bruen (GA)
Brown (FL)
Butterfield
Campbell
Capuano
Carlozzi
Carney
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cochrane
Conolly (VA)
Conyers
Corder
Costello
Courtney
Critz
Crowley
Crumplin
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dicks
Dolgoff
Dole

NOT VOTING—4

Announcement of the Chair (during the vote). There is 1 minute remaining.

Mr. CAMP. Mr. Chair, on rollover No. 507 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. CICILLINE

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 283, not voting 3, as follows:

(Roll No. 508)

AYES—145

Amash
Baca
Balduin
Bass (GA)
Bass (NH)
Becerra
Benishek
Bishop (NY)
Blumenauer
Boswell
Braley (PA)
Braley (IA)
Brooks
Bruen (GA)
Brown (FL)
Butterfield
Campbell
Capuano
Carlozzi
Carney
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cochrane
Conolly (VA)
Conyers
Corder
Costello
Courtney
Critz
Crowley
Crumplin
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dicks
Dolgoff
Dole

NOT VOTING—4

Announcement of the Chair (during the vote). There is 1 minute remaining.

Mr. COFFMAN of Colorado changed his vote from to “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CAMP. Mr. Chair, on rollover No. 507 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. CICILLINE

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 283, not voting 3, as follows:

(Roll No. 508)
So the amendment was rejected.

The CHAIR (during the vote). The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. COHEN

The CHAIR, The unfinished business is the demand, for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. Cohen) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The CHAIR, This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 306, not voting 6, as follows:

[Round No. 509]

AYES—119

<table>
<thead>
<tr>
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<th>Baldwin</th>
<th>Baca</th>
<th>Baker</th>
<th>Balser</th>
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NOTE: In cases of tie, the ayes were determined by electronic vote. The noes were determined by yeas and nays.

NOES—396

<table>
<thead>
<tr>
<th>Ackerman</th>
<th>Adams</th>
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<th>Alcee</th>
<th>Alfond</th>
<th>Allen</th>
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NOTE: This is a record vote.
Ms. WATERs changed her vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced above recorded.

AMENDMENT OFFERED BY MS. MCCOLLUM

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Texas (Mr. Poe) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aye 140, noes 285, not voting 6, as follows:

[Vote list]

AYES—140

[Names]

NOES—285

[Names]

AYES—285

[Names]

RECORDED VOTE

[Names]

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. MCCOLLUM

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentlewoman from Minnesota (Ms. McCollum) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 226, noes 201, not voting 4, as follows:

[Vote list]
AN ANNOUNCEMENT BY THE CHAIR

The Chair (during the vote). There is 1 minute remaining in this vote.

NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

The Chair (during the vote). There is 1 minute remaining in this vote.

NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

The Chair (during the vote). There is 1 minute remaining in this vote.

NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

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NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

The Chair (during the vote). There is 1 minute remaining in this vote.

NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

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NOT VOTING—4

Cubin

Giffords

Markay

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NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

The Chair (during the vote). There is 1 minute remaining in this vote.

NOT VOTING—4

Cubin

Giffords

Markay

ANNOUNCEMENT BY THE CHAIR

The Chair (during the vote). There is 1 minute remaining in this vote.

NOT VOTING—4

Cubin

Giffords

Markay
Mr. MCMENRY. Mr. Chair, on rollcall No. 513, I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. AMASH

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

The Clerk will redesignate the amendment. The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 201, not voting 3, as follows:

(ROLL NO. 513) AYES—225

1. Adams
2. Aderholt
3. Akin
4. Alexander
5. Amash
6. Bachmann
7. Baldwin
8. Barton (TX)
9. Base (NH)
10. Becerra
11. Besnikesh
12. Berg
13. Bilirakis
14. Bilaika
15. Bishop (UT)
16. Black
17. Bonner
18. Bonham
19. Brooks (GA)
20. Brooks (KY)
21. Buchanan
22. Bushon
23. Burelle
24. Burton (IN)
25. Calvert
26. Camp
27. Campbell
28. Canseco
29. Carson (IN)
30. Carter
31. Cathy
32. Cheeseborough
33. Cheek
34. Cole
35. Conger
36. Cooper
37. Cravaack
38. Crawford
39. Crenshaw
40. Cummings
41. Cuellar
42. Davis (KY)
43. DeFazio
44. DesJarlais
45. DeGette
46. DeLauro
47. Dent
48. DENT BACH ALTAR
49. Dicks
50. Dingell
51. Dold
52. Donnelly (NY)
53. Doyle
54. Edwards
55. Elmers
56. Engel
57. Ellison
58. Espy
59. Fattah
60. Filner
61. Forbes
62. Foxx
63. Frelinghuysen
64. Fudge
65. Gallegly
66. Gardner
67. Garrett
68. Vela
69. Walberg
70. Walsh (IL)
71. Waters
72. Welch
73. Ackerman
74. Altmire
75. Andrews (SC)
76. Bacsa
77. Bachus
78. Barletta
79. Barrett (CA)
80. Berkley
81. BERNER
82. Biggert
83. Bishop (GA)
84. Blackburn
85. Blumenauer
86. Bosco (CA)
87. Boron
88. Bowser
89. Brady (PA)
90. Brady (TX)
91. Brown (FL)
92. Butterfield
93. Canesuco
94. Cantor
95. Cardona
96. Carney
97. Carter
98. Carter (IL)
99. CHU
100. Cohn (CO)
101. Cohen
102. Connawy
103. Connolly (VA)
104. Costa
105. Costello
106. Courtney
107. LIFTLAND
108. Crowley
109. Davis (IL)
110. DeLettet
111. DeLauro
112. DelBento
113. Diaz-Balart
114. Dingell
115. Dooley
116. Edwards
117. Elmers
118. Engel
119. Ellison
120. Espy
121. Fattah
122. Filner
123. Forbes
124. Fortenberry
125. Culhane
126. Giffords
127. Vela
128. Walsh (IL)
129. Waters
130. Welch
131. Ackerman
132. Altmire
133. Andrews (SC)
134. Bacsa
135. Bachus
136. Barletta
137. Barrett (CA)
138. Berkley
139. BERNER
140. Biggert
141. Bishop (GA)
142. Blackburn
143. Blumenauer
144. Bosco (CA)
145. Boron
146. Bowser
147. Brady (PA)
148. Brady (TX)
149. Brown (FL)
150. Butterfield
151. Canesuco
152. Cantor
153. Cardona
154. Carney
155. Carter
156. Carter (IL)
157. CHU
158. Cohn (CO)
159. Cohen
160. Connawy
161. Connolly (VA)
162. Costa
163. Costello
164. Courtney
165. LIFTLAND
166. Crowley
167. Davis (IL)
168. DeLettet
169. DeLauro
170. DelBento
171. Diaz-Balart
172. Dingell
173. Dooley
174. Edwards
175. Elmers
176. Engel
177. Ellison
178. Espy
179. Fattah
180. Filner
181. Forbes
182. Fortenberry
183. Culhane
184. Giffords
185. Vela
186. Walsh (IL)
187. Waters
188. Welch
189. Ackerman
190. Altmire
191. Andrews (SC)
192. Bacsa
193. Bachus
194. Barletta
195. Barrett (CA)
196. Berkley
197. BERNER
198. Biggert
199. Bishop (GA)
200. Blackburn
201. Blumenauer
202. Bosco (CA)
203. Boron
204. Bowser
205. Brady (PA)
206. Brady (TX)
207. Brown (FL)
208. Butterfield
209. Canesuco
210. Cantor
211. Cardona
212. Carney
213. Carter
214. Carter (IL)
215. CHU
216. Cohn (CO)
217. Cohen
218. Connawy
219. Connolly (VA)
220. Costa
221. Costello
222. Courtney
223. LIFTLAND
224. Crowley
225. Davis (IL)
226. DeLettet
227. DeLauro
228. DelBento
229. Diaz-Balart
230. Dingell
231. Dooley
232. Edwards
233. Elmers
234. Engel
235. Ellison
236. Espy
237. Fattah
238. Filner
239. Forbes
240. Fortenberry
241. Culhane
242. Giffords
243. Vela
244. Walsh (IL)
245. Waters
246. Welch
247. Ackerman
248. Altmire
249. Andrews (SC)
250. Bacsa
251. Bachus
252. Barletta
253. Barrett (CA)
254. Berkley
255. BERNER
256. Biggert
257. Bishop (GA)
258. Blackburn
259. Blumenauer
260. Bosco (CA)
261. Boron
262. Bowser
263. Brady (PA)
264. Brady (TX)
265. Brown (FL)
266. Butterfield
267. Canesuco
268. Cantor
269. Cardona
270. Carney
271. Carter
272. Carter (IL)
273. CHU
274. Cohn (CO)
275. Cohen
276. Connawy
277. Connolly (VA)
278. Costa
279. Costello
280. Courtney
281. LIFTLAND
282. Crowley
283. Davis (IL)
284. DeLettet
285. DeLauro
286. DelBento
287. Diaz-Balart
288. Dingell
289. Dooley
290. Edwards
291. Elmers
292. Engel
293. Ellison
294. Espy
295. Fattah
296. Filner
297. Forbes
298. Fortenberry
299. Culhane
300. Giffords

NOT VOTING—5

Culhane
Giffords

ANNOUNCEMENT OF THE ACTING CHAIR

The Acting CHAIR (Mr. TERRY) during the vote. There are 2 minutes remaining in this vote.
Mr. RIGELL. 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:

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

SEC. ___. None of the funds made available by this Act may be used to support Operation Odyssey Dawn or Operation Unified Protector.

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

Mr. RIGELL. Mr. Chairman, each Member of this body has the duty to protect the separation of powers that was so wisely woven into our Constitution by our Founding Fathers and which forms the very foundation of how we govern this great Nation.

Mr. Chairman, an egregious ongoing breach of the separation of powers is taking place at this very hour; specifically, the usurpation of a power given only to Congress, that found in article I, section 8 of the Constitution: only Congress can declare war.

Known as Operation Odyssey Dawn and now as Operation Unified Protector, military intervention is unilaterally falling into the definition of war, which forms the very foundation of how we govern this great Nation.

Mr. Chairman, a careful review of the President’s case for support of his actions in Libya leads me to this sobering but firm conclusion. The President’s use of force in Libya is unwise and unconstitutional. The level of military resources being employed both in personnel and equipment, the amount of ordnance delivered, and the damage inflicted constitute acts of war. At the very minimum, they meet the definition that define our fellow Americans serving in our Armed Forces and with whom we are at war.

I respectfully ask my colleagues to join me in supporting this amendment.

—Rigell
Operation Odyssey Dawn has ceased operations; therefore part of this amendment is no longer relevant. However, the NATO-led mission to defeat Qadhafi and to protect the people of Libya was undertaken in concert with a broad coalition of nations, including the Arab League, and it followed resolutions adopted in the United Nations Security Council, authorizing “all necessary measures.”

This amendment would end our involvement unilaterally. I believe this could seriously harm our relationship with NATO allies from whom we will undoubtedly require support in the future and who have been our partners since 1949. We should let the mission with our NATO allies continue so we can defeat Qadhafi and protect the Libyan people.

I urge all of my colleagues to vote “no” on this amendment.

I yield back the balance of my time.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. RIGELL).

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

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

The Acting CHAIR. The Clerk will report the amendment, and The Clerk will read as follows:

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

SEC. 1500. The amount otherwise made available by this Act for “Operation and Maintenance—Environmental Restoration. Formerly Used Defense Sites” is hereby reduced and increased by $1,000,000.

Ms. NORTON (during the reading). Mr. Chairman, I ask unanimous consent to waive the reading of the amendment.

The Acting CHAIR. The Clerk will re-read the amendment.

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

Mr. FRELINGHUYSEN. I yield to the gentleman from Washington.

Mr. DICKS. Will the gentleman from Washington agree to colloy on the need for traumatic brain injury funding for post-acute guidelines for our returning troops.

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

The Acting CHAIR. Mr. Chairman, I object.

The Acting CHAIR. Objection is heard.

The Acting CHAIR. The Clerk will continue to read.

The Acting CHAIR. The Clerk will continue to read.

The Acting CHAIR. The Clerk will continue to read.

Ms. NORTON. Mr. Chairman, I, as the ranking member of the Armed Services Committee, find this amendment to be a serious impediment to our efforts to remove chemical hazards from the Spring Valley area that is a classic example of the former used defense sites that exist today. Recognizing this, Mr. RIGELL has agreed to work with us on seeing if we can talk to the military to use environmental restoration funds if your amendment becomes law.

When World War I was over, the Army simply used the site where they’d been doing the testing as a dumpsite. They buried these munitions right where they were testing. Now, that was the way in which you disposed of these munitions at the time. In the Spring Valley area that is a classic case, there are 1,200 private homes, 30 Embassies and foreign properties, Stibey Hospital, Wesley Seminary. There may be other metropolitan areas that have formerly used defense sites as well. Spring Valley may be the prime target because it is such a well-established neighborhood where chemical agents and munitions were once used.

The amendment requires the Secretary to allocate $1 million to study the human health effects of left-over chemical toxic waste left over from undetonated ordnances. Just as the Department of Defense and the Army have acknowledged their obligation to clean up and remove hazardous substances, especially munitions that have been left behind through their testing, they also have the obligation to investigate whether there are any remaining health effects. That is all we are asking; that there be a study as to whether there are any remaining health effects of the former munitions site from World War I and other sites like it in congested residential areas.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to acknowledge the gentlewoman’s hard work to clean up this part of the District of Columbia.

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

Mr. FRELINGHUYSEN. I yield to the gentleman from Washington.

Mr. DICKS. The gentleman from New Jersey is recognized for 5 minutes.

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

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

Mr. PASCRELL. Mr. Chairman, I would like to ask the gentleman from Florida, Mr. Chairman, to engage in a colloquy on the need for traumatic brain injury funding for post-acute guidelines for our returning troops.

Mr. Chairman, it is my understanding that medical treatment guidelines for post-acute rehabilitation of moderate and severe TBI do not exist today. Recognizing this, Mr. PLATTS from Pennsylvania and Ms. GIFFORDS from Arizona included an amendment in the National Defense Authorization for fiscal year 2012 that would require the Department of Defense to implement post-acute treatment guidelines for traumatic brain injury. This provision was supported by
the cochairs of the Brain Injury Task Force—myself, Mr. PLATTS, bipartisan. It is my hope that the Uniformed Services University of the Health Sciences be able to begin the project as soon as possible. Over the years, the TBI Task Force has addressed many gaps for our servicemembers.

I now yield to the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. I thank the gentleman for yielding.

As cochair of the Traumatic Brain Injury Task Force, I am honored to join with the gentleman from New Jersey in support of implementing post-acute treatment guidelines.

Before 2007, there were no funds in the budget for traumatic brain injury treatments, but with the dedicated efforts of Chairman YOUNG and other members of the Appropriations Committee, through their efforts we were not only able to provide funding, but more importantly, to sustain a significant level of funding over the past number of years.

As we continue to address new gaps for our servicemembers suffering TBIs, in this 2012 authorization bill that was passed in the committee and moving forward through the process we requested $1 million to fund these post-acute guidelines that the gentleman from New Jersey has referenced. It is our understanding that while TBI funding in the Defense appropriations bill is not separated by purpose, it is our understanding that the Department uses the overall funding for traumatic brain injury research for authorized purposes.

Is our understanding correct, Mr. Chairman?

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. The gentleman is correct. In this bill, the committee has provided an additional $125 million for TBI research. It’s above the fully funded budget request of $415 million. And it has been our long-standing policy that this increased funding is provided at the discretion of the Department. Historically, this subcommittee has provided increased funding for TBI research but refrained from directing how that money should be spent, allowing the Department to prioritize how best to use that funding for authorized purposes.

Mr. PASCRELL. Mr. Chairman, reclaiming my time, may I also clarify that should the authorization bill pass with this provision on post-acute guidelines that the Department then has the needed amount of $1 million to really accomplish this objective which we have requested.

Mr. Chairman, I would request, as usual, your deepest cooperation. And no one has done more for our troops than you.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman.

I would say to the gentleman that he is correct; should the provision be carried on the final authorization bill, then the Department would have sufficient resources to fund the provisions they should decide to based on this appropriations bill.

Mr. PASCRELL. Thank you, Mr. Chairman.

I yield to my brother, the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. I thank the gentleman for yielding.

I would just like to add my words of great thanks to Chairman YOUNG, who has been a great leader in doing right by our men and women in uniform in all fashion, and especially those who have suffered traumatic brain injury. As a Nation, we are indebted to you and your staff for your great leadership.

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

Mr. PASCRELL. Thank you, Mr. Chairman.

I yield to my brother, the gentleman from New Jersey.

Mr. PLATTS. I thank the gentleman for yielding.

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Mr. YOUNG of Florida. I thank the gentleman.

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Mr. PLATTS. I thank the gentleman for yielding.

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Mr. PASCRELL. Thank you, Mr. Chairman.

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Mr. PASCRELL. Thank you, Mr. Chairman.

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Mr. PASCRELL. I yield to the gentleman from Florida.

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Mr. PASCRELL. Thank you, Mr. Chairman.

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Mr. PLATTS. I thank the gentleman for yielding.

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Mr. PASCRELL. Thank you, Mr. Chairman.

I yield back the balance of my time.

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Mr. PASCRELL. Thank you, Mr. Chairman.

I yield back the balance of my time.

Mr. PASCRELL. Thank you, Mr. Chairman.

I yield to my brother, the gentleman from New Jersey.
The amendment ensures that defense dollars are not used to implement policy changes that violate the Defense of Marriage Act (DOMA).

I believe that appropriations and authorization bills should be compatible, where possible, so that when the House passes an amendment, we will do just that for the Defense of Marriage Act.

This is the only opportunity we have to synchronize DoD funding to the DOMA policy provisions contained in the National Defense Authorization Act for Fiscal Year 2012. (2) The amendment settles—once and for all—any confusion and/or misinformation with- in the DoD about the abilities of its personnel to perform same-sex marriages as well as the use of its facilities.

It is important to pass this amendment, which is a straightforward statement reaffirming Congress’s assertion that funds may not be used in contravention of section 7 of title 1, United States Code (Defense of Marriage Act).

The amendment—once and for all—will ensure the States would not have to recognize same-sex marriages from other States, and that the Federal Government would recognize only the union of one man and one woman as marriage.

Offering up Federal facilities and Federal employment for the use in same-sex marriages violates DOMA, which is still the law of the land and binds our military.

(3) President Obama’s Administration is on record that it will no longer defend DOMA thus leaving it up to Congress to defend against challenges to DOMA.

I am confident that activist lawyers and judges will begin challenging inconsistencies in marriage status for military personnel. For example, a same-sex couple who was married in a State where same-sex marriage is recognized and in a State where same-sex marriage is not recognized but where they have military family housing. The resolution of this kind of litigation would propel the courts into policy matters that Congress should decide.

Bottom line.

This amendment—in conjunction with the Sections 543 and 535 of the National Defense Authorization Act for Fiscal Year 2012—will allow Congress to speak with one voice on the Defense of Marriage Act.

If Congress fails to speak clearly on this issue, we are going to see more confusing and confusing DOMA protocols emerging in the Department of Defense. And, it will be with the blessing of the White House.

Let’s keep our Department of Defense focused on the missions at hand.

Congress can and should make it clear that Defense Department funds should not be used in ways that violate Federal laws, including the Defense of Marriage Act.

Support the Fox-Burton Amendment. Let’s leave the guesswork out of it.

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

Mr. HOYER. Mr. Chair, last year, Congress voted to repeal the counterproductive and un-just policy of “Don’t Ask, Don’t Tell.”

But despite overwhelming evidence that repeal will strengthen our military, despite strong support for repeal among our troops and the American people, despite support for repeal from military leaders like the Secretary of De- fense and the Chairman of the Joint Chiefs of Staff, and despite a Federal court order that the Government stop enforcing DADT imme- diately, Republicans are still pushing to keep this shameful policy in place. Under DADT, 13,500 gay men and women were discharged simply because of who they were. These were troops who had served our country honorably and bravely; 1,000 of them filled what the military calls “critical occupa- tions,” such as engineering and interpretation of English language.

Our closest allies—countries like Britain, Canada, and Israel—know better than to throw that kind of service and expertise away.

Yet the amendment offered by Mr. HUELSKAMP would force our military to stop training its Chaplain Corps to prepare for the repeal of DADT. This amendment would substitute Congress’s micromanagement for the judgment of our military leaders on training issues, and it is a transparent attempt to inter- fere with the repeal of DADT in any way possible.

The amendment offered by Ms. FOXX is in a similar vein. It would prohibit defense appro- priations in contravention of the Defense of Marriage Act, or DOMA.

DOMA is discriminatory and should be ruled unconstitutional—but as long as it is law, it clearly applies to all Federal agencies, including the Department of Defense.

That makes this amendment entirely unnec- essary. Let’s see it for what it is: Republicans’ effort to stop us from being open to service—an argument they’ve lost—to marriage equality—an argument they’re still in the process of losing.

I urge my colleagues to oppose both amendments which put partisan belief in the exclusion of gays above the strength of our military. The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

Mr. BERMAN. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 min- utes.

Mr. BERMAN. I rise to engage Mr. DICKS in a colloquy regarding an important area of funding for the Department of Defense.

For more than a decade, the Department of Defense has funded programs to support established university programs that promote region-wide infor- mal conferences and task forces on arms control, regional security, and related topics to the Middle East for Arab, Israeli, and other officials and experts.

These programs serve an important national security objective—fostering an alternative means of dialogue and engagement in an area of unparalleled significance to the United States. I know of one such program in Los Ange- les, and I urge the Department to con- tinue funding such programs.

I yield to the gentleman from Wash- ington (Mr. DICKS), the ranking member, for his thoughts on this issue.

Mr. DICKS. First of all, I appreciate the gentleman yielding.

And I thank you, Mr. BERMAN, for your comments and agree that such programs that support university pro- grams promoting Middle East con- ferences and task forces on arms control, regional security, and other issues
for Arab, Israeli, and other officials are important and beneficial. I hope the Department of Defense funds such programs accordingly, and I will work with the gentleman to ensure that that happens.

Mr. BERMAN. I thank the gentleman. I yield back the balance of my time.

**AMENDMENT NO. 64 OFFERED BY MR. MICHAUD**

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

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

Mr. MICHAUD. I rise today to offer an amendment with Mr. KISSELL to ensure that no funds in this bill are spent in violation of the Berry Amendment.

The Berry Amendment requires DOD to procurement from American manufacturers including food, clothing, fabrics, stainless steel, and certain tools. It was enacted to ensure that the United States troops were wearing uniforms made in the U.S. to ensure that the U.S. was the American-made food.

The Berry Amendment has been on the books for 70 years. Yet, in recent years, some in Congress have tried to weaken it. At a time of 9 percent unemployment and when employment in the U.S. manufacturing sector is on the decline, it is more important than ever for Congress to reiterate its support for existing law that promotes domestic procurement.

I urge my colleagues to support American manufacturing and to promote American food and uniforms for our troops by voting for the Michaud-KisSELL Amendment.

At this time, I yield to the gentleman from North Carolina (Mr. KISSELL).

Mr. KISSELL. I would like to thank my colleague for yielding to me.

Mr. Chairman, for 70 years, as my colleague pointed out, the Berry Amendment has served this Nation well. It has given our military forces the best of American-made equipment and has guaranteed the American people the opportunity to make that equipment. It is a matter of national security. And it should not be a matter as the intent of Congress has been clear for 70 years, it shouldn’t be a matter of us standing up to reaffirm this amendment.

But as my colleague said, there have been efforts made to weaken the Berry Amendment, to get around the Berry Amendment, which simply want to remind all folks involved that the Berry Amendment is the intent of Congress. It has been the law for 70 years. And we need to continue with the Berry Amendment that any funds that are being spent should be spent in total compliance with the Berry Amendment.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. MICHAUD. I yield to the gentleman from Florida.

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

I would like to advise him that we’re prepared to make an amendment. I yield back the balance of my time.

The Acting CHAIR. The Gentleman from Florida is recognized for 5 minutes.

Mr. MICHAUD. I thank the chairman very much. I yield back the balance of my time.

The Acting CHAIR. The Gentleman from Florida is recognized for 5 minutes.

Mr. KISSELL. I, too, agree with the chairman. This is one of those situations where I think we have to step in and take action for our troops. This is a good amendment, and I urge its adoption.

Mr. YOUNG of Florida. I yield back the balance of my time.

The Acting CHAIR. The Gentleman from North Carolina (Mr. KISSELL).

The amendment was agreed to.

**AMENDMENT OFFERED BY MS. ESHOO**

Ms. ESHOO. Mr. Chairman, I rise for a matter of business as usual.

Our troops and their families are being asked to make sacrifice after sacrifice. We should be at a point of trying to make things better for them, make it easier for them; and I would say that one of the things that we can do is to adopt the gentleman’s amendment to at least give them some relief when they’re coming back from the war that we sent them to without giving them extra money to get back home with their belongings.

I applaud the gentleman for offering this amendment, and I rise in strong support.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Texas.

Mr. DICKS. I, too, agree with the chairman. This is one of those situations where I think we have to step in and take action for our troops. This is a good amendment, and I urge its adoption.

Mr. YOUNG of Florida. I yield back the balance of my time.

The Acting CHAIR. The Gentleman from Florida is recognized for 5 minutes.

Mr. YOUNG of Florida. I reserve a point of order on the amendment.

The Acting CHAIR. The Gentleman reserves a point of order.

The gentleman from California is recognized for 5 minutes.

Ms. ESHOO. Mr. Chairman, I rise for the third time this year to call for transparency and disclosure in our system and throughout our government. This appropriations bill will spend hundreds of billions of taxpayer dollars next year; and a huge portion of it, a portion that’s impossible to quantify, will go to contractors. Some are small, others rank among the world’s largest companies. As we meet today, the workforce of contractors in Afghanistan is the same size as the workforce of the uniformed personnel there; and since 2005, we’ve spent approximately $12 billion on contractors in Afghanistan. Today, there are more private contractors than uniformed personnel in Iraq since 2005.

The Federal Government does business with thousands of contractors who receive billions of dollars in taxpayer
money. They should be required to disclose their political spending, and that's what my amendment will accomplish.

In 2002 when we voted to pass the historic McCain-Feingold campaign finance bill, most Republicans voted "no," saying we needed disclosure, not soft money restrictions. They said we needed to put spending out in the open and let the voters assess it. Today, when the President proposes requiring contractors who receive government contracts to disclose their political spending, not to limit it, Republicans are up in arms. They say it will politicize the contracting process; but when contractors can spend money in elections, the contracting process is already politicized.

My amendment is modest and it's simple: It will bring this information out into the open and let the public decide for themselves. The public deserves to know what happens with their tax money.

Mr. Chairman, this is not a revolutionary idea. For the last 17 years, the SEC requires bond dealers to limit their campaign contributions to the official with responsibility. I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. MULVANEY. I have an amendment.

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

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." This amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order? Seeing none, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination of whether certain political contributions were disclosed. 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.

AMENDMENT OFFERED BY MR. MULVANEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

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

SEC. 1. The total amount of appropriations made available by this Act is hereby reduced by $1,712,000,000, not to be derived from amounts of appropriations made available by title 9.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. MULVANEY. Thank you, Mr. Chairman.

By way of brief summary, this amendment would freeze the base Department of Defense funding at 2011 levels. It is roughly a $17 billion reduction, or a 3 percent reduction over the bill that's currently before us. Again, it takes it back to the 2011 levels that we passed just recently in H.R. 1 during the continuing resolution debate.

This is not, Mr. Chairman, a new idea. It's not even my idea. The Domenici-Rivlin bipartisan deficit reduction plan also proposed exactly this—freezing base defense spending at 2011 levels.

During the budget debate, the one substantive bipartisan amendment that passed was an amendment that was offered by Mr. M. CONNELL from 2003: "Why would a little disclosure be better than a lot of disclosure?"

I agree with Senator McCaskill. With public dollars come public responsibility. Disclosure would fulfill this responsibility. I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will report the amendment.

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

Mr. DICKS. This amendment follows the Lee amendment and the Garamendi amendment in cutting about $71.7 billion from the Overseas Contingency Operations Fund. I myself feel that we could be reducing our troop levels faster, but I don't think we should take the money out at this point until we have a better understanding of the pace of the withdrawal.

Now, we know the President's plan is 10,000 this year and another 23,000 next year. And so there will be some savings in the overseas contingency account as those troops come home. But I think it's too early to make a decision on that. Better left to that. Better left to that in conference, where we can make a reasoned judgment and talk to the Pentagon and the Congressional Research Service so that we have a better idea of how much savings this will be. I feel that this is premature at this point. The other two amendments were soundly defeated, and I think the same fate will be here.

I yield to the gentleman from South Carolina.

Mr. MULVANEY. Just for clarification, the amendment only makes the change to the base spending. It does not change anything in title 9. It does not change overseas contingencies in any way. It is simply the base portion...
of the DOD budget. Thank you for yielding.

Mr. DICKS. That’s even worse. I would doubly oppose the gentleman’s amendment on that part of it. So let’s defeat this amendment, as we defeated the one from South Carolina.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina (Mr. MULVANEY).

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

Mr. MULVANEY. 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 South Carolina will be recorded.

AMENDMENT NO. 71 OFFERED BY MS. BASS OF CALIFORNIA

Ms. BASS of California. 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:

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

Sections made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(c) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

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

Mr. YOUNG of Florida. I rise in opposition to this amendment. I am one of the original budget cutters in this Congress. But I will not cut a defense budget to the point that it adversely affects our troops or adversely affects our country’s readiness. And we could be getting close to that.

This year, Secretary Gates made his recommendation, which resulted in the President’s budget request being $13 billion less than we had anticipated for national defense. In addition to that, this committee recommended, and this Congress will pass sometime today or tomorrow, a bill that is $9 billion less than the President requested. So we have cut and saved money everywhere we could without affecting readiness and I am having an adverse effect on our troops.

If we start cutting too deep—and we were careful with this $9 billion reduction, very careful—we don’t want to see that we have to cancel training for returning troops. We don’t want to have to cancel Navy training exercises. We don’t want to have to slow down or reduce Air Force flight training. We don’t want to delay or cancel maintenance of aircraft, ships, and vehicles. We don’t want to delay important safety and quality-of-life repairs to facilities and to military barracks. If we do those things, we are affecting our readiness. Training relates to readiness.

Training is a large part of the money in the base bill. It is the overseas contingency operations account, but the base bill, which is what this amendment reduces. This amendment could be getting us very close to a dangerous situation where troops and readiness are affected. And there is just no way that I can even appear to support this amendment. I rise in strong opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Mr. MULVANEY. 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 South Carolina will be recorded.

AMENDMENT NO. 71 OFFERED BY MS. BASS OF CALIFORNIA

Ms. BASS of California. Mr. Chairman, I have an amendment at the desk.

Mr. Chair, I yield to the gentleman from New York (Mrs. MALONEY).

Mrs. MALONEY. I rise in strong support of this amendment, which will prevent U.S. taxpayer dollars from being used to facilitate human trafficking and labor abuses on U.S. military bases.

As cochair of the bipartisan Congressional Caucus on Human Trafficking, I am particularly concerned that workers from South Asia and Africa are being trafficked to work on U.S. military bases and that U.S. taxpayer dollars are spent to unlawfully lure and transport them to work in extreme conditions.

It is Army policy to oppose all activities associated with human trafficking. This must include the supply chain that provides services to our service-members defending our country. We must have strong oversight over our contracting system to ensure that it is free from human rights abuses, and this amendment works toward that end.

I urge my colleagues to join us in fighting human trafficking and support this amendment.

Mr. YOUNG of Florida. Will the gentlewoman yield?

Ms. BASS of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I would just like to advise the gentlewoman that I consider this an extremely important amendment and I am happy to accept it.

Ms. BASS of California. Thank you.

Mr. DICKS. Will the gentlewoman yield?

Ms. BASS of California. I yield to the gentleman from Washington.

Mr. DICKS. We will be glad to accept the amendment. We appreciate your hard work in this effort.

Ms. BASS of California. I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I would like to thank the gentlewoman for accepting the amendment.

Mr. Chair, I rise today in support of the Bass-Maloney Amendment, which cuts funding to subcontractors in the U.S. Defense Department. This amendment would prevent funding from being used by subcontractors hired by the Defense Department who engage in unlawful activities of human trafficking and labor abuses on military bases.

At a time where we are going across the board looking for all the budget cuts we can find to help reduce the national debt, it only makes sense to eliminate funding to these nefarious individuals who are performing atrocious acts on our military soil and are not representing what this great country stands for. We as Americans cannot fund human trafficking nor can we allow labor abuse; these abuses are not what this country stands for and it’s our job as lawmakers to do everything in our power to put an end to such crimes.

We can send a loud message with this amendment that the United States does not stand for such horrible crimes. So I join my
colleagues in support of the Bass-Maloney Amendment to H.R. 2219.

Ms. BASS of California. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 1550. None of the funds made available pursuant to this act may be used to procure air transportation from a commercial air carrier for a member of the Armed Forces who is traveling under orders to deploy to or return from an overseas contingency operation unless the carrier charges the member fees for checked baggage other than for bags weighing more than 80 pounds or bags in excess of four per individual.

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

Mr. RUNYAN. I thank my colleague from New York (Mr. GRIMM) for his support on this amendment.

Mr. Chairman, for the purpose of expediting a YouTube video, titled, "Delta Airlines Welcomes Soldiers Home," expressing their frustrations for what they had experienced.

This issue was brought to light early in June when a group of Army Reservists traveling back from Afghanistan were charged $200 each for checking a fourth bag, some of which contained U.S. Government equipment like an M4 rifle, an grenade launcher, and a 9-millimeter pistol. The soldiers posted a YouTube video, titled, "Delta Airlines Welcomes Soldiers Home," expressing their frustrations for what they had experienced.

After serving the country in theater and enduring an 18-hour layover on their trip home, the warm welcome this group received was a $2,800 out-of-pocket expense. This is an unacceptable slap in the face, whether it was intentional or not. Applying these charges to those headed to or returning from the fight is an insult to them and their service to our Nation.

My amendment would make none of the funds available by this act to be used by a commercial air carrier if that airline charges excess baggage fees for the first four pieces of checked luggage that are 80 pounds or less per servicemember. This amendment is a reasonable compromise, whose primary purpose is taking care of our warfighters while not allowing the system to be abused.

Our soldiers, sailors, airmen, and marines risk their lives to protect the freedoms we all enjoy. They take great personal sacrifices to defend our country. This amendment should be provided with any reasonable accommodations while traveling on orders to or from theater of operations. Most importantly, they should not have to endure personal financial hardship as a result of traveling to and from overseas contingency operations. $200 is a large amount of money to pay out of pocket, especially for those who are enlisted.

It shouldn’t take a YouTube video and bad publicity to convince any of us to do the right thing. With this amendment, we are sending a very strong message that our warfighters are individuals who are serving our country and not for an admission to a profit margin.

The amendment is endorsed by the VFW and the National Guard Association of the United States. I hope all my colleagues will join me in support of our soldiers, sailors, airmen, and marines by voting in favor of this amendment.

NATIONAL GUARD ASSOCIATION OF THE UNITED STATES, INC.,

Hon. John Runyan,
House of Representatives, Longworth Office Building, Washington, DC.

DEAR REPRESENTATIVE RUNYAN: We are writing to express our strong support for your recently proposed amendment to H.R. 2219, the FY12 Department of Defense Authorization Act, which would deny funds made available in the past June where soldiers were charged excess baggage fees for equipment by an airline was outrageous. This amendment would appropriately target the program airlines participating in for supporting additional airlift capability for troops/baggage and equipment while denying funds made available in the bill to those airlines who violate the War Powers Act.

The National Guard Association of the United States represents over 45,000 members of the National Guard, their families and employers.

NGAUS believes in the fair treatment of our servicemembers, including our Guard and Reserve soldiers, marines, and airmen, when they deploy and return from overseas operations. The incident this past June where soldiers were charged excess baggage fees for equipment by an airline was outrageous. This amendment would appropriately target the program airlines participating in for supporting additional airlift capability for troops/baggage and equipment while denying funds made available in the bill to those airlines who violate the War Powers Act.

I yield back the balance of my time.

Mr. SHERMAN. I ask that the Clerk designate the amendment.

Gus Hargett,
Major General, USA (Ret), President, NGAUS,

THAT, the amendment to show how short and simple it is. It simply says that

Mr. SHERMAN. I ask that the Clerk designate the amendment.

Mr. SHERMAN. I had the Clerk read the amendment to show how short and simple it is. It simply says that none of the money appropriated in this bill can be used to violate the War Powers Resolution, which is the law of the land found in title 50.

The War Powers Resolution simply states that a President may not deploy our troops into hostilities or our military forces into hostilities for more than 60 days if the President does not have congressional authorization. In the absence of such authorization, the President has 30 days to withdraw.

This is the exact same amendment that we considered 3 weeks ago on the MilCon appropriations bill. At that time it got the support of 60 percent of the Republicans and the Republicans and 2 Democrats. I hope that those who voted for the bill or the amendment 3 weeks ago would vote the same way today. I hope to be able to persuade a few who voted the other way last time. This amendment is important, even if we weren’t engaged in Libya at all, because for the last several administrations, Presidents have been captured by the siren song of extremist lawyers who are part of the permanent executive branch. They tell the President that the President of the United States, acting alone, can deploy our troops into hostilities for unlimited duration, for any purpose, and, in any quantity, any assets can be deployed.

We are told that there are no limits on the President’s power as Commander in Chief. Well, the War Powers Act says otherwise, and it is the law of the land. Now these extremist attorneys in the executive branch have gone a little further. They have added insult to injury by floating the idea that a resolution by NATO, the Arab League, or the United Nations can substitute for an authorization from both Houses of Congress, or they have said that briefing the leadership of Congress is a substitute for enacting an authorization. But even the most extremist attorneys in the executive branch admit we can prevent the power used to violate the War Powers Act.

The Acting CHAIR. The Clerk will designate the amendment.

The Clerk designated the amendment.

Mr. SHERMAN. I ask that the Clerk read the amendment to the bill. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

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

SNC. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).
If we were to do otherwise, we would be abdicating our own responsibility, for if Congress habitually appropriates funds knowing that they will be used to violate the law of the land, then we would be complicit in undermining democracy and the rule of law here in the United States.

Now we on this side admire the President of the United States. But even if you would grant this President unlimited power to deploy unlimited forces for unlimited duration, if you ignore the War Powers Act today, you are granting that power to the next President. And those of us who are in good health will all live to see a President that we disagree with. And even if you agree with exactly what’s happening in Libya, it is important that we draw a line and say that the conduct of our foreign policy must be consistent with U.S. law.

Now as a practical matter, this President has taken the extreme position that we are not engaged in hostilities in Libya. So what will be the practical effect of this amendment? First, I think he will reconsider that decision, because I think the lawyers behind it took refuge in the belief that the War Powers Act is somehow not binding on the administration. With this amendment, the War Powers Act is binding because we do have the constitutional right to limit the use of funds.

Furthermore, at a minimum, this amendment would prevent the President from deploying regular ground forces to Libya. Now I realize he doesn’t intend to do that at this time. But, clearly, this President could not claim that armed divisions deployed in a war zone were not engaged in hostilities. So the minimum practical effect of this amendment is to limit Presidential power to what is going on now and not to introducing major combat operations.

Now, I support a limited effort to bring democracy and the rule of law to the people of Libya. That’s not what this amendment is about. This amendment is about democracy and the rule of law here in the United States. I think that if we pass this amendment, and if we can get the Senate to do likewise, that the President will come to Congress and seek an authorization for what is going on in Libya. And at that time, Congress will be able to influence our policy. I think we would insist on a legal limitation to limit our efforts to just air forces and perhaps ground rescue operations. I believe that we would insist that we have the right to review that policy every 3 or 6 months. I believe that we would insist that the $33 billion of Qadhafi assets which have been frozen by the U.S. Treasury be used to finance this operation, instead of American taxpayer dollars. And I believe that we would insist that the rebels in Benghazi disassociate themselves from the al Qaeda operatives in their midst and from the Libyan Islamic Fighting Group.

But we can’t insist on anything if we accept the view of extremist attorneys in the executive branch who view Congress as merely an advisory body. A review of the law and a review of the Constitution indicates that Congress has and should not be derelict in exercising a role in forming American foreign policy.

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

Mr. DICKS. I rise in opposition to the gentleman’s amendment.

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

Mr. DICKS. The amendment prohibits the use of funds in this bill to breach the War Powers Act. However, the proponents hope this language will compel the administration to change its response to the crisis in Libya.

I oppose the amendment on two different grounds. First, the language of the amendment cannot possibly deliver what the proponents claim. Second, what the proponents hope to accomplish would harm the efforts of our allies, working against our national interests and benefiting Qadhafi.

The language on the proponents’ promises for two reasons. First, the amendment restricts the use of funds in this bill, but none of the $118.7 billion in the overseas contingency portion of the bill are designated for Libya. Second, the language merely requires compliance with the War Powers Act, but the heart of the proponents’ difference with the President is a matter of interpretation about what constitutes compliance. The amendment takes us no closer to a resolution of that difference.

I would oppose the amendment even if the language could accomplish what the proponents hope for. To further restrict our role in Libya puts us on the wrong side of history and on the wrong side of those who have spent billions and billions of dollars we gave to them since 9/11—not to mention the many billions of dollars we gave to them during the Cold War. What has all that spending achieved for the people of the United States? Pakistan is now the best friend to America’s worst enemies: radical Islam and, yes, an emerging and belligerent China. Wake up, America.

Was anyone really surprised to find Osama bin Laden was living in a luxurious mansion in plain view in a military-dominated Pakistani city? Let me ask the gentleman from California, Mr. SHERMAN, how the CIA could not related in the early spring. It would hinder the efforts of our allies, if not making NATO’s mission impossible and prolonging Qadhafi’s tenuous hold on power.

To address the matter of Libya, I believe that language—similar to the language introduced in the other body by Senators KERRY and MCCAIN—is the appropriate course of action at this time—this language preserves the understanding between the administration and Congress that U.S. ground forces are not appropriate at this time, and it requires regular and detailed reports from the administration to the Congress.

Now I must say that I, too, agree that the President would always be better served, as President Bush did and President Clinton, to come to Congress to get approval of the authorization. But to unilaterally overturn an effort that includes NATO, the Arab League, and the United Nations saying that the humanitarian act would take place against the people of Libya, is just, I think, a big mistake, and it would undermine U.S. foreign policy that’s been consistent since 1949 when NATO was established. So I urge a “no” vote on 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. SHERMAN). The previous action was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SHERMAN. 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 California will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

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

None of the funds made available by this Act may be used to provide assistance to Pakistan.

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

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment, which states, as you have just heard, no funds in this bill may go to Pakistan.

Pakistan is a country on which we have spent billions and billions of dollars. We’ve given them $18 billion just since 9/11—not to mention the many billions of dollars we gave to them during the Cold War. What has all that spending achieved for the people of the United States? Pakistan is now the best friend to America’s worst enemies: radical Islam and, yes, an emerging and belligerent China. Wake up, America.

Was anyone really surprised to find Osama bin Laden was living in a luxurious mansion in plain view in a military-dominated Pakistani city? Let me admit that even I was surprised that the Pakistani Government was so bold, so open in its contempt of the people of the United States, as to arrest five of its citizens for helping us bring to justice Osama bin Laden, that terrorist radical fiend whose leadership led to the slaughter of 3,000 Americans on 9/11.

The Pakistan Intelligence Service, the ISI, is today, as it always has been, a friend of radical Islam and an enemy of Western democracy. With American acquiescence and Saudi financing, the Pakistani Government—read that the ISI—the Pakistani Government created the Taliban as Islamabads’s vanguard for the conquest of Afghanistan. In the process, they set in place a fundamentalist anti-Western radical Islamic terrorist state.

We know that even after 9/11, after 3,000 of our citizens had been slaughtered, the ISI continued to covertly support radical Islamic terrorists, and they are still engaged in such hostile
acts, even as American lives are being lost even today.

1600

In 2010, the London School of Economics published a report that found agents of the ISI—this is 2010, long after 9/11—were “funding and training the Afghan Taliban.” And to top things off, there is substantial reporting that has been done that suggests that Pakistani diplomats are lobbying the Afghan Government leaders, suggesting that they dump the United States and turn to China for a partnership and reconstruction.

This isn’t shame on them; this is shame on us. Washington may be able to coerce and bribe Islamabad into doing us a favor now and then, but it is time to face reality. The goals and values of the United States and Pakistan are fundamentally at odds. Wake up, America. This bill would provide for another $1 billion to Pakistan. The Pakistani Government and Pakistan, they are not our friends. Why are we borrowing money from China to give to a government that has betrayed us time and time again?

Therefore, I urge adoption of my amendment to eliminate any funding in this appropriations bill from going to Pakistan.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR (Mr. HASTINGS of Washington). The gentleman is recognized for 5 minutes.

Mr. DICKS. The bill includes approximately $2.4 billion to support the Pakistani military. Of this amount, $1.1 billion is for the Pakistan Counterinsurgency Fund, and approximately $1.3 billion is provided through Coalition Support Funds.

The Pakistan Counterinsurgency Fund provides for the training and equipping of Pakistani forces specifically to aid U.S. counterterrorism objectives. Coalition Support Funds are used to reimburse the Pakistani military for operations which generally support U.S. counterterrorism objectives.

In the wake of Osama bin Laden’s killing by U.S. Special Forces, serious questions have arisen about Pakistan’s reliability as a strategic partner, and I agree with the gentleman from California that this has raised serious questions here in the United States about the reliability of one of our partners. And also, there are questions about President Karzai in Afghanistan as well.

Now, the relationship with Pakistan has always been difficult. It reminds me a great deal, during World War II, of our relationship with the Soviet Union, Russia. That was a difficult relationship, but it was essential at that time. And it is essential at this point. This relationship has helped the U.S. make progress against terrorism, and the Pakistanis have allocated a significant part of their forces within their own borders to this mission, which we need to do more of on the federally administered tribal areas and in Quetta, where the Afghan Taliban leadership exists. And we need them to let us bring our Special Forces into Pakistan. Now, the continued withdrawal of U.S. assistance would likely polarize Pakistan and exacerbate significant pro-and anti-American rifts within their military and their government generally. Aggravating this divide would be counterproductive to U.S. objectives in the region.

In addition to the counterterrorism activity, the fact of Pakistan’s nuclear weapons capabilities provides ample reason for the United States to continue positive engagement, so I urge my colleagues to reject this amendment.

Mr. ROHRABACHER. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. ROHRABACHER. Is any of the money that we have in this bill going to end up financing the ISI? Will any of that money end up in the hands of the ISI?

Mr. DICKS. I cannot say for certain. I don’t think there is anything in this bill that I know of, any provision that provides funding directly to the ISI. Now, there may be. As the gentleman knows, there are other avenues in the intelligence world. But I don’t know of anything specifically in this bill. And the ISI, I have just as much trouble with them as you do. But I don’t think that we have anything specifically in the bill that funds them.

Mr. ROHRABACHER. Is there any language in the bill that would prevent the money in this bill from going to the ISI?

Mr. DICKS. No, I don’t think there is any prohibition in this bill.

Mr. ROHRABACHER. All right. Thank you very much.

Mr. DICKS. Thank you.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California.

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

Mr. DICKS. 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 North Carolina will be postponed.

Mr. BISHOP of Utah. Mr. Chairman, I move to strike the last word.

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

Mr. BISHOP of Utah. I would ask the subcommittee chairman, Mr. Young, if he would enter into a colloquy regarding the Minuteman III Warm Line Solid Rocket Motor Sustainment program.

Mr. YOUNG of Florida. If the gentleman would yield, I would be very happy to enter into a colloquy with the gentleman from Utah.

Mr. BISHOP of Utah. As the chair is aware, the Air Force has proposed to terminate the Minuteman III Warm Line Solid Rocket Motor Sustainment program beginning in FY 2012. The Air Force has not presented this committee a viable plan to sustain this strategic weapon system beyond the year 2020 as these motors age out, and the program of record now requires the system to be deployed until 2030, which does leave a 10-year gap of vulnerability with no Minuteman III-specific industrial base to support this weapon system.

Would the chairman agree that it is vitally important that the Air Force undertake what is called a smart closeout of this program to include taking definite steps to preserve the essential tools, the uniquely skilled workforce, suppliers, equipment, and production facilities needed to continue to produce and support the readiness of Minuteman III motors through their current operational life cycle through at least 2030?

Mr. YOUNG of Florida. I thank the gentleman from Utah for bringing this matter to our attention, and we do share concern for the solid rocket motor industrial base.

We understand that the Air Force is considering their options, and we certainly intend that they use closeout funding from the Minuteman III mod line in a wise manner. We believe that they should seriously consider a smart closeout, as the gentleman from Utah described, and should also consider incorporating the essential elements from the Minuteman III production line into existing production lines for future solid rocket motor programs in order to preserve both military capabilities and to ensure the best use of taxpayer funds.

If not, the earlier voice vote is vacated.

The Clerk redesignated the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. The question is on the amendment.

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

Mr. DICKS. 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 gentlewoman from North Carolina will be postponed.

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Mr. BISHOP of Utah. Reclaiming my time, Mr. Chairman, do you also agree that all funds provided for Minuteman III modification in this bill may only be used to support the current Minuteman III system and that no funds have been either requested in the President’s budget or provided by this committee to begin a new start program for a future, currently unauthorized Minuteman III follow-on capability?

Mr. YOUNG of Florida. I would respond that the purpose of the funding that we have provided for the Missile Modifications program is to support the operational capability of the Minuteman through 2030. This includes $34 million, as requested, for closeout of the warm line program. Development of any follow-on capability is still years away. And the gentleman is correct, a new start system would require authorization and appropriation by the Congress, which the Air Force has not requested and we have not provided. We intend that warm line funds be used in a manner that preserves the industrial base and does not diminish our future strategic capabilities.

I commend the gentleman for his leadership in this area and look forward to working with him further on this issue.

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

AMENDMENT OFFERED BY MR. GOHmERT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 201. None of the funds made available by this Act may be obligated, expended, or used in any manner to support military operations, including NATO or United Nations operations, in Libya or in Libya’s airspace.

Mr. DICKs. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Texas is recognized for 5 minutes.

Mr. GOHmERT. Mr. Chairman, we have had a couple of amendments we’ve already voted on. In reviewing whether or not to withdraw my amendment, my concern comes on the review of Mr. Cole’s amendment that passed that he provided. His amendment says that none of the funds in the act may be used for supporting military activities of any group or individual not part of a country’s Armed Forces. So it still could be used to supplement another country’s Armed Forces through NATO or through the U.N.

We have here a case where people on both sides recognize that the President moved forward and put our military in harm’s way to go after a man who until March 1 was recognized by the United Nations as being a leader in human rights. In fact, it had elected him in 2003 to be the chairman of the Human Rights Commission of the U.N. We also know that because of the funds provided by this committee, the United States, in support within the United States, the Arab League asked him—not Congress, not the population of the United States, but the Arab League and some in NATO. It has not been established—and there are no indications it will be established—that Prince bin Hamad Al Khalifa will be better for us, for our national security or for our allies like Israel. So, if it’s not for this country’s national security, it is not for this country’s national security under this amendment provided by the gentleman Secretary Gates said, to whom the President recently awarded a Medal of Honor, that we have no national security interests in Libya, then we should not be committing our military to that.

Even though the U.N. may support action in Libya and even though they may buy into this Arab Spring, we are already seeing that Iran is excited because it looks like they’re going to get additional funds. In fact, that this week the leader of Iraq, Maliki, is giving in to the request of the leader of Iran and is going against his promise to us and to the people of Camp Ashrafi that they’ll be safe and secure. Now he’s saying he’s going to disband the camp.

It is time to put America’s national security and national interests first and not some whim of some president because someone outside the U.S. asked to know the Muslim Brotherhood, despite what someone says, has been supporting terrorism. The evidence was clear in the Holy Land Foundation trial. We know that this administration has bent over backwards to appease such folks, so it is time for an amendment to make very clear, which this one does:

Mr. President, it doesn’t matter whether you’re going to try to use our military through NATO, our military through the U.N., our military head-up for an intelligence rescue. It doesn’t matter. You’re not going to use them.

For those who argue the War Powers is constitutional or is unconstitutional, I would humbly submit it does not matter. Even though the War Powers Act was passed as a curb against the President at the time, it is actually a gift to a President. This body has the power of the purse to cut off funding at any time it so desires, and the War Powers gave him a gift that said, Look, I’ll give you days and days and days to come make your case before we cut you off.

That’s a gift.

This President has shoved it back down our throats, and has said, I don’t care what you think.

It is time to use the constitutional powers of this body and say, "Enough." I hope that people will vote for this amendment. I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. I find it a little difficult to listen to the arguments about the War Powers Act, because I agree with those arguments.

First of all, in 1973, I think the Congress did give Presidents a gift of power not intended by the Constitution. The Constitution is very clear. It intends that war-making decisions would be made in conjunction with the Commander-in-Chief and the Congress, not the Commander-in-Chief by himself or herself and not the Congress alone, but while working together. That’s not the way it has been happening lately. There hasn’t been an American mission of war under the Constitution since World War II, but we have fought in a lot of wars, and we have killed and wounded a lot of our kids.

That’s not the amendment, though. I agree with all of those points. I think that Congress has a serious responsibility to review the War Powers Act and to make it what we think it ought to be, and that is a partner relationship between the Congress and the executive branch.

Yet, while we hear these strong arguments about the War Powers Act and the separation of powers, these amendments don’t really get the job done. If you want to cut off all funding for any activities in and around Libya, you would have to introduce a separate resolution that would simply say: No funds appropriated here or anywhere else can be used in Libya or in Libya’s airspace.

In this particular bill, there is no money for Libya, and the President has made it very clear that he is not going to use any funds from the fiscal year 2012 appropriation. I will see if that changes, but we have that in writing. We’re already there. We’re already flying missions. If this amendment should be agreed to, here is what we would not be able to do:

We could not fly search and rescue missions for a downed pilot. We could not do ISR—Intelligence, Surveillance, and Reconnaissance. We could not do aerial refueling for our coalition partners. We could not even be part of operational planning under this amendment.

As much as I agree with what the gentleman is trying to accomplish, I can’t support this amendment, because of the effect that it really has. If it could amend the War Powers Act and make the President be a partner with Congress, I’d say, Amen. Let’s do it quickly. I think the Congress ought to do that, and I think we ought to be serious about doing that; but on this particular amendment, I’ve got to oppose...
it because this is what we're dealing with, not the emotional discussions about the War Powers Act.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I do not insist on my point of order.

The Acting CHAIR. The reservation is withdrawn.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

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

Mr. DICKS. The brutal regime of Muammar al Qadhafi has caused an international outcry, and the people of Libya have asked for our help. The NATO-led mission to defeat Qadhafi and protect the people of Libya was undertaken in concert with a broad coalition of nations, including the Arab League, and it followed resolutions adopted in the United Nations Security Council, authorizing "all necessary measures."

The amendment would end our involvement unilaterally. I believe this could materially harm our relationship with the Arab League and other allies from whom we will undoubtedly require support in the future, and our NATO alliance has been a vital and successful part of U.S. foreign policy dating back to its formation in 1949.

I do support a wider debate and greater oversight of the use and the cost of U.S. military forces engaged in the Libya operation, but I would point out that the administration did send a detailed document that shows the money that has been spent thus far and what will be spent through the end of this fiscal year. We should let the mission with our NATO allies continue so we can replace Qadhafi and protect the Libyan people.

I urge all my colleagues to vote "no" on this amendment. And I would just remind everyone that in 1986 President Reagan authorized a military strike following the bombings in Berlin and definitive proof of Qadhafi's involvement in other terrorist activities. At the time, President Reagan publicly denounced Qadhafi, the "Mad Dog of the Middle East who espoused the goal of world revolution."

Mr. Chairman, I can only wonder what Ronald Reagan would say today about those who would propose immediate withdrawal of U.S. assistance to the broad coalition of nations attempting to finish the job that President Ronald Reagan started.

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

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

The question was taken; and the Acting Chair announced that the noes appeared as follows:

Mr. GOMERT. 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 Texas will be postponed.

AMENDMENT OFFERED BY MR. ENGLE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads 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 by the Department of Defense to purchase new light-duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

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

Mr. ENGLE. Mr. Chairman, on May 24, President Obama issued a Memorandum on Federal Fleet Performance, which requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015. My amendment echoes the President's determination to prohibit using funds in the Defense Appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum. I have introduced similar amendments to the Homeland Security Appropriations bill and the Agriculture Appropriations bill and intend to do it with other appropriations bills. Both were accepted by the majority and passed by voice vote.

Our transportation sector is by far the biggest reason we send $600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with almost 197,000 being used by the Department of Defense. By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources—including biomass, natural gas, coal, agricultural waste, hydrogen and renewable electricity. Expanding the role these energy sources play in our transportation economy will help break the leverage American's held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world oil markets.

I ask my colleagues to support this amendment as both sides of the aisle have done in previous bills; and I want to mention on a similar note, I have worked in a bipartisan fashion with my colleagues, JOHN SHIMKUS, ROSCOE BARTLETT and STEVE ISRAEL, to open the bipartisan Open Fuel Standard Act, H.R. 1687.

Our bill would require 50 percent of new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warmed to operate on nonpetroleum fuels in addition to or instead of petroleum-based fuels. Compliance possibilities include the full array of existing technologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive and fuel cell and a catch-all for new technologies. I mention it because it's similar to this, and I really believe that our energy policies obviously can only be done on a bipartisan basis.

I encourage my colleagues to support this amendment, again as we've done on all the other bills where I have introduced it, and the Open Fuel Standard as we work toward breaking our dependence on foreign oil.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. I think the gentleman's amendment is a good amendment. I think we've seen this on other bills, and I am happy to accept the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate the gentleman's willingness to accept the amendment, and I too think it's a good amendment and a good idea.

Mr. YOUNG of Florida. 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 York (Mr. ENGLE).

The amendment was agreed to.

AMENDMENT NO. 89 OFFERED BY MR. NEUGEBAUER

Mr. NEUGEBAUER. 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:

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 purchase new light-duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

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

Mr. GOMERT. I rise in opposition to the House-passed proposal for a fiscal year 2015. My amendment echoes the President's determination to prohibit using funds in the Defense Appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum. I have introduced similar amendments to the Homeland Security Appropriations bill and the Agriculture Appropriations bill and intend to do it with other appropriations bills. Both were accepted by the majority and passed by voice vote.

Our transportation sector is by far the biggest reason we send $600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

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I ask my colleagues to support this amendment as both sides of the aisle have done in previous bills; and I want to mention on a similar note, I have worked in a bipartisan fashion with my colleagues, JOHN SHIMKUS, ROSCOE BARTLETT and STEVE ISRAEL, to open the bipartisan Open Fuel Standard Act, H.R. 1687.

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I encourage my colleagues to support this amendment, again as we've done on all the other bills where I have introduced it, and the Open Fuel Standard as we work toward breaking our dependence on foreign oil.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. I think the gentleman's amendment is a good amendment. I think we've seen this on other bills, and I am happy to accept the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate the gentleman's willingness to accept the amendment, and I too think it's a good amendment and a good idea.

Mr. YOUNG of Florida. 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 York (Mr. ENGLE).

The amendment was agreed to.
to look like in the future, and part of that is from the START Treaty. What we feel is appropriate is for us to not look at reductions in the bomber fleet on a piecemeal basis, but to look at it as a total picture once we have done the analysis to see how many of the planes will not be needed for nuclear capability moving forward.

The B-1 is kind of an interesting plane. It doesn’t get a lot of attention, but what it does is it works 24–7 and has been doing so for a number of years and until recently was the only bomber seen in active duty.

I am pleased to be supported in this effort by Congressman Thorneberry, who is vice chairman of the Armed Services Committee, as well as my colleagues, Mr. CONAWAY, Mrs. NOEM, and Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of this amendment that is offered by the gentleman from Texas.

The B-1 bomber is the workhorse of our long-range bomber fleet and has been flying missions over Iraq and Afghanistan for nearly a decade. More importantly, the B-1 bomber from the 28th Bomb Wing at Ellsworth Air Force Base in my home State of South Dakota just carried out an air strike operation in Libya. In just under 2 days, Ellsworth generated aircraft loaded with conventional weapons that were able to strike targets halfway across the world.

Regardless of what one thinks about our involvement in Libya, one thing that one cannot dispute is the B-1’s capability to respond globally and its vital importance to our bomber fleet.

Mr. Chairman, with the next generation bomber development still a decade away as the gentleman knows, as we do not yet know what those cuts will look like, as the gentleman from Texas (Mr. NEUGEBAUER) has pointed out, that’s going to be several years away. We tried to add some money this year to accelerate that because we do need a follow-on bomber.

Mr. NEUGEBAUER. I agree with the gentleman that we do have enough bombers. That’s why I’m so strongly committed to the next-generation bomber. But as has been pointed out, that’s going to be several years away. We tried to add some money this year to accelerate that because we do need a follow-on bomber.

Mr. NEUGEBAUER. Would the gentleman yield?

Mr. CONAWAY. Mr. Chair, I rise today to speak in support of the B-1 bomber fleet. To echo what my colleague, Mr. NEUGEBAUER has said, I too believe that we should carefully examine the way we modify our bomber fleet for the future.

As part of the New Start Treaty, the U.S. and Russia will limit their nuclear capable delivery vehicles to a total of 700 deployed assets, including heavy bombers. At this time, we do not yet know what those cuts will look like. Preserving the size of our non-nuclear bomber fleet until we know the results of the START Treaty analysis is simply good policy.

My colleagues on the Armed Services Committee and I are very concerned that if we go down this path and prematurely reduce a portion of the fleet, that we will regret that decision.

Mr. Chair, I recognize that cuts need to be made. Every aspect of the budget needs to be thoroughly reviewed, but let’s not make bad budgetary decisions without considering our mission capabilities first.

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

The amendment was offered by Mrs. NAPOLITANO. I move to strike the last word.

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

Mrs. NAPOLITANO. Mr. Chairman, today I rise to address the ranking member of the House Appropriation’s Committee on Defense, Mr. Dicks, and also the chair in a colloquy on the critical need to improve the recruitment, retention, and competitive compensation of the mental health professionals who can work with our Iraq and Afghanistan military servicemen and -women.

Since 2001, 2,103 military members have died by suicide. And one in five servicemembers currently suffer from post-traumatic stress and/or major depression. We must ensure that an adequate number of mental health professionals are available to treat our soldiers.

Mental health professionals must be retained by providing adequate pay and competitive benefits that are also available in the private sector. It is our duty and responsibility to our wounded warriors that we ensure their mental health services are secure and available when and where needed.

I am submitting for the RECORD an article from the Army Times dated April 7, 2011, regarding the Senate Appropriations Committee Defense Subcommittee meeting of April 6 and quoting Army Surgeon General Lieu tenant General Schoomaker who stressed the severe lack of mental health professionals in the military, and his concern about retention, especially in the rural areas. The article states, “Congress has been pressuring the military health system to add more psychiatric doctors, nurses and social workers for several years. That has prompted the services to add about 1,500 full-time mental health professionals since 2006—a 70 percent increase.”

The article further says, “But demand has continued to outpace that growth. Active-duty troops and their families were referred to off-base civilian mental health care professionals nearly 4 million times in 2009, roughly double the number of off-base referrals in 2006, military data show.”

“The dramatic increase in military suicides during the past several years has added urgency to congressional concerns. At the April 6 hearing, all the Army’s mental health told lawmakers about efforts to improve training, recruiting and retention of mental health professionals.”
Mr. DICKS. I would point out that the chairman of this committee, Mr. YOUNG, and his wife, Beverly, have been some of the strongest advocates for our Wounded Warriors and he has led the fight in our committee to increase the funding for traumatic brain injury and post-traumatic stress disorder. So our committee has been very committed to this. It is one of our highest priorities.

Mrs. NAPOLITANO. I think Mr. DICKS, the ranking member, for working with me on this critical issue and look forward to working soon enough on this.


Panel Questions Adequacy of Mental Health Care

(By Andrew Tilghman)

The military's top doctors faced heated questions on Capitol Hill about whether there are enough mental health professionals to meet the soaring demand from troubled troops.

"Do you feel you have adequate mental health personnel?" asked Sen. Barbara Mikulski, D-Md., at an April 6 hearing of the Senate Appropriations Committee's defense panel.

Lt. Gen. Eric Schoomaker, the Army surgeon general, acknowledged that the military would prefer to have more, but cited an overall lack of mental health professionals nationwide as a key challenge. "I think the nation is facing problems. As a microcosm of the nation, we have problems," Schoomaker said.

Congress has been pressing the military health system to add more psychiatric doctors, nurses and social workers for several years. That has prompted the services to add about 1,500 mental health professionals since 2006—a 70 percent increase.

But demand has continued to outpace that growth. Active-duty troops and their families were referred to off-base civilian mental health care professionals nearly 4 million times in 2009, roughly double the number of off-base referrals in 2006, military data show.

The dramatic increase in military suicides during the past several years has added urgency to congressional concerns. At the hearing, several military surgeons and Army surgeons general told lawmakers about efforts to improve training, recruiting and retention of mental health professionals.

Mikulski suggested military training may be uniquely important because some civilian doctors and social workers have trouble understanding troops' problems and mindset.

"From what I understand...often in the first hour of the first treatment, the military [patients] facing this problem walk out and tell the counselor, essentially, to go to hell because they don't feel they get it," she said.

Schoomaker downplayed issues with non-military providers.

"Frankly, I think...this warrior culture issue might be present in some cases but not universally. Our people do a good job with that," he said.

Sen. Patrick Leahy, D-Vt., was concerned about reservists who may not live near a military treatment facility and may have found it problematic to access mental health care. Schoomaker agreed that reservists can face a significant challenge.

"We have regional problems...in reserve communities. You go home to a community where access to care is a problem for all care, but especially behavioral health," Schoomaker said.

That's also a problem for some active-duty posts in rural areas. "In the desert of California, for example, it's hard to recruit and retain high-quality people," he said.

Turning first to VA's efforts in recent years with Mental Health Care, The American Legion has consistently lobbied for budgetary increases and program improvements to VA's Mental Health Programs. Despite recent unprecedented increases in the VA budget, demand for VA Mental Health services is still outpacing the resources and staff available as the number of service members and veterans afflicted with Post Traumatic Stress (PTS) and Traumatic Brain Injury (TBI) continues to grow, this naturally leads to VA's increase in mental health patients.

RAND's Center for Military Health Policy Research, an independent, nonprofit group, released a report on the psychological and cognitive needs of all servicemembers deployed in the past six years. The Invisble Wounds of War: Psychological and Cognitive Injuries, Their Consequences, and Services to Assist Recovery, estimates that more than 300,000 (20 percent of the 1.6 million) Iraq and Afghanistan veterans are suffering from PTS or major depression and about 320,000 may have experienced TBI during deployment.

The Centers for Disease Control and Prevention estimates 30,000-32,000 U.S. deaths from suicide per year among the population. VA's Office of Patient Care and Mental Health Services reported in April 2010 that approximately 20 percent of national suicides are veterans. The National Violent Death Reporting System reports 18 deaths per day by veterans and VA's Serious Mental Illness Treatment, Research and Evaluation Center reported about five deaths occur each day in VA patients. According to the article, it was cited that there have been more suicides than service members killed in Afghanistan.

The Veterans Health Administration (VHA) has made improvements in recent years for Mental Health and transition between DoD and VA such as the Federal Reentry Coordinator, Veterans Stabilization System of Care, Operation Enduring Freedom (OEF) and Operation Iraqi Freedom.
OFF case management teams, integrating mental health care providers into primary care within VA Medical Center Facilities and Community Based Outpatient Clinics (CBOC) and the Defense and Veterans Brain Injury Center (DVBIACounselors, establishing directives for TBI screening, clinical reminders and a new symptom module for VA.

Regarding suicide prevention outreach efforts, VA founded the National Suicide Prevention Hotline, 1-800-273-TALK (8255) by collaborating with the National Suicide Prevention Lifeline where veterans are assisted by a dedicated call center at Canandaigua VA Medical Center in New York. The call centers are staffed with trained information health care professionals to respond to calls on a 24/7 basis and facilitate appropriate treatment. VA reported in 2010 a total of 245,865 calls, 129,392 of which were identified as veterans. Of these veterans, 7,720 were reasures.

VA hired Local Suicide Prevention Coordinators at all of the 153 VA Medical Centers nationwide in an effort to provide local and immediate assistance during a crisis, compile local data for the national database and train local staff in how to provide assistance. One of the primary responsibilities of the Local Suicide Prevention Coordinators is to track and monitor veterans who are placed on high risk suicide (HRS). A safety plan for that individual veteran is created to ensure they are not allowed to fall through the cracks.

In 2009, VA initialized an online chat center for veterans to further reach those veterans who utilize online communications. The total number of VAChat contacts reported since September 2009 was 3,859 with 1,781 mentioning suicide. VA has also had targeted outreach campaigns which include billboards, radio, television, and PSAs with actor Gary Sinise to encourage veterans to contact VA for assistance.

The American Legion Advocates Suicide Prevention and Referral Programs.

The American Legion has been at the forefront of helping to prevent military and veteran suicides in the community. The American Legion approved Resolution 51, The American Legion National Executive Committee, recommended annual Suicide Awareness, S.A.V.E. Training for our Veterans Affairs Officers and Rehabilitation Commission members. VA&R Commission members and volunteers subsequently presented an American Legion state, district and post training programs to provide referrals for veterans in distress with VA’s National Suicide Prevention Hotline. The American Legion currently has over 50 posts with active Suicide Prevention and Referral Programs.

In December 2009, The American Legion took part in a Suicide Prevention Assistant Volunteer Coordinator position, under the auspices of VA’s Voluntary Service Office. Each local suicide prevention office is encouraged to work with veteran service organizations and community organizations to connect veterans with VA’s programs in their time of transition and need. The Suicide Prevention office can increase their training of volunteers to distribute literature and facilitate training in order to further reach veterans in the community.

The American Legion was offered into a partnership with the Defense Centers of Excellence’s Real Warrior Campaign to educate and encourage our members to help transition service members and veterans receive the mental health treatment they need. Additionally, during our 2010 National Convention we will have a panel to discuss prevention, screening, diagnosis and treatment of TBI with representatives from DoD, VA and the private sector.

Challenges

Despite recent suicide prevention efforts, yet more needs to be done as the number of suicides continues to grow. The American Legion’s System Worth Saving (SWS) program, which combined with VA Medical Center facilities annually, has found several challenges with the delivery of mental health care. VA has the goal to recruit psychologists to meet a demand level of 3,000 to 10,000 to meet the demand for mental health services. However, VA Medical Center Facilities have expressed concern with hiring quality mental health specialists and have had to rely on fee basis programs to manage their workload.

The American Legion applauds last year’s action by Congress in passing Advance Appropriations for mandatory spending. However, problems exist in VA itself in allocating the funds from VA Central Office to the Veteran Integrated Service Networks (VISNs) and to the local facilities. This delay in funding creates challenges for the veteran receiving care that is receiving its budget to increase patient care services, hiring or to begin facility construction projects to expand mental health services. VA’s 2011 budget allocates nearly $2.4 billion for mental health programs which is an 8.5 percent, or $410 million, increase over FY 2010 budget authorization. The American Legion continues to be concerned about mental health funds being specifically used for their intent and that Congress continue to provide the additional funding needed to meet the growing demands for mental health services.

Challenges in preventing suicide include maintaining confidentiality and overcoming the stigma attached to a service member or veteran receiving care. Additionally, the issue of a lack of interoperable medical records between DoD and VA, while being addressed by Virtual Lifetime Electronic Records (VLER), still exists. The American Legion has supported the VLER initiative and the timely and unfettered exchange of health care information.

Unfortunately, DoD and VA still have not finalized both agencies ALTA and VISTA architectural systems since the project began in 2007. DoD has a capability to track and monitor high risk suicide patients during their transition from military to civilian life. The American Legion recommends VA take the lead in developing a joint database with the DoD, the National Center for Health Statistics and the Centers for Disease Control and Prevention to track suicide and the statistics of military and veteran suicides.

The American Legion continues to be concerned about the delivery of health care to rural and remote veterans. The shortage of behavioral health specialists, especially in remote areas where veterans have settled, reduces the effectiveness of VA’s outreach. No matter where a veteran chooses to live, VA must continue to expand and bring needed medical services to the highly rural veteran population through telehealth and by Veteran Readjustment (VRET). DoD and VA have piloted VRET at bases at Camp Pendleton, Camp Lejeune and the Iowa City VA Medical Center. VRET is an example that expresses a patient to different computer simulations to help them overcome their phobias or stress. The younger generation of veterans identified with PTSD may be more apt to self-identify online rather than at a VA Medical Center or CBOC.

Both DoD and VA have acknowledged the lack of research on brain injuries and the difficulties diagnosing PTS and TBI because of the comorbidity of symptoms between the two. The Defense and Veteran Brain Injury Screening Questionnaire (BISQ), the only validated instrument by the Centers for Disease Control to assess the history of TBI, has over 100 questions with 25 strong indicators for detecting TB. Mount Sinai has published data that suggest some of the symptoms, particularly those categorized as “cognitive,” when found in large numbers, indicate the person is experiencing complaints similar to those of individuals with brain injuries. The American Legion is working with the private sector to share best practices and improve on evidence-based research, screening, diagnosis and treatment programs of the signature wounds of Iraq and Afghanistan.

Recommendations

The American Legion has seven recommendations to improve Mental Health and Suicide Prevention efforts for VA and DoD.

1. Congress should exercise oversight on VA and DoD programs to insure maximum effectiveness and make sure Congress is satisfied with DoD and VA’s efforts to work together.

2. Congress should appropriate additional funding for mental health research and to standardize DoD and VA screening, diagnosis and treatment programs.

3. DoD and VA should expedite development of a Virtual Lifetime Medical Record for a single interoperable medical record to better track and flag veterans with mental health illnesses.

4. Congress should allocate separate Mental Health funding for VRET and Retention incentives for behavioral health specialists.

5. Establish a Suicide Prevention Coordinator at each military installation and encourage DoD and VA to share best practices in research, screening and treatment protocols between agencies.

6. Congress should provide additional funding for telehealth and virtual behavior health programs and providers and ensure access to these services are available on VA’s website for Military, Veterans, Brain Injury and Suicide Prevention as well as new technologies such as Skype, Apple I-Phone Applications, Facebook and Twitter.

7. DoD and VA should develop joint online suicide prevention service member and veteran training courses/modules on family, budget, pre, during and post deployment, financial, PTSD, TBI, Depression information. In conclusion, Mr. Chairman, although VA has increased its efforts and support for suicide prevention programs, it must continue to work into the community by working with Veteran Service Organizations such as The American Legion to improve outreach and increase awareness of these suicide prevention programs and services for our nation’s veterans. The American Legion is committed to working with DoD and VA in providing assistance to those struggling with the wounds of war. Veterans need lose the fight and succumb to so tragic a self-inflicted end.

Mr. Chairman and Members of the Sub-commitee, this concludes my testimony.

I yield back the balance of my time.

Amendment Offered by Mr. Gosar

Mr. GOSAR. I have an amendment at the desk.
The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Thank you, Mr. Chairman.

I ask for your support of my amending amendment that would prohibit any military expenditure that would assist any entity that has a policy calling for the destruction of the State of Israel. My amending amendment would prohibit this type of expenditure to any entity that has a policy calling for the destruction of the State of Israel. Most prominent, of course, is Iran. Just last month, Iranian President Mahmoud Ahmadinejad reiterated his nation’s policy calling for the complete elimination of Israel.

It is not just formally recognized states, however, we need to be concerned about. History has shown that entities we consider terrorist fringe groups sometimes, through force, manipulation and popular vote, take over the state apparatus. This happened in the Gaza Strip when Hamas, the Islamic Resistance Movement, won a plurality of legislative seats, 44 percent, in the 2006 election. The United States and Israel classify Hamas as a terrorist organization, but the United Nations, for example, does not. The Hamas government of 1997, now a key player in Egypt and part of Libya, The Muslim Brotherhood.

Mr. WELCH. Thank you, Mr. Chair. I rise to support the gentleman’s amendment. I also want to support his reasons for offering this amendment. I think they are very well taken. The amendment is a good amendment, and I strongly support it.

I yield back the balance of my time.

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

Mr. WELCH. Thank you, Mr. Chairman.

One of the major decisions that this Congress has to make and for which we need a recommendation from the Appropriations Committee for the Defense Subcommittee is whether nation-building is a wise strategy, a sustainable strategy, an affordable strategy, and an effective strategy in Afghanistan. We had a debate on that policy. There was a bipartisan vote, with 204 Members suggesting it was time to call into question the wisdom, sustainability and effectiveness of nation-building.

One of the things that we have provided to our commanders in order for them to be able to do hearts-and-minds civil projects, roads, bridges, schools is a small $400 million fund that they use completely at their discretion. Now, this sounds like a good idea. If you’re going to ask the military to win the hearts and minds, not just use military power to fight battles, then a discretionary fund can seemingly make some sense. This new effort, up, upon review, it turns out that these roads, these bridges, these canals, almost the moment they’re turned over to the Afghan authorities, fall into disrepair, disuse and neglect. It’s not surprising. Number one, there is very little local government infrastructure in Afghanistan, and the fact that we build a road or a school doesn’t necessarily mean that the government priority there to be able to maintain it. So we build something, and the moment we turn the keys over, it falls into disuse and disrepair.

Second, the expenses of doing this are enormous. It may make sense to do these civic projects, to create some goodwill, but do you do them, Mr. Chairman, in the middle of a shooting war? Or is it better to do that before or after the war, when you have a chance for this implementation to occur?

Then, third, there’s an immense amount of ripping off of this money from the American taxpayer. It gets lost. It gets picked up in graft that we all know about is too rampant in Afghanistan. According to The Washington Post, half of this money, a minimum of $400 million, is going missing, it’s wasted, and it is coming out of our taxpayer pockets.

My amendment would cut in half the $400 million, reduce it to $200 million, basically taking away that $200 million that is being utterly wasted. This is a commonsense, practical way to save money by stopping a policy that may be good in theory but in practice is a failure.

[From the Washington Post, Jan. 4, 2011] U.S.-FINANCED INFRASTRUCTURE DETERIORATES ONCE UNDER AFGHAN CONTROL, REPORT SAYS

(No by Josh Boak)

Roads, canals and schools built in Afghanistan as part of a special U.S. military program are crumbling under Afghan stewardship, despite steps imposed over the past year to ensure that reconstruction money is not being wasted, according to government reports and interviews with military and civilian personnel.

U.S. troops in Afghanistan have spent $2 billion over six years on 16,000 humanitarian projects through the Commander’s Emergency Response Program, which gives a battle- or field-level commander the power to treat ailments as ammunition.

A report slated for release this month reveals that CERP projects can quickly slide into neglect after being transferred to Afghan control. The Afghanns who workers improving a key bridge were paid $3 million but never got paid for the time they spent, the Army has spent $800 million on roads in the country’s south but has little to show for it.

The spending in Afghanistan is part of the $5 billion provided to U.S. military commanders for projects in Iraq and Afghanistan since 2004. The new report is the latest to identify shortcomings and missteps in the program, whose ventures have included the Jadriyah Lake park in Iraq, planned as a symbol of goodwill, but do you do them, Mr. Chairman, in the middle of a shooting war? Or is it better to do that before or after the war, when you have a chance for this implementation to occur?
report. "The Afghans don’t have the money or capacity to sustain much." The official spoke on the condition of anonymity because the Defense Department is preparing a response.

Photos in the report show washed-out roads, with cracks and potholes where improvised explosive devices can be hidden. Among the things detailed is a roadbed canal that filled with silt a month after opening.

Multiple reports by the Government Accountability Office have noted a lack of monitoring by the Pentagon. And because formal U.S. oversight stops after a project is turned over to Afghans, it is difficult to gauge how projects are maintained countrywide.

When asked whether the Afghans have trouble completing projects, the U.S. military issued a statement saying it does not have the information to provide an immediate answer.

Gen. David H. Petraeus, the top U.S. commander in Afghanistan, said in Senate testimony last year that CERP is "the most responsive and effective means to address a local community's needs." He previously relied on the discretionary fund as the commanding general in Iraq, where $3.5 billion has been spent through the program. Over the past two years, Petraeus has pushed for stricter controls to stop any fraud and waste.

In response to "insufficient management," CERP guidance for Afghanistan was revised in December 2008, according to a statement by the military. The new guidance emphasizes the need to meet with Afghan leaders when choosing what to fund. It does not, however, require U.S. troops to continue inspecting projects after they are placed under Afghan control.

Under the guidance, an Afghan governor, mayor or bureaucrat must sign a letter promising to fund maintenance and operations. But an October SIGAR audit of projects in Nangahar province found that only two of the 15 files examined contained a signed letter. Nor is there formal reporting to the provincial or district governments of what was spent and built, the audit said. That makes it difficult for Afghans to know what they are supposed to maintain.

The provincial and district governments that fund projects do not have the money to sustain them because they cannot collect taxes and they depend on the national government for funding, said Army Maj. Gen. Michael D. Kazaure, the civil affairs officer for Task Force Bastogne in eastern Afghanistan.

To teach the local governments how to request additional funds from Kabul, Kazaure helped launch a program in the summer that uses CERP dollars for the operation and maintenance of some projects.

The CERP projects are completed by subcontractors with poorly maintained computer databases. Before October 2008, the database did not consistently record the villages or districts where the projects took place, according to military and civilian personnel who spoke on the condition of anonymity because the master database is classified.

A civilian official who examined the contents of the database for a government assessment said the military cannot account for the spending without knowing which villages and districts that were project recipients.

"Let's say the project is not working," the official said. "Why would we want to fund that project again the next year? Very little evaluation was done to decide what we fund next."

The organizational problems have also frustrated attempts to study the effectiveness of the $2 billion spent on CERP. A paper co-written by Princeton University professor Jacob Shapiro found that CERP funding helped reduce violence in Iraq. Shapiro and his colleagues have struggled over the past month to conduct a similar study for Afghanistan because of the database.

"There's not a sense of how the program may or may not be working in Afghanistan," Shapiro said.

Army Lt. Col. Brian Stoll tried to clean up the database while working on a multi-year SIGAR audit ongoing projects in southern Afghanistan.

"We never got it all cleaned up," Stoll said. "It was like a Hydra. You get part of it cleaned up and you find some more along the way."

I yield back the balance of my time. Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

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

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the gentleman's amendment for a number of reasons, although I think he's made some good points, and I want to, in fact, add an accountability to apply to this program as much as we want it to apply to anything. However, this is the same funding level as last year. The request was $125 million, and our commanders in theater told us that that is even not high enough. So what we're doing with this amendment is actually cutting a level funding item from last year, cutting it in half.

Now, what does the CERP money do, the Commander's Emergency Response Program money? Let's say an IED explodes, or maybe there is a bomb that blows up a storefront in the middle of the street. A commander can go in there and hire local labor to clear out the debris and help the people in need, and he can use CERP funds to just get whatever it is and get it done quickly without having to put U.S. Army personnel in danger to do it and can do it quickly and effectively and therefore leave our soldiers in the field, leave our soldiers where they can be most effective with their time and their training, and it does promote some goodwill on the streets with the people.

It has been said, well, all you're doing is renting a friend, and we're not going to be the first army that's fighting a war that rents friends, if you will. It really doesn't just rent a friend. It does create some long-term goodwill and does have an economic benefit of it. But the idea is to give the commander on the street some flexibility so that they can get this done as the jobs arise and get them done quickly and turn them around.

CERP money actually has been an effective tool, and it's enormously popular with our commanders who are on the ground. I believe one of the problems we've always had is that too many decisions are being made down the street at the Pentagon and not in Baghdad, not in Kabul, not in Kandahar, where the commanders are closest to the war front.

For these reasons, Mr. Chairman, I urge a "no" vote.

I yield back the balance of my time. The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

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

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), add the following new section:

SEC. 1650. None of the funds made available by this Act may be used to enforce section 3506 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17124).

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

Mr. FLORES. Mr. Chairman, I rise to offer my amendment, which would add another misguided Federal regulation. Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of alternative fuels unless their lifecycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. Simply stated, my amendment would strike the provisions of enforcing this ban on the Department of Defense.

The initial purpose of section 526 was to stifle the Defense Department’s plans to buy and develop coal-based or coal-to-liquid jet fuels. This was based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse emissions than traditional petroleum. I recently offered my similar amendment to both the MILCON VA and Ag appropriations bills and passed the House by voice vote each time.

My friend Mr. CONAWAY of Texas also had similar language added to the Defense authorization bill to exempt the Defense Department from this burdensome regulation. What must ensure that our military becomes more energy independent and that it can effectively and efficiently rely on domestic and more stable sources of fuel.

Our Nation’s military should not be burdened with wasting its time studying fuel use issues when there is a simple fix, not restricting their fuel choices based on extreme environmental views, policies, and regulations.
like section 526. In light of increasing competition with other countries for energy and fuel resources, and continuing volatility and instability in the Middle East, it is more important than ever for our country to become more energy independent and to further develop our domestic energy resources. Placing limits on Federal agencies’, particularly the Defense Department, fuel choices is an unacceptable precedent to set in regard to America’s energy policy and independence.

On July 9, 2008, the Pentagon, in a letter to Senator JAMES INHOFE stated: “Such a decision would cause significant harm to the readiness of the Armed Forces because these fuels may be widely used and particularly important in certain geographic areas.”

In summary, not only have extreme environmental views and policies created and burdened American families and businesses, but they also cause “significant harm in readiness to the Armed Forces.”

Mr. Chairman, section 526 makes our Nation more dependent on Middle Eastern oil. Stopping the impact of section 526 would help us promote American energy, improve the American economy, and create American jobs.

To everyone watching these proceedings today, I would say this: following my remarks, you will hear speakers from the other side of the aisle make various claims regarding the merits of section 526. When you hear these claims, please remember the following facts about section 526: it increases our reliance on Middle Eastern oil. It hurts our military readiness and our national security. It prevents the use of safe, clean, and efficient North American oil and gas. It increases the cost of American food and energy. It hurts American jobs and the American economy.

I urge my colleagues to support passage of this commonsense amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman’s amendment.

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

Mr. DICKS. The Department of Defense alone is the largest single energy consumer in the world. Its leadership in this arena is critical to any credible approach moving ahead with energy independence issues. Section 526 provides an opportunity for the Federal Government to play a substantial role in spurring the innovation needed to produce alternative fuels which will not further exacerbate global climate change.

This provision has spurred development of advanced biofuels. These fuels are being successfully tested and proven today on U.S. Navy jets at supersonic speeds. It’s a testament to American ingenuity. Unfortunately, section 526 is opposed by those who disagree with advanced biofuels production. They’d like us to continue our dependence on the fuels of the past.

That’s the wrong path to take. It’s unsustainable and won’t lead to the energy security we need.

I urge my colleagues to vote “no” on the amendment.

I yield back the balance of my time.

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

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

Mr. CONAWAY. Mr. Chairman, I join my colleague in asking to exempt the Department of Defense from section 526; 526 was added to the energy bill in a wrongheaded move to placate some notion that it would have some impact on global warming to require the Department of Defense in these times, where every single dollar is scarce and every single dollar should have a home, to require them to spend extra money beyond what they would normally spend for fuel for their planes.

This amendment would also allow the continued development of coal-to-liquids jet fuel, which would make this country much less dependent on foreign oil in terms of powering our jets and other engines. So 526, maybe it belongs in the Department of Energy bill, maybe it belongs somewhere else, but it does not belong in the Department of Defense spending bill because those dollars are scarce. They are going to get scarcer. And to require the Department of Defense to spend more money than they would otherwise have spent on energy under this wrongheaded notion, in my view, is just simply bad policy.

So I rise in support of my colleague’s amendment, and I urge the adoption of his amendment when it comes to a vote.

I yield back the balance of my time.

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

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

Mr. KINGSTON. I support the gentleman’s amendment, but I do want to understand one thing in terms of what it does to the military’s options of purchasing domestic or even North American fuel. And the reason why I say that is, as I understand, the Department of Defense has three strategies in terms of energy, or using less energy. Number one is to increase the fight, decrease the fuel. Number three is to use alternative fuels which will not further exacerbate the global climate change.

This amendment would cut off this safe, friendly, stable source of fuel to this country much less dependent on foreign oil. It hurts our military readiness and American jobs. It allows them to go with biofuels, whatever alternative energy sources they need. It just takes away burdensome restrictions that are based on environmental views that aren’t proven.

Mr. KINGSTON. Reclaiming my time, Mr. Chairman, what I am concerned about, with 84 million barrels of oil produced every day, and America only having control of about 3 percent of that, yet consuming 25 percent, wherever we can use a friendly source of fuel is something that we need to keep open as an option.

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

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

The amendment was agreed to.
double dip and tax our taxpayers for our taxpayers’ generosity in giving them money. Now, how does that make any sense at all?

Among the things that the Afghan officials are doing, after this was reported, is stepping up their efforts to grab that cash. They are doing things like threatening to detain contractors. If they don’t pay up, take money that’s assigned to build that road and put that money in the Afghan coffers, they, the Afghan officials, are threatening, Mr. Chairman, to detain our contractors. They are denying licenses to our contractors, again, in an effort to do what I could only call a shakedown. These things wouldn’t raise visas for unpaid tax bills. We are spending a substantial amount of our money rebuilding their infrastructure. We should not be taxed, nor should we allow our taxpayers, essentially, to be stuck up by the Afghans. We should not be paying for the rebuilding of the Afghan Government. Ms. HERRERA BEUTLER, would end that practice.

Power grids, water systems, soon—we will leave that infrastructure behind. It will be a number of years before we will have the infrastructure in place. Power grids, water systems, soon—we will leave that infrastructure behind. It will be a number of years before we will have the infrastructure in place. I yield back the balance of my time.

POINTE ORDER

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

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

The Chair finds that this amendment includes language requiring a new determination about the use of funds by a foreign government entity. The amendment, therefore, constitutes legislation in violation of clause 2, rule XXI.

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

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

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

Ms. HERRERA BEUTLER. We are working on making this amendment something that can be passed as a part of this bill, but I just want to speak in support of it and share part of the reason I am very honored to be working with the gentleman from Vermont on this.

Basically, we are in Afghanistan right now helping to rebuild, or in many cases build from scratch, infrastructure. And when we leave that country—and I do have it will be soon—we will leave that infrastructure behind. Power grids, water systems, trained law enforcement are the building blocks of a functioning society.

We will spend or have spent hundreds of millions, if not billions, of dollars on improvements meant to better the lives of the people in Afghanistan.

The reason I supported this amendment is we don’t need to also be paying taxes to the Afghan government for the privilege of building that country, and that’s why I cosponsored the amendment.

The Department of Defense funding should be focused on providing soldiers training on the front lines with the tools they need to protect themselves and defend our country. This amendment would uphold or, as it was offered, as we attempted, would uphold existing law and clarify existing agreements between the United States and Afghanistan, prohibiting Afghanistan from taxing U.S. subcontractors doing work in Afghanistan. So this ban on levying taxes would also apply to all subcontractors that may not have direct contracts with Afghanistan.

In other words, if a company is working on a project funded by the U.S. Department of Defense, whether that company is a prime contractor or a subcontractor, that company should not be subject to taxes from the Afghan Government.

It seems pretty simple. These are the contractors doing the work of rebuilding in Afghanistan, helping rebuild the infrastructure and hopefully allowing them to one day thrive independently. So common sense and financial prudence says the U.S. should not be subject to taxation for the rebuilding efforts it is paying for. That was what we were getting at with this amendment.

Mr. KINGSTON. Will the gentleman yield?

Ms. HERRERA BEUTLER. I yield to the gentleman from Georgia.

Mr. KINGSTON. I think that the point you have raised is a very valid point and something that is very good discussion matter.

Unfortunately, we believe that it is authorizing on an appropriation, as the Chair has confirmed, but that’s probably the concern far more than the philosophical concern.

So I think that if you and the gentleman can work on some other language, make another run at it, I cannot speak for the real chairman of the committee, but I think that there are going to be a number of people who would have a concern with you because I think you have raised a very valid point.

Ms. HERRERA BEUTLER. Very good. We will continue to work on this issue, and I thank you for hearing my point.

I yield back the balance of my time.

AMENDMENT NO. 4 OFFERED BY MR. COLE

Mr. COLE. 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:

At the end of the bill (before the short title), insert the following:
Opposition exists for this effort because some believe this additional information could be used nefariously to create some kind of enemies list, like during the Nixon administration.

They argue that companies should not disclose more information because people in power could misuse that information to retaliate against them. Using such logic, all campaign disclosures would be bad. Government contractors already disclose contributions and expenditures by their PACs and those who contribute to them. Contributions by the officers and directors of government contractors are also required to be disclosed.

These provisions are fine as they are written. The information is required to be provided already in law. And the executive order that the amendment would circumvent certainly enhances the quality of that information.

Disclosure is good because disclosure of campaign contributions to candidates is good. Disclosure of companies making these disclosures is good. And I just worry that we have a situation here where companies or major entities could make enormous contributions secretly, and that’s what we are trying to avoid. And the President’s executive order is an attempt to do that. We already know that the Boeings, the Lockheedsm, the General Dynamics and the Northrop Grummans all make campaign contributions, and they are all disclosed. What’s wrong with disclosure?

I urge a “no” on the gentleman’s amendment.

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

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

Mr. KINGSTON. Mr. Chairman, I accept the amendment because I believe that the things that Mr. Dicks is talking about in this amendment actually do move us in that direction. I would like to yield to Mr. COLE and ask him to clarify that because I want it confirmed.

Mr. COLE. I would simply say to my good friend from Washington, who I respect frankly as much I do anybody in this Congress, the intent here is to make sure we never link political contributions with the awarding of government contracts. If we want to require additional disclosure, the Congress has it within its ability to do that, and indeed we considered something like this in 2010 and decided it was inappropriate. And that was a time when my friends on the other side of the aisle were in control of both Houses as well the President.

So I understand the concerns, but I think this is an inappropriate way to address them. Number one, the executive order, frankly, is legislating through the executive. If we want to change the campaign contribution laws in the United States, that needs to be done here, not by executive fiat. And, secondly, to link it with the contracting process is inevitably going to raise questions, create fears and doubt and I think without question chill political speech. So let’s just simply keep contracting and the awarding of the contract by the Government of the United States separate from partisan political considerations and contributions. I think we would be better off.

I thank my friend from Georgia for yielding.

Mr. KINGSTON. I thank you.

I yield back the balance of my time.

Ms. ESHOO. Mr. Chairman, I just listened with great curiosity to the comments of the Chair, and called intent of the legislation. I don’t see my colleagues on the other side bringing forward legislation that you have the power to pass given the number of votes that you have for full disclosure.

So if you’re opposed to a draft executive order, if you’re opposed to my coming to the floor and blocking every time I offer an amendment for disclosure in transparency, change it. You were for it before you went against it, the Republicans were. That’s what the record is. So I rise in opposition to Representative Cole’s amendment which blocks disclosure of contractor political spending.

Now, this is not to create any kind of list. You can come up with all kinds of things about why you’re against something and then try to label it. This is about disclosure. This is about sunshine. This is about disinterested, and you’re against it. I think that’s a bad place to be. In fact, I think it’s the wrong side of history.

The draft of the President’s order would require disclosure requirements for contractors who do business with the Federal Government. Now, any business that does business with the Federal Government is paid with taxpayer dollars. Why shouldn’t there be transparency, accountability, and disclosure relative to those dollars? This amendment, your amendment, would prohibit disclosure, which I think is the exact wrong thing to do.

We should oppose any amendment that would weaken any amendment, Republican or Democrat—that’s designed to keep the public less informed about what happens to their tax dollars. We know who supports this amendment. It’s the American League of Lobbyists, the lobbyists for the lobbyists. Surprise, surprise.

They’re trumpeting their opposition to the President’s draft order. We should be fighting for the taxpayers, not for the uber—superlobbyists. What are we here for? We are here for the public, not for the lobbyists, for the people. And yet there is an amendment on the floor that would destroy any attempt at disclosure.

Again, I remember when the Republicans supported disclosure. When we wanted contribution limits, Republicans said, no, we need disclosure instead. Now that we are asking for disclosure, you’re opposed to it. As I said, you were for it, now you’re against it.

The American people were very clear on this late last year when there was a CBS/New York Times poll, and that poll found that 92 percent of Americans support requiring outside groups to disclose how much money they have raised, where it came from and how it was used.

Now we are going directly to taxpayer dollars, those that do business with the Federal Government. It’s very simple to disclose. We should be listening to the American people, and I would ask my colleagues to vote against this amendment.

This is a bad amendment. It’s not good for the country. It’s not good for our system. I don’t believe it’s why the people sent us here. And of all things to be stomping on and trying to snuff out, disclosure should not be one of them.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the ayes had it.

Mr. VISCOLOSY. 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 Oklahoma will be postponed.

AMENDMENT NO. 97 OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. 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:

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

SEC. 7. The total amount of appropriations made available by this Act is hereby reduced by $5,800,000,000, not to be derived from amounts of appropriations made available:

(1) by title I (“Military Personnel”); (2) under the heading “Defense Health Program” in title VI (“Other Department of Defense Programs”); or (3) under title IX (“ Overseas Contingency Operations”).

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

Mr. FRANK of Massachusetts. Mr. Chairman, this is a dangerous amendment. It’s kind of a test of whether or not Members of this body believe what they say. Fortunately, I think for all concerned, the oath we take at the beginning of the session does not carry over to specific statements. So the fact that I believe this will probably, unfortunately, show a major gap between what people say and what they vote will have no consequences other than the public knowing it.
We are at a time of austerity. We are at a time when the important programs, valid programs, are being cut back. And we were told by some, everything is on the table, there are no sacred cows, all those metaphors that are supposed to suggest that we will deal with the problem. Well then we get this appropriation from the Appropriations Committee for the military budget. At a time when we are cutting police officers on the streets of our cities, we are cutting back firefighters, we’re cutting back. We’re stepping on the highway of construction of bridges to replace old bridges, when we are cutting in almost every capacity, the military budget gets a $17 billion increase for this fiscal year to the next.

A $17 billion increase for the military budget simply does not fit with this argument that we are putting everything on the table. Yes, they say they’re putting everything on the table, but there is a little bit of a problem with the preposition there—not the proposition, the preposition.

The military budget is not on the table. The military is at the table, and it is eating everybody else’s lunch. We are cutting area after area. For example, we have been told by some on the Republican side that we cannot afford to go to the aid of those of our fellow citizens who have suffered enormous physical and, therefore, also psychological damage from tornadoes and floods unless we find the cuts elsewhere. But if we were not increasing the military budget by $17 billion over this year, then there would be no need to do that and you would not have to worry about that aid.

Now, my colleagues, this is co-authored by the gentleman from California (Mr. CAMPBELL), the gentleman from Oklahoma (Mr. JONES), the gentleman from Texas (Mr. PAUL), the gentleman from New Jersey (Mr. HOLT), the gentlewoman from Wisconsin (Ms. MOORE). We are being very moderate here. We are not saying don’t give the Pentagon any more money. This amendment reduces by 50 percent the increase for the Pentagon. We are accepting $8.5 billion more.

By the way, this, of course, does not affect the wars in Iraq and Afghanistan. It just occurred to me, maybe this was said earlier, the budget for Afghanistan, which we refuse to cut, reluctantly, regretfully, was voted out by the committee before the President announced a 10,000 troop reduction. So we are wondrously Afghanistansizing our deficit. If you think the President was kidding when he said we are going to bring down 10,000 troops. We funded 10,000 troops for next year that won’t be there in Afghanistan. And that is the problem.

We are saying to the Pentagon, You find it. Don’t cut military personnel. Don’t cut health, but perhaps some of the bases we maintain overseas, some of the subsidies we give to NATO. Lip service is paid here to an alliance in which they participate.

Unfortunately, Mr. Chairman, I have to say it is true of the Obama administration and the members of the Appropriations Committee and the Armed Services Committee are the enablers of one of the great welfare dependencies in the history of the world: the ability of wealthy European nations, 61 years after the foundation of NATO, to get subsidized by America so the military budgets can be a small percentage of ours as percentage of the GDP so they can provide more services, better rail, better health care, and earlier retirement for their own people.

This says to the Pentagon not that we are going to cut you. This gives them a greater than 1 percent increase at a time when everybody else is being cut. And it leaves it up to the Pentagon. Let’s look at the bases that we have all over the world. Let’s look at efficient procedures. Yes, there is inefficiency.

You cannot mandate efficiency from the outside when you simultaneously give the entity in question the ability to spend without limit. You will never get good results at the den of the Pentagon if we don’t begin to subject them to the same kind of fiscal discipline that everybody else gets. And it is undeniable that the Pentagon is a great exception here.

We are going to the bad old country, to all of the American cities to try to lay off cops, to continue to ignore important reconstruction projects that help with transportation. We are going to continue to cut back on firefighters. We are going to continue to quibble over financial disaster relief, but we will give the Pentagon, unless this amendment passes, an additional $17 billion that we cannot afford.

I yield back the balance of my time.

Mr. COLE. Mr. Chairman, I want to offer a somewhat different perspective than my friend from Massachusetts does on the trend line of defense spending.

Looking at the long term, defense spending has actually, over time, come down to more than Mr. Chairman as a percent of our gross national product. In 1960, at the height of the Cold War, we spent about 9 percent of the GDP on defense. In 1980 in the great Reagan defense buildup, it was about 6 percent. It fell as low as 3.5 percent on the eve of 9/11. It is back up 5 percent, or in that range, today. So by historical standards, particularly since 1940, we do not spend a large percentage of the national wealth on defense.

By the way, the same thing is true of the Federal budget. In 1960, about 50 percent of the Federal budget was defense spending. It was about 33 percent in 1980. It is about 18 or 19 percent today. Certainly a lot of money, and that is certainly not the only way in which to judge military spending, but if looked at in terms of the size of the Federal budget or the wealth of the country, defense has been, comparatively speaking, a bargain compared to other areas of the budget.

I would also like to point out that, frankly, this Defense Subcommittee and the administration have worked to find additional economies. Secretary Gates made $76 billion in reductions over the next 5 years, and that budget itself is below what the President of the United States asked us to appropriate by $9 billion. In addition, the Secretary has laid out a path for an additional $400 billion worth of savings.

I think most Americans would be shocked to find out we are engaged in two or three wars, depending on how you want to count, with an Army that is almost 40 percent smaller than it was in 1982. So I yield no one in terms of trying to find savings in defense, but I think the record ought to be clear: As a percentage of our national wealth, as a percentage of the Federal budget, what we spend on defense has come down, as Mr. Chairman pointed out, and we must remember that we are at war; we are in a dangerous situation. This is not the first place to cut, although cut we have. In my opinion, I think it is the last place that we ought to cut.

As the consequences of what my friend proposes, I think, would be terrific. We would be reducing and canceling training for returning troops, canceling Navy training exercises, reducing Air Force flight training, delaying or canceling maintenance of aircraft, ships, and vehicles, and delaying important safety and quality-of-life repairs.

This is not the time for us to embark on additional cuts on top of the reductions in spending we already done as a House. I would urge the rejection of my friend’s amendment.

I yield back the balance of my time.

Mr. HOLST. Mr. Chairman, I move to strike the requisite numbers of words. The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. COLE. Mr. Chairman, I want to offer a somewhat different perspective than my friend from Massachusetts does on the trend line of defense spending.

Looking at the long term, defense spending has actually, over time, come down to more than Mr. Chairman as a percent of our gross national product. In 1960, at the height of the Cold War, we spent about 9 percent of the GDP on defense. In 1980 in the great Reagan defense buildup, it was about 6 percent. It fell as low as 3.5 percent on the eve of 9/11. It is back up 5 percent, or in that range, today. So by historical standards, particularly since 1940, we do not spend a large percentage of the national wealth on defense.

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I particularly want to address the very odd notion that we should decide what we need to spend on the military today by using as a standard what the situation was 51 years ago. That’s the problem. Fifty-one years ago, Germany was divided. The Communists controlled Czechoslovakia and Poland and Hungary and East Germany. Our Western allies were poor, and they were still recovering from 1945. The Soviet Union was very strong. That’s precisely the problem. This budget out of the Appropriations Committee and from the administration, which is also incorrect on this, acts as if it were still 1960. The fact is that it is no longer appropriate for us to expect of the rest of the world to expect us to put up so much of the burden. That’s what the issue is.

The gentleman from Oklahoma said, oh, well, we’ll have to cut this here and that there. Why don’t we cut some of the money we spend in Europe, in Japan and in other wealthy and secure nations?

This amendment tells the Pentagon, You’re only going to get half of the $17 billion increase on top of the $500 billion-plus you already get. You decide where to stop spending.

Well, are they able to stop spending overseas?

Foreign aid is very unpopular. I think unduly unpopular. I like to help poor children and to fight disease, but the biggest foreign aid program in the history of the world is the American military budget and its foreign aid for the un-needy, its foreign aid for the wealthy. You want to talk about percentages of the GDP that are in the budget. What about Germany? What about England? What about France? What about Italy? What about Denmark? What about the Netherlands? All are our great allies, and none spend as much as half a percentage as we do.

So what we now have here, apparently, the House is going to decide. When Members have said that the Pentagon should be subjected to fiscal discipline, they said at the top of their lungs that you don’t ever even level fund them, but you don’t even cut the Pentagon, that you don’t even cut what it means? It means that you don’t even cut the Pentagon, that you don’t even cut the Pentagon. As saying that and Robert Gates as saying that and Mr. FRANK and Mr. PAUL and Mr. JONES and some of our colleagues on both sides of the aisle are offering today is truly painful. It is painful simply to cut the rate of increase in Pentagon spending. Instead of allowing a $17 billion increase over this year’s level, it would cut that increase in half just to see if we are willing to do that.

Now my colleague, Mr. COLE, puts this, I think, in the wrong context. I mean, we should talk about, sure, in 1960 it was a larger part of the budget. That is before we had Medicare, before we had a lot of programs. But when you ask yourself is our military structured to deal with the problems this country faces and to expect from other countries in the world their share of what must be done, the answer surely is this is an unsustainable size.

This amendment was born out of a series of discussions among Mr. FRANK and Mr. PAUL and Mr. JONES and some other Members and I have had over several months. Recently, we sent a joint letter that outlined our concerns about the current level of our spending on national security. We point out not only the excessive, unquestioned overall size of military spending, but also that this is a result of the military that is indeed a remnant of the Cold War, to go back to Mr. COLE’s comments. And it bears far more than our share of keeping the peace and is still structured to overwhelm the Soviet Union more than to deal with today’s actual threats to our security.

To take one example that the cosponsors of this amendment may or may not agree with me on but we might ask: Why do we need a replacement for the B-2 bomber?

It was not the B-2 bomber or any bomber that killed Osama bin Laden. It was U.S. Special Operations. Buying new nuclear bombers would simply be a form, I think, of defense sector corporate welfare to protect against a threat that went away decades ago. I could cite multiple additional disconnects between our defense spending priorities and the actual threats we face.

One that comes to mind is Libya. As we note in our letter, it has been widely reported in the press that England and France have been pressing the United States to resume its earlier role in Libya because they’ve been unable to admit it themselves. The explanation is that only America has the capacity to respond.

Our point precisely.

We have allowed other nations in the world to grow into an overdependence on America’s military and America’s tax dollars. We are the source of American money and lives far beyond what’s appropriate for our share of world peacekeeping. All of us who support this amendment want to protect our country. That’s precisely why we’ve offered our proposal and this amendment: To put ourselves on track for a better structured military.

Spending money on cold war-era weapons when unneeded units of chokeholds is clearly not a budget priority. We have no need for needlessly expensive priorities. If the House cannot even pass an amendment that simply cuts the rate of increase in Pentagon spending, it will never pass amendments that actually make the kind of cuts necessary to restructure our defense in order to meet the real threats we face and to achieve the budget savings that we must secure for our financial future.

I urge my colleagues to support this modest first step to rein in our out-of-control defense budget.

I yield back the balance of my time.

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

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

Mr. MCGOVERN. I rise in support of the Frank-Holt amendment. This is a modest amendment. Quite frankly, I wish the cuts were greater than those proposed here, because I think everybody in this Chamber knows that there is a great deal of waste and abuse that exists within our military spending. We have no-bid defense contracts. We go right down that road every time we build a bomber that we’ve divvied out and how wasteful they’ve been, and we’re still building and preserving weapons systems that are remnants of the cold war that even our Joint Chiefs of Staff don’t want. So there is savings to be had within the military.

The other point I want to make is that, when we talk about national security and national strength, we ought to be talking about making sure that the people who can earn a decent living. National security should mean jobs. It should mean the strength of our infrastructure, the quality of our education system, which we are neglecting. My friends on the other side of the aisle want to balance the budget by cutting those very programs that, I think, provide our economic strength. When you go home to your districts, the first thing that people want to talk about is jobs. It is economic security.

What are we supposed to create jobs? Why aren’t we talking more about jobs here in the Capitol?

So I make those two points because I think this amendment is a modest amendment that moves us in the right direction and that moves this discussion in a direction that we’ve been talking about.

At this point, Mr. Chairman, I would like to yield to the author of the amendment, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. First of all, what we are saying is they get an increase. So, if you vote against this amendment, apparently you believe that they are 101½ percent efficient at the current level, because you’re giving them, we would say, a 101½ percent increase. You must believe it’s a 103 percent increase, those who vote against this. People pay lip service where there are some inefficiencies, but you will not get at them unless there is some limit to the spending.

I particularly want to address the very odd notion that we should decide what we need to spend on the military today by using as a standard what the situation was 51 years ago. That’s the problem. Fifty-one years ago, Germany was divided. The Communists controlled Czechoslovakia and Poland and Hungary and East Germany. Our Western allies were poor, and they were still recovering from 1945. The Soviet Union was very strong. That’s precisely the problem. This budget out of the Appropriations Committee and from the administration, which is also incorrect on this, acts as if it were still 1960. The fact is that it is no longer appropriate for us to expect of the rest of the world to expect us to put up so much of the burden. That’s what the issue is.

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So what we now have here, apparently, the House is going to decide. When Members have said that the Pentagon should be subjected to fiscal discipline, they said at the top of their lungs that you don’t ever even level fund them, but you don’t even cut what it means? It means that you don’t even cut what it means?—do the Members understand what it means? It means that you don’t even level fund the Pentagon, that you don’t even level fund them, but you don’t give them $17 billion additional. You give them $8.5 billion at a time when you are requiring cuts in very important programs.

I would emphasize that this is a House which says we can’t afford to go to the aid of our fellow citizens who have been devastated by disasters in
By the way, let me close with this: We talk about competition and things that count—our ability to spend money on community colleges, to provide aid so that people can become scientists and engineers, our ability to develop technology. All of those things are more on the offense and you're not going to get from spending military dollars in precisely those countries with which we are competing. England and Germany and France and the Netherlands and Denmark and Japan can all spend more on those areas and on their technology—on those areas where we are competitive in a friendly way because we allow them to keep their military budgets to a much lower percentage of GDP than ours, and that is the relevant measure.

Today—in Japan and in other parts of the world—people who are 51 years ago but who don't need it anymore. People are unhappy because we are cutting back on health research.

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

Mr. Visclosky. Mr. Chair, I move to strike the last word.

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

Mr. Visclosky. I yield to the gentleman from Massachusetts (Mr. Frank).

Mr. Frank of Massachusetts. I thank the gentleman for yielding.

The notion that the only danger to the American people is a Soviet Union which collapsed 20 years ago or whatever it is we are protecting people from in Germany and other bases such as that ignores the need for better public safety here, better public health here, research on disease, protection against disaster. It's one thing to go to the kind of people in Japan who have an attitude, but let's do a better job of building those structures that can help diminish it.

This is a central question: Are the Members of the House going to say, “No, that didn’t really mean it”? No, the Pentagon is not subject to fiscal discipline? My friend from Oklahoma said, oh, no, there were cuts; there’s $78 billion in cuts coming over the next 5 years. This is a $17 billion increase. How can that be a cut from a $30 billion increase, and that $30 billion increase is a cut from a $200 billion increase, but it ain’t a cut. It’s a $17 billion increase, and we say let it only be an $8.5 billion increase.

So the question is not are we going to treat the Pentagon more generously with less discipline than any other entity. We’ve conceded that. We’re only asking that you cut in half the extent to which you are going to tell American people, our government, that you’re going to say that we don’t have enough to provide disaster relief without making cuts elsewhere, that you’re going to cut health research, that you’re going to cut food inspection, that you’re going to cut fire service, that you’re going to cut the reconstruction of bridges in America.

Tens and tens of billions will be spent in Western Europe and on our allies that needed our help 61 years ago and 51 years ago but who don’t need it today in other parts of the world where we’re subsidizing their military budgets so they can spend more elsewhere.
Mr. FORTENBERRY. During the hearing, Mr. Chairman, I asked unanimous consent to dispense with further reading of the amendment.

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

There was no objection.

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

Mr. FORTENBERRY. Mr. Chairman, in 2008, this body declared that the United States would not provide military assistance to countries found guilty of using child soldiers. With broad bipartisan support, we declared that this is an affront to human dignity and an affront to civilization itself, and we reaffirmed this policy earlier this year in the continuing resolution.

It is the policy of our Nation that children—all children, no matter where they are—belong on playgrounds and not battlegrounds. Mr. Chairman. But that is not the case, and this has become an important decision to make. Six governments were found guilty of using child soldiers in 2010—Burma, Chad, the Democratic Republic of the Congo, Somalia, Sudan, and Yemen. As the law we passed provided, four were granted national security interest waivers last year in the hopes, Mr. Chairman, that they would take serious and aggressive strides toward ending this serious human rights violation. Somalia was also permitted to continue receiving peacekeeping assistance, effectively sanctioning only Burma, a country to which we provided no military assistance anyway.

Mr. Chairman, this administration has been heavily criticized for this decision. And it is no surprise that in the newly released 2011 child soldier report, the same six countries were listed as violators once again. Mr. Chairman, we must ask, where is the progress?

We yield back the balance of my time.

Mr. Chairman, I move to strike the last word to express support for this good amendment.

I yield back the balance of my time.

The Acting CHAIR. The amendment is agreed to.

ANNOUNCEMENT OF THE AMENDING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will stand as ordered if no amendments are made this evening on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. RIGELL.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. RIGELL) on which further proceedings were postponed and on which the votes were taken 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.

The vote was taken by electronic device, and there were—ayes 176, noes 249, not voting 6, as follows:

(Amendment No. 79 by Mr. FRANK of Massachusetts)

[In full]

We must make it clear to these governments that we do now know and that we cannot look the other way, Mr. Chairman. With that, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. Chairman, we must ask, where is the progress? We are going to tolerate this or not? William Wilberforce, the British statesman and unyielding abolitionist for whom our anti-human trafficking law is named, once said this: "You may choose to look the other way, but you cannot ever again say that you did not know."

We yield back the balance of my time.

Mr. Chairman, these criminals just aren't faceless rebels in the bush either. While there are plenty of those, we are talking now about governments that are guilty of this pernicious practice. And we need to make it clear: Are we going to tolerate this or not? William Wilberforce, the British statesman and unyielding abolitionist for whom our anti-human trafficking law is named, once said this: "You may choose to look the other way, but you cannot ever again say that you did not know."

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We yield back the balance of my time.

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

The amendment was agreed to.

ANNOUNCEMENT OF THE AMENDING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. RIGELL of Virginia.

Amendment No. 61 by Ms. FOXX of North Carolina.

Amendment by Mr. MULVANNEY of South Carolina.

Amendment No. 8 by Mr. SHERMAN of California.

An amendment by Mr. ROHRABACHER of California.

An amendment by Mr. GOMMERT of Texas.

An amendment by Mr. WELCH of Vermont.

An amendment by Mr. COLE of Oklahoma.

An amendment by Mr. BARTLETT of Texas.

An amendment by Mr. BISHOP of New York.

[In full]

We must make it clear to these governments that we do now know and that we cannot look the other way, Mr. Chairman. With that, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. Chairman, these criminals just aren't faceless rebels in the bush either. While there are plenty of those, we are talking now about governments that are guilty of this pernicious practice. And we need to make it clear: Are we going to tolerate this or not? William Wilberforce, the British statesman and unyielding abolitionist for whom our anti-human trafficking law is named, once said this: "You may choose to look the other way, but you cannot ever again say that you did not know."

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We must make it clear to these governments that we do now know and that we cannot look the other way, Mr. Chairman. With that, I urge my colleagues to support this amendment.

I yield back the balance of my time.
The result of the vote was announced as above recorded.

Stated against: Mr. HINOJOSA. Mr. Chair, on rollcall No. 515, had I been present, I would have voted "no."

AMENDMENT NO. 61 OFFERED BY MS. FOXX

The Acting CHAIR (Mr. MACK). The unfinished business is the question of whether to record a vote on the amendment offered by the gentleman from North Carolina (Ms. Foxx) 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 248, noes 175, not voting 8, as follows:

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Mrs. BONO MACK, Ms. ZOE LOFGREN of California, and Messrs. CRAVAACK, NEAL, AL GREEN of Texas, TIERNEY, CROWLEY, and BARLETTA changed their vote from "aye" to "no."

Ms. HANABUSA, Ms. MOORE, and Messrs. GARRETT of New Jersey, GONZALEZ, SHERMAN, GRIJALVA, HARASS, GRAVES of Mississippi, CONEYERS, MILLER of Florida, SULLIVAN, and BLIRAKIS changed their vote from "no" to "aye."

So the amendment was rejected.
vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) 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.

The Acting CHAIR. A recorded vote has been ordered. The Acting CHAIR. This is a 2-minute vote. The vote was taken by electronic device, and there were—ayes 316, noes 111, not voting 4, as follows:

[Role No. 518]

AYES—316

Adams (CT)  Edwards (MO)  Forbes (PA)
Adams (MA)  Emmer (MN)  Floor (NY)
Adaskin  Emerson (OH)  Foxx (NH)
Aderholt  Garbarino  Foxx (SC)
Adkins (KY)  Garvin  Furse (TX)
Adley  Gohmert  Guse (GA)
Akin  Gibboney  Guesman (CO)
Akin (GA)  Gilchrest  Hagedorn (MD)
Alderson  Gilmour  Hall (GA)
Allen (TX)  Gilroy  Hall (OH)
Allison  Goble  Hanger (VA)
Allred  Gohmert (TX)  Hartzler (MO)
Allred (NM)  Goodman  Hass (CA)
Allred (UT)  Goodlatte  Hassett (CA)
Allred (UT)  Goode (VA)  Hastert (IL)
Allred (UT)  Gruccio  Hartzler (MO)
Altman  Grijalva  Hastings (FL)
Altman (PA)  Griffith (CO)  Hastings (FL)
Alvardo  Griswold (MA)  Hastings (FL)
Alvardo (FL)  Grimm (NY)  Hastings (FL)
Alderman  Grinchuk  Hartzler (MO)
Alfonso  Griffith (VA)  Hastings (GA)
Alexander  Griffith (WA)  Hastings (PA)
Alexander (NC)  Griffith (WA)  Hatch (UT)
Alrdin  Grifullini  Hays (IL)
Altmire  Grifullini (FL)  Hefner (OK)
Altman  Greenspon  Hefner (OK)
Altman (PA)  Greenhut  Hefner (OK)
Altman (TX)  Greig  Heck (VA)
Altorfer  Greggs  Hegwood (IL)
Ambrose  Greggs (KY)  Hecht (IN)
Amodei  Gregory (CO)  Hecht (NY)
Anderson (AL)  Gregory (MD)  Heck (WV)
Anderson (CA)  Gregory (MS)  Heck (WV)
Anderson (GA)  Gregory (PA)  Heche (CA)
Anderson (IN)  Gregory (VA)  Hechler (IA)
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Anderson (NM)  Gregory (VA)  Heck (WV)
Mr. SMITH of Texas changed his vote from "no" to "aye." So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. Rohrabacher) 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 has been ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 162, noes 265, not voting 4, as follows:

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Mr. ROHRABACHER's amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KOHNERT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 162, noes 265, not voting 4, as follows:

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Mr. KOHNERT's amendment was rejected.
Mr. BLUMENAUER changed his vote from "aye" to "no." So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WELCH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 257, not voting 5, as follows:

[Roll No. 521]
The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 5, as follows:  

**(Roll No. 523)**

**AYES—181**

- Ackerman
- Amash
- Andrews
- Baca
- Baldwin
- Bankston
- Barrow
- Barton (TX)
- Batch (NH)
- Benefield
- Bell
- Berg
- Beroth
- Bost (TX)
- Bratton (TX)
- Brewer (AL)
- Brown (GA)
- Brown (AZ)
- Brown (CT)
- Brown (MA)
- Brown (N.Y.)
- Brown (NY)
- Brown (OH)
- Brown (RI)
- Brown (WI)
- Buck (OH)
- Burns (OR)
- Burton (IN)
- Busch (FL)
- Bustos
- Carter (TX)
- Castor (FL)
- Casper
- Castor (LA)
- Castro
- Catlett
- Chen
- Chelios
- Cleaver
- Cleaver (KS)
- Clyburn
- Clift
- Clay
- Clay (AL)
- Clouse
- Cordero
- Cooper
- Cook (IL)
- Cook (GA)
- Cooley
- Conaway
- Connolly (VA)
- Cornyn
- Costa
- Costa (CA)
- Crews
- Cummings
- Currie
- Cuccinelli
- Cuccinelli (VA)
- Cullen
- Curbelo
- Culberson
- Culhane (NJ)
- Cummings
- Cuellar
- Crenshaw
- Crawford
- Craig
- Cramer
- Craig (KY)
- Crapo
- Cruz
- Cuellar (TX)
- Cuellar (TX)
- Curbelo
- Curbelo (FL)
- Curbelo (TX)
- Curt-Menendez
- Cutler
- David (TN)
- Davis (CA)
- Davis (MN)
- Davis (OH)
- Davis (TX)
- Davis (IL)
- Davis (OK)
- Davis (NJ)
- DeLauro
- DeMint
- DelBene
- Delahunt
- Delahunt (MA)
- Delgado
- Delaney
- Delaney (MD)
- DelRosario
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CONGRESSIONAL RECORD — HOUSE
July 7, 2011

Mr. CARSON of Indiana changed his vote from “aye” to “no.”

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated against: Mr. TIBERI. Mr. Chair, on rollover No. 523, had I been present, I would have voted “no.” Mr. YOUNG of Florida. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to. Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MACK) having assumed the chair, Mr. WESTMORELAND, 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. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1309, FLOOD INSURANCE REFORM ACT OF 2011

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 112-138) on the resolution (H. Res. 340) providing for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution. The vote was taken by electronic device, and there were—yeas 407, nays 6, answered “present” 13, not voting 5, as follows:

YEAS—407

NOT VOTING—6

YEAS—407