United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *112th* CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, JULY 26, 2011 *No. 113*

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ROSS of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 26, 2011.

I hereby appoint the Honorable DENNIS ROSS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

STOP PLAYING GAMES WITH THE DEFICIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, there is an air of unreality here on Capitol Hill. There are some people with no experience in government, little knowledge, and less regard about the outcomes who are pontificating, lecturing, and threatening. The disconnect between the rhetoric, the reality between governance and an ideological agenda is in large part why we are in the conundrum we are in today with the debt ceiling, something that has routinely been increased year after year for decades.

It was on full display in the Republican-controlled House yesterday as we debated the Interior appropriation bill. Now remember, last week Republicans took to the floor with a so-called ''cut, cap, and balance'' proposal, which is their answer going forward with the economy. It would impose an 18 percent of GDP limit on the amount of spending that the Federal Government could employ in any one year. Now remember, that is not what we have done for years. Ronald Reagan never proposed a budget that was even as low as 21 percent of gross domestic product. So it's a dramatic reduction, more than 14 percent less than anything Ronald Reagan ever proposed.

Well, yesterday in the debate my colleague from Kansas offered an amendment, an amendment that I personally found destructive and unbalanced that would have done terrible things, singling out for elimination the National Endowment for the Arts, the National Endowment for the Humanities, zeroing out important resources for construction for fish and wildlife, construction and acquisition of land. It would be a 30 percent reduction in water infrastructure. Overall, it would have been an 11 percent reduction. But at least it was honest.

This is where in fact some of my Republican colleagues want to go. In fact, it is less than what they would have imposed with their proposal the week before. As I argued against the amendment on the floor, I predicted that it would fail overwhelmingly, that many Republicans would vote against it because even though they are willing to make reckless proposals disconnected from reality if the only consequences are polls and politics, when it really comes down to basics, even they don't want to impose it.

Remember what happened on the floor of the House when we were debating Republican and Democratic alternatives to the budget? The Republican Study Group offered up their proposal that went even further than my friend, PAUL RYAN's. And when it was passing, we watched Republicans start to twist arms to get people to vote against it because, again, it was something they thought was great politics and theater; but if it came closer to reality, they understood that it would hurt them if the American public understood the real agenda.

Well, we are now at a very serious stage dealing with the debt ceiling. Actions matter. Too many are still acting like they're on the campaign trail or at a Tea Party rally or on a Fox TV shout-fest. There have already been negative consequences from the reckless action of holding the debt ceiling hostage—American businesses are paying more; there are threats that we're going to be paying more for interest in the international bond market.

It's past time to stop this dangerous posturing. There is enough irresponsibility displayed already, we should avoid putting the rhetoric, in effect, into a budget.

Now is the time to stop playing games on the budget deficit. We've seen this movie before. The last time the Republicans took control in 1995 there was a debate on imposing a balanced budget amendment. It failed by one vote in the Senate, and it failed with the single Republican ''no'' vote, Mark Hatfield from Oregon. Senator Hatfield, in a profile in courage, stood up and made clear that he was all in favor of balancing the budget, but not with a gimmick long into the future. He was chair of the Appropriations Committee. He invited his colleagues to make the action by reducing the budget, not playing games with gimmicks. That's what we should do today.

Printed on recycled paper.

KEYSTONE XL PIPELINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, delay, delay, delay is the administration's energy plan. The Keystone XL pipeline project would bring 700,000 barrels of oil a day from Alberta, Canada, to refineries in southeast Texas. This would provide more energy for America.

The President has had over 2 years to approve the project, but the State Department, the EPA, and out-of-towners have stonewalled the project on alleged environmental grounds.

Pipelines are the most cost-effective and more environmentally sound ways to transport oil and natural gas. Oil must reach our refineries somehow. We can either import oil from a safe, reliable pipeline from our neighbors or on risky tankers coming from unstable Middle Eastern countries. Even the EPA should be able to figure this out after 2 years of delay, delay, delay.

Our neighbors in Canada have developed a safe way to obtain crude oil from their oil sands. Unlike many of the countries in the world, the Canadians are concerned about environmental issues in crude oil production. They will sell us their crude oil. It will be piped to refineries in my district in southeast Texas and will be refined into energy and byproducts of crude oil. And it will create jobs in America.

If the White House fails to act, the Canadians will take their oil someplace else. The Chinese are interested in buying that oil, so it's going to be used and it will go to China. Why not let it come to America?

Some environmental extremists are against the project. Of course they are. They are against every type of energy that comes from below the ground. But they have no answers for our energy needs. They say they want green energy. Well, I do too, but there isn't sufficient green energy yet to run America. So they're against everything, it seems, except those curly CFL light bulbs that come from China. They're all in favor of those.

The radicals are against nuclear energy because, well, the Japanese had an earthquake that caused reactors to overheat, so no more nuclear energy.

□ 1010

They are against natural gas because they don't like fracking, even though safe fracking has been around for decades and they don't even understand what fracking does.

They don't want America to use coal even though our resources are abundant and new technologies have made clean coal safer and more efficient.

They don't like wind turbines because running turbines at night in west Texas may bother the flight pattern of bats.

They don't want more offshore drilling; certainly can't have that. And, of course, they are against domestic crude oil anyway because they hate American oil companies.

So what's the answer? Well, the only White House plan that has been offered is to give American money to Brazil so Brazil can drill off its shores and then America will buy their crude oil. But no more offshore drilling for us it seems.

If we're going to buy crude oil from foreign countries, let's buy it from our neighbor, our ally, Canada. Or do the progressives prefer we keep buying crude oil from dictators like Chavez in Venezuela or continue to be held hostage by the monopoly of OPEC and Middle Eastern countries? Or do they just want us to do without energy altogether?

Meanwhile, gasoline is around $4 a gallon. So it seems to me the progressives, if they get their way, will have no progress in energy self-reliance, and we'll regress and go back to the horse and buggy days. But whoa, wait a minute, Mr. Speaker, we can't go back to using horses because they, too, cause pollution.

Mr. President, approve the pipeline. Show some leadership. Time to start making progress on taking care of America's energy needs.

And that's just the way it is.

LAST BEST HOPE OF EARTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Thank you, Mr. Speaker.

''Fellow-citizens, we cannot escape history.

''We of this Congress and this administration will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation. We, even we here, hold the power and bear the responsibility.

''We shall nobly save, or meanly lose, the last best hope of Earth.''

Lincoln, of course, was talking about the state of a Nation in peril on December 1 in his address to Congress in 1862.

But if this Nation had not the leadership of that magnitude, who knows where we would be today. They faced terrible consequences and yet still had the extraordinary foresight and fortitude to charge ahead.

Today, we too face consequences. We face consequences of international economic impact, environmental and ecological destruction.

We consider this week a debt limit crisis that has brought out the best and worst amongst men and women I respect both here on this House floor and on the other side of this Capitol building and on cable news stations across the country.

We are also considering here in this House an Interior and Environment appropriations bill that simply says to our children: You clean it up; we don't care to bear the burden. This bill does irreparable damage to programs that keep our air clean, our water drinkable, and that protect our national and natural heritage. These are not dollars spent without thought, nor are they investments of a trivial nature as some would have us believe.

Simply put, these are science-based, pragmatic investments in public health. These cuts, all told, will not save the country a penny. The policy riders included in this bill will cost tens of thousands of lives. The bill will expose our children, families, and communities to unnecessary illness and degrade our irreplaceable natural resources.

But this week we are not stopping at a debt ceiling quagmire and an Interior and Environmental appropriations abhorrence. We will continue to consider a measure that would deem congressional approval for the Keystone XL tar sands pipeline. The Keystone would flow from Alberta down to the gulf coast, threading right through the vast Ogallala Aquifer, the main drinking water source for the Midwest.

You can ignore the dozen leaks the Keystone ''one'' system has had in the last year, stoking fears of a spill in the aquifer from the proposed expansion pipeline. You can ignore the 42,000 gallons that seeped from an ExxonMobil pipeline into the Yellowstone River in Montana earlier this month, under which Keystone XL would also run. You can ignore the science that says that the high energy process of production of tar sands increases greenhouse gas emissions, pollutes water sources, and harms the proposed region's boreal forests. And you can ignore the fact that testimony of TransCanada officials to Canadian regulators included the fact that the pipeline would drive gasoline prices in the Midwest higher, not lower.

But let's forget all that.

On procedure alone, this Congressional consideration of a bill that is currently under review by the Department of State is unnecessary and unprecedented, potentially negatively affecting our national security and safety.

This proposed pipeline needs no congressional approval. In fact, this proposed expansion need not be approved at all. It has drawn criticism from the Environmental Protection Agency, who suggested that the State Department should consider how construction would affect wetlands, migratory birds, and communities through which it passes.

So we stand here today to consider approving a project expansion that has been deemed mediocre at best. We stand here today to consider an environmental appropriations bill that has been deemed the worst we have ever seen. And we stand here today while everyone around us fights against a compromise that might keep our standing in the international economy

from dipping further than we have already seen it fall.

Indeed, ''We cannot escape history. We hold the power, and bear the responsibility. We shall nobly save, or meanly lose, the last best hope of Earth.''

President Lincoln, truer words were never spoken.

DIPLOMA ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. Mr. Speaker, for so many, education is the key to the American Dream. But for so many, a good education seems like it is beyond reach. That is why I am introducing the DIPLOMA Act, or Developing Innovative Partnerships and Learning Opportunities that Motivate Achievement.

This legislation will address obstacles to learning by giving out grants to schools, social service programs, and the local community to create comprehensive, community-based solutions that will ensure that our struggling students will succeed.

For awhile now, I have advocated for changing the tone of debate that surrounds school reform. Too often critics point fingers instead of offering solutions. That is why I am pushing for real change, dramatic change in our schools that harnesses the energy of parents, the community, and the school to turn around our failing schools that lift up all our students.

Now, there is no denying that this approach can be challenging and hard work, but research shows when communities, parents, and schools collaborate and work together, there is nothing we can't achieve. I know this because I have seen it firsthand in my district.

In East Los Angeles, Esteban E. Torres High School is a shining example of a community school. It's the first new school built in the neighborhood in 85 years, and its facilities and classrooms are simply magnificent. But to me, the most awe-inspiring part is the community-based approach at the heart of Esteban Torres. With the help of the Los Angeles Education Partnership and the Federal Full Service Community Schools Grant Program, Esteban Torres tapped into the resources of the surrounding community to overcome challenges facing their students regarding health care, limited English proficiency, and financial literacy.

Esteban Torres partnered with Bienvenidos for a full-service health service on campus that will help maintain the health and well-being of their students so they are ready and able to learn.

Pan American Bank partnered to help the high schoolers create a student-run financial center to teach the importance of a budget and proper money management, skills which will stick with these students for the rest of their lives.

Luis Rodriguez and Tia Chucha's Centro Cultural joined the effort to establish the first-ever bookstore in East Los Angeles, making it easier for students to expand their education outside their classroom.

And the effect of these programs is apparent on the smiles of the students' faces on their way to school, in the cafeteria and the classroom. This type of engagement and support is giving students in the community new opportunities and opening their world.

Across America, our students face problems like homelessness, lack of health care, and limited English proficiency. Research tells us that two-thirds of the achievement gap is due to factors outside of school, and even the best teachers have a hard time overcoming these obstacles.

□ 1020

A recent study from Chicago found that when we don't address students' social and economic disadvantages outside schools, the hard work done inside the school can be futile. That's why the DIPLOMA Act is so necessary. Local groups can coordinate, integrate, and facilitate services aimed at strengthening student achievement, such as dropout prevention, family engagement, tutoring, extending learning services, health care, and social support. The bill contains strong accountability measures, including independent evaluations to measure results and identify best practices.

These partnerships will make a difference in the lives of students in my district. When students are provided the right kind of support and opportunities to help them learn, nothing can stop them. The DIPLOMA Act ensures that America's next Nobel Prize laureate can come from any background or community because they had the support they needed to succeed.

BREAKING WASHINGTON'S ADDICTION TO TAXPAYERS' MONEY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, is President Obama really pushing to raise taxes while unemployment hovers around 9 percent just to get an increase in the debt limit?

Republicans beg to disagree. Increasing taxes on American job creators and families will mean fewer new jobs are created, which will result in more Americans remaining unemployed. Washington does not need tax hikes to raise the debt ceiling. Washington needs spending cuts. The Federal Government is addicted to taxpayer money. The solution is not giving it more of Americans' hard-earned money. No. The solution is to halt the runaway spending and permanently reform Washington's reckless spending habits.

We can fix this problem and pay our bills on time, Mr. Speaker. However, refusing to cut spending and going with status quo tax hikes would be a recipe for disaster that will rob future generations of a chance to fulfill the American Dream.

DEBT CRISIS AGENDA FOR THE AMERICAN PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. It's clear to the American public that Congress, especially the Senate, is very good at doing one thing—and that is nothing.

Now, perhaps we can capitalize on this strength to resolve the impasse over the deficit reduction. Well, how could that work? How could Congress do nothing but solve this problem? Well, within 17 months, by doing nothing, we could lower the deficit by $3.8 trillion. In fact, the President could reinforce the message. Just in case Congress decided to do something, he could say, No, if they do that, I will pocket veto it. I will do nothing. So we've got a good chance here: Congress does nothing or the President pocket vetoes, he does nothing, we can save $3.8 trillion. Problem solved.

How do we do that? We allow all the Bush tax cuts to expire. Now, you heard the gentlelady, Oh, my God, the job creators will pay more. Yeah, the billionaire hedge fund guys on Wall Street might pay a little bit more in taxes; they're creating so many jobs today. And the other millionaires. Warren Buffet says it's kind of ironic that he pays a much lower tax rate than his secretary.

Now, if we let the Bush tax cuts expire and adopted some modest reforms, those inequities would no longer be in place, and we could have over $4 trillion of deficit reduction with a little bit of shared sacrifice. Yes, it would ask the millionaires and billionaires to pay as much as they did in the Clinton era. In an era when we had 3.8 percent unemployment, we actually paid down debt in this country. It was good for all Americans. And we asked those who were most capable to contribute the most. But we asked a little bit of everybody. That's what this doing nothing would do.

Now, after we've restored some confidence here by this big step of doing nothing, we could do another half of nothing and put people back to work. How could we do half of nothing and put people back to work? Well, President Obama has adopted this cockamamie Republican idea of a Social Security tax holiday putting people to work. I know a lot of families that can use an extra $20 a week. That's true. But them spending $20 a week on junk made in China or food on the table doesn't put any Americans back to work. And if you're unemployed today—one of the 18 million unemployed—you don't get the $20 a week. We're borrowing $110 billion to

do that under the guise that this is creating the jobs. And the President mentioned last night he wants to continue creating jobs that way. Well, guess what? It's not working.

So we do half of nothing. We allow the Social Security tax holiday to expire. It doesn't create any jobs. We don't borrow the $110 billion from China to put in the Social Security trust fund. Instead, we borrow $110 billion to put people back to work in private sector jobs. We resolve to begin to rebuild our crumbling infrastructure.

That $110 billion applied to the 150,000 bridges falling down on the Federal system, the $80 billion backlog on our transit vehicles, the pavement that's disintegrating across the country could put millions to work. And not just construction workers. Engineers would go to work, people who manufacture things—steel, buses, tires, engines. All those people would go to work. We could put millions to work.

Guess what that does? When people go to work, they don't collect unemployment, they don't need food stamps to feed their family, and they pay taxes. That reduces the deficit, too. So by doing one big nothing and one half of nothing and then one little action to put people back to work—nothing that anybody's talking about around here. Where are the jobs? Who's talking about jobs? We need jobs.

Let's stop blathering around here. Let's resolve to do nothing and solve the debt crisis and resolve to do half of nothing and then apply the money that we save by doing that nothing to putting people back to work.

That's an agenda a little more productive for the American people.

SAVING TAXPAYER MONEY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, I want to cover two or three things very briefly here this morning.

First of all, The Washington Post reported on its front page yesterday that ''U.S. taxpayer money has been indirectly funneled to the Taliban under a $2.16 billion transportation contract.''

This is crazy. It should not be part of the job of the U.S. military to promote Afghan businesses. The official report found ''documented, credible evidence of involvement in a criminal enterprise of support for the enemy.'' This is ridiculous. And it comes on the heels of a report last week that the Navy had spent at least $300 million on two ships that were never completed, never sent on a mission, and are now headed for a salvage yard in Brownsville, Texas.

Are there no fiscal conservatives at the Pentagon? Sadly, most people in Congress today are afraid to cut the Defense Department for fear they will appear to be unpatriotic. Yet it seems to me, Mr. Speaker, that it's unpatriotic to continue with megabillions in wasteful spending or billions in spending that promotes businesses in other countries. No part of the Federal Government should be immune from having to save taxpayer money. The American people would be far better off today if every Department and agency had to take a fair, across-the-board 10 percent cut.

Let me mention a couple of other things. We're going to vote later today on the Keystone pipeline project. This is a project that will provide 20,000 jobs and also will lead to 500,000 gallons of oil coming into this country each day. This will help bring down the price of gasoline. And yet it is opposed by a very powerful group of wealthy environmental elitists. Most of these environmentalists today seem to come from very upper-income or very wealthy families and perhaps they don't realize how much they hurt the poor and the lower-income and the working people by destroying jobs and driving up prices. But that's what they're doing, and they're certainly doing that in blocking or delaying this Keystone pipeline project.

We also need to make sure that more jobs are created in this country in every way possible. Just today in The Washington Post, there's a poll that says that 49 percent of the American people are finding it very difficult to find jobs and 33 percent say somewhat difficult. Eighty-two percent of the American people say that it's difficult to find jobs in this country today. Yet we continue to cave in to environmental radicals that destroy jobs and really do just nothing other than help foreign energy producers.

□ 1030

So I think it's time that we start siding with the American people and stop siding with foreign energy producers.

Lastly, let me just say that the most false thing that has been said during this debate over the debt ceiling is that some people are trying to help billionaires or multimillionaires. No one is trying to help the billionaires. They can help themselves. What the debate is about is: Do you want the money spent by the Federal Government, and they will spend it without any question in the most wasteful, least effective, least efficient way possible; or do you want the money to be in the private sector, where it will do much more to create jobs and hold down prices?

If that weren't true, the Soviet Union or Cuba would have been heaven on Earth because, in those countries, the government took almost all the money. So it's not about protecting billionaires, not in the least.

NO ILLUSIONS: A CLEAR-EYED SMART SECURITY APPROACH IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, last week, General David Petraeus relinquished control of the Afghanistan command. He did this as he prepares to take over as CIA Director this fall.

We are all grateful to General Petraeus for 37 years of honorable and distinguished service, but the fact remains that the fundamental realities in Afghanistan haven't changed. The New York Times put it plainly, noting that the general is ''leaving behind a country racked by deep political instability, whose fledgling security forces are fighting a weakened but deadly insurgency that kills coalition troops and Afghan civilians and officials nearly every day.''

That's a pretty damning assessment, Mr. Speaker, and it's accurate.

In recent weeks, two of President Karzai's most powerful allies, including his brother, have been gunned down by the Taliban, and ordinary Afghan citizens are caught in the line of fire as never, never before. The U.N. recently reported that more Afghan civilians were killed in the first half of 2011 than in any other 6-month period since the war began. Some of these casualties are the accidental result of errant attacks and night raids by U.S. and NATO forces, but the overwhelming majority of civilian deaths came at the hands of insurgents who were often using suicide bombers.

There were nearly 1,500 civilian deaths between January and June, but according to the U.N., that might be a low estimate given that it doesn't include killings in northern Afghanistan in the last few months, because the U.N. closed its office in that region after it was attacked by a mob that killed several staffers.

It is clear, Mr. Speaker, that after nearly a decade of war we haven't been able to vanquish the enemy and bring stability and security to Afghanistan. If after 10 years we can't do more to subdue the insurgency, then clearly—clearly—we must be doing something wrong. Clearly, there must be a better approach.

I've been pushing for that new approach for many years now. It's called SMART Security. It's based on the belief that sending 100,000 troops to occupy a sovereign country is not the best way to win trust and to promote peace, which has proven to fan the flames of resentment, to give increased momentum to extremists and to put the lives of American troops and Afghan civilians in danger.

What we need, Mr. Speaker, is an Afghanistan civilian surge as bold as the military surge that has gotten us further entangled in this failed war. That's what SMART Security is all about. Instead of sending troops, let's send humanitarian aid. Let's send our civilian experts who can help rebuild Afghan schools and hospitals, who can help—and I say ''help'' because we want the Afghan people to be doing this, but we can help where necessary—rebuild the political infrastructure and rule of law that will strengthen Afghan democracy, who can promote political

reconciliation and peaceful conflict resolution.

As he left Afghanistan, General Petraeus said, ''We should be clear-eyed about the challenges ahead.'' His successor, General John Allen, said, ''There will be tough days ahead, and I have no illusions about the challenges we will face together.''

But I say, Mr. Speaker, continuing with the current policy demonstrates that, in fact, we are not being clear-eyed at all, that we are gripped by dangerous illusions about what a military occupation can achieve. This strategy has been given a chance to work—10 years. It hasn't worked. It's time for something new. It's time for SMART Security, and it's time to bring our troops home.

FIGHTING FOR THE WELL-BEING OF CHILDREN AND SENIORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TOWNS) for 5 minutes.

Mr. TOWNS. Mr. Speaker, this is a sad day in America. There are people who have to choose between paying their bills and eating a decent meal.

All I hear is that we have a spending problem. ''We have a spending problem. We have a spending problem.''

I want to be sure we do not try to solve our spending problem on the backs of the poor, on the backs of children and on the backs of our senior citizens. We have been cutting services for the poor, children and seniors for years. Go back and look at the record, and you will see that this is a fact. If you add up all of the money we are spending on children and seniors, it would not begin to make a dent in the Federal deficit.

We spend less than 10 percent of the budget on children. That means we are not seriously investing in the future of this Nation. When we cut programs like WIC, we are literally taking the food out of the mouths of babies, so I say our priorities are certainly misguided or upside down. When we cut tens of millions of dollars from juvenile justice delinquency programs, then we'd better get ready to spend hundreds of millions of dollars on more prisons.

When we look to save money by cutting Medicare and Social Security, we really do a disservice to the senior citizens in this country. Senior citizens have worked all of their lives putting a good portion of their paychecks into a system that paid for the well-being of their parents and grandparents.

If the truth is to be told, today's seniors have paid more than $2.5 trillion extra into Social Security so that it would be safe, and here we are talking about making cuts. When President Ronald Reagan signed the law to increase the payroll tax, it was to make sure Social Security would be there for future generations; but the government spent the money, and now we want to make seniors pay again. That is wrong.

Our senior citizens have paid enormous sums of money into Medicare, and now people are talking about ending it as we know it. Certainly, rising health care costs are causing Medicare problems, but we can fix those problems without making it a voucher program.

I call on my colleagues on both sides of the aisle to take a deep breath and to think clearly about what we're doing. Children and seniors are the most vulnerable citizens in our country. They are depending on us to use sound judgment and not be swayed by the political gamesmanship.

I stand here this morning to tell you that I intend to fight for the well-being of our children and our senior citizens. Of course, we need to uncut, uncap and get some real balance into this discussion, recognizing the fact that our children and our seniors must be protected. Of course, every time I hear one of our Members talking about the fact that we need to cut Medicare, that we need to cut WIC, I think that we need to stop and take a real, real deep breath and recognize that, when we do that, we end up creating other things, and we do not save money.

□ 1040

LET'S ADDRESS CAUSES, NOT SYMPTOMS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, too often, Congress and Washington deal with symptoms, not underlying causes. And that's what's going on with this current debate about the debt limit. It's kind of like you have an ill patient that has a fever, and you say, well, they're sick so throw some water on the patient and their fever will go down. But you never deal with the underlying infection, the underlying cause that is tripping the fever in the first place.

Let me put a little map on the table here this morning, to look at the nature of current economic challenge. When you have 14 million Americans out of work, and up to 24 million who are working part-time that want to work full-time or others who have completely dropped out of the workforce, none of them are earning a full check. Money is not being taken out of that check to pay their social insurance for Social Security, and they're not going to pay their regular income taxes either. And so the government falls short on revenues. It's quite clear.

We have a jobs problem. That's the causal problem that underlies the deficit problem that America faces.

Now, if you look just at this year alone, 2011, so far this year the government's taken in over a trillion dollars—$1.2 trillion in revenue. That's not bad for an economy that's just limping along. But we've spent $1.8 trillion. So we've spent already this year over $600 billion that we didn't have. We've had to borrow that money. That borrowing gets added to the long-term deficit. But why do we have that deficit this year?

We have that deficit because the revenues aren't coming in at the same rate as in prior years because there is a jobs problem. When you have 14 million to 24 million people who want a better job and can't get one, that's the underlying cause which Washington fails to see or address.

Now, the cost of that unemployment with the attendant shortage of revenues, is added to this huge accumulated debt, which now is over $14 trillion. So where did that come from? Let me outline the reasons. The largest share, not only of this year's deficit but of prior debt that we've accumulated, is due to a lagging economy. Families know this. They can't pay as much in taxes or any taxes when they're out of work. Companies, banks, and real estate firms that go bankrupt can't pay taxes either. Revenues fall short.

If you take a look at the cost of our sluggish economy triggered and caused by Wall Street abuse, that's what threw us into this mess in the first place, right, back in 2008. The increased costs of resulting unemployment are staggering indeed: Add them up. First, we have to pay the unemployment checks, and some people even got 99 weeks of unemployment because jobs are scarce. Add to it the costs of food for those unemployed people. They are enormous.

When an economy isn't fully functioning, the Federal costs of medical care skyrocket because people fall off their own insurance. So many in this country simply can't get good care, and that's all tied in to a very sluggish economy. Yes, the costs of unemployment are huge.

Then let's add the cost of the housing meltdown. All of the bad mortgages, four out of five bad mortgages were dumped on the Federal Government. Did Wall Street take care of its dirty laundry? No. They gave it to you, the American people. At the FHA, the Federal Housing Administration, at Freddie Mac, Fannie Mae, the Veterans Administration, guess who's holding all of the mortgages that are under water? Eighty percent of them. Us, the people of the United States, because Wall Street's insurance company or vacant units become the property of Uncle Sam; not Wall Street. Did Wall Street write off any losses? Oh, no, no, no. They gave them to us. That is a huge and growing part of the Federal deficit related to the housing crisis and what it is going to cost to revitalize or demolish that housing inventory.

Then, add to all this a trillion dollars more that's been spent on two wars that have not been paid for. That is a major part of the growing deficit. We can't ignore that. Do we say we should have a war tax? Do we say we should end the wars? Do we say our allies

should pay more? The point is we haven't said anything other than just add that trillion dollars on the deficit.

Now let's take a look at the Bush trillion-dollar tax giveaway to the very wealthy, who said that if we gave them the money, they would create jobs in our country. Guess what? They took the money and they created jobs offshore. Corporate profits are at all-time highs, but are jobs increasing in this country? No. Those corporate profits are due to the booking here in our country of profits earned offshore.

So some say give them more tax breaks. Why, unless they invest in our country in job creation here at home. We would be foolish to waste precious dollars on more outsourcing.

And finally, former President Bush had this idea for pharmaceuticals. He said don't let the Federal Government bargain the cost of pharmaceuticals in Medicare and Medicaid expenditures. Yet when we can't do that, when we fail to negotiate the best, competitive prices, that omission adds hundreds of billions of dollars to our debt.

Mr. Speaker, to solve the deficit problem, Congress and the executive branch must focus on employing the citizens who are out of work. That is the real cause of our economic sluggishness. America ought to address causes, not symptoms.

THE FAIRTAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Mr. Speaker, I am pleased to come to the floor today. I'm still a little bit winded. I was over in the Ways and Means Committee room where we were talking about exactly these issues. I'm embarrassed that my fitness is in such a state that running up the stairs winds me.

But that's what happens when you don't focus on something, when you don't put in the time it takes to stay fit; things degrade. And that's exactly what's happened with our economy, Mr. Speaker. It's absolutely true that folks are out of work, and it's absolutely true that the best form of unemployment relief is a paycheck. It's not an unemployment check. It's a paycheck.

But why are these jobs going overseas? And this is the real debate that happens up here absolutely every day because people just believe different things about how it is that we put Americans back to work. Every single person who comes to this House floor wants Americans to go back to work, wants America's economy to be the pride of the world once again.

But I will tell you the reason we lose jobs overseas is not because we're taxing businesses too little; it's because we're taxing businesses too much. We have the single highest corporate tax rate in the world in America. Why does Sony want to locate their next plant here? Why does Rico want to locate their next plant here? Why does Whirlpool want to keep their plants here? We punish business in this country through our Tax Code like no other country in the world.

Now, is there a regulatory component to that too that we need to solve to make America attractive for business? There absolutely is. Is there a health care component of that if those costs rise? Absolutely there is. Is there a payroll tax cost in that we need to address, the largest tax 80 percent of Americans pay? Absolutely there is.

There is only one proposal in the House that does it, and the Ways and Means Committee right now across the street right here behind you, Mr. Speaker, in the Ways and Means Committee room, is holding a hearing on H.R. 25, the FairTax.

The FairTax eliminates these income taxes and moves America to a consumption tax model. America is the only country in the OECD nations, those economically developed nations, that does not have a consumption tax. The FairTax shifts us in that direction.

And what it does for the first time, the only bill in Congress that does it, it eliminates every single bit of corporate welfare in the United States Tax Code. Oil companies, gone. Solar companies, gone. Foreign companies, gone. Every single tax break in the Code is abolished, Mr. Speaker, because we know the free market works best when the market is free. And we know that businesses don't pay taxes. Consumers pay taxes.

There is not a penny that we charge Walmart that they don't roll right into their costs and pass it along to us. You see it. You see it absolutely every day. If we raise gas taxes, gas prices are going to go up. If we lower gas taxes, gas prices go down. The market sorts those things out.

Have you ever been to a Coke machine, Mr. Speaker? I'm from Atlanta; so I'll talk to you about Coke machines. But usually they're going to sit beside a Pepsi machine. Have you ever seen that Coke costs $1 and the Pepsi right beside it cost $2? No. Do you ever see the Coke sell for $1.50 and the Pepsi beside it try to sell for $5? No. And that's not just because Coke's a wonderful product. It's because the consumer rules in America and price matters. You can't charge whatever you want; you can only charge what the consumer will pay. And when taxes go up, consumers have to pay more.

The FairTax, Mr. Speaker, will bring those jobs back to America like no other proposal in this Congress. It eliminates those corporate income taxes, and it eliminates payroll taxes. Have you thought about your payroll tax recently? It is 15.3 percent of every paycheck that you get.

Now, the wealthy don't pay payroll taxes because they're making their money in interest or dividends or capital gains, these things that payroll taxes don't come out of. Those of us who work for paychecks, we pay payroll taxes. And at 15.3 percent, the payroll tax is the largest tax that 80 percent of Americans pay.

□ 1050

The largest tax that 80 percent of American families pay, and we don't spend any time on the floor discussing that. We argue about income tax all the time. Half of America doesn't even pay income taxes anymore. Payroll taxes are the taxes that American people pay, 15.5 percent; and it comes out of your paycheck before you even get to see your paycheck.

Milton Friedman, the Nobel Prize-winning economist who helped during World War II establish the withholding system—the government needed money in a hurry. It was wartime. That's when we began sucking money out of your paycheck before you ever see your paycheck. Milton Friedman said the worst decision of his life was not working to do away with the withholding system once World War II ended because you need to know how much money you are paying. You need what it costs you to run this United States Government.

We talk about trillions. Have you thought about $1 trillion, Mr. Speaker? One trillion dollars, the cost of the President's health care plan, for example. If you started a business on the day Jesus Christ was born and you were so bad at your small business, Mr. Speaker, that you lost $1 million a day, every day, 7 days a week from the day Jesus was born through today, you would have to continue losing money for another 700 years to lose your first trillion dollars. We throw that number around like it is nothing. It is something. We need jobs back in this country. The FairTax will do it.

I encourage folks to pay attention to what's happening in the Ways and Means Committee today on H.R. 25.

RAISE THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, my good friends have come to the floor of the House. My good friend just came and offered some solutions, and I would say that it's important for Members to have ideas and to be able to engage on behalf of the American people.

Every time we stand in this well, we should be rising to make the lives of the American people, those who have entrusted us to be the holders of the values of this great country, we should be moving on on their behalf. So this morning, I'm asking that we get on with it. It's important to be discussing tax reform. But as many of us know, that is a long, protracted process of give-and-take. And many Americans will understand what the payroll tax is all about when they look in the faces of their seniors and themselves and they know that part of that is Social Security. We know for a fact that Social Security has been a lifeline for millions

of Americans, and it is solvent, and it's important to know that America is not broke.

But the good work of the Ways and Means Committee and the good work of the Judiciary Committee, which is meeting right now—and I'll be heading on to that committee to talk about preventing corruption in business and making sure the American people get their fair share. It is important that we move on. And how do we move on? We do something that Americans have said by and large that they want us to do together, and that is to get past this debt ceiling, do something that has been done time after time after time.

Yes, we have grown as a Nation, and the reason is because in World War II we were not 300 million-plus people. We didn't have all the assets and responsibilities. In fact, the wars of Iraq and Afghanistan were longer than World War II, and all of those moneys were spent under the last administration. Tax cuts that for individuals who, by and large, have said, No, thank you, because they want to invest in America.

So I'm prepared to join with my many friends to work on moving this country forward, but let's move on. Let's move on beyond the impossible proposal given by Speaker BOEHNER that focuses on a two vote process for the debt ceiling increase and vote once then come back and fight it out again in 6 months. That is not the consistency and the evenness that is necessary for all of those who are seeking employment or all of those businesses or all of those in the arena of money making. They need an even pathway, they need consistency for the markets.

We need to get on with the ordinary business so that we can begin to talk about the growth of this country, education for the young people, making sure the doors of businesses stay open, talk about how do we fix a tax system where we all can benefit. But as long as we are wallowing in the ordinary work, the work that should just go on, we will never reach the point of sanity, which is to sit down at the table of reconciliation and compromise. I know we have it in us. We like each other. But it appears to the American people that we may not like them.

So I will just ask, we're nearing the resolution of the debt ceiling, again, to pay the bills that were built up between 2000 and 2008, billions of dollars spent in Afghanistan, billions lost in untoward contracts. We don't even know where the moneys have gone—Iraq, moneys lost; a war that was, in essence, a detour.

And let me just say, every time I say that, I always thank our soldiers and their families because they are not a detour. They accepted the call to duty, and we owe them a great deal of appreciation.

But the policymakers sent them into wars that are going on and on and on, and it caused this country to pay for these wars. At the same time, there are drastic draconian cuts in the revenue coming into the United States bank account.

So here we are, President Clinton having left in 2000 with $500 billion of surplus; we came out of 2008 in enormous debt. So what are we doing today? The debt ceiling is simply saying pay America's bills. And it's also saying to the many countries around the world—which we appreciate buying our Treasury notes. That is of value to the United States. The dollar has been stronger than any other currency, except the manipulation that goes on in China. But it's stronger than the euro.

So, Mr. Speaker, it is important to pass the debt ceiling, get past this frivolity of doing it twice. It is time to pass and move forward the Reid proposal which can bring all of us together. And that's what we should do, begin to do, and look at it on behalf of the American people. America should pay its bills.

POLITICAL GAME OF CHICKEN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. HOCHUL) for 5 minutes.

Ms. HOCHUL. Less than 2 months on this job, I only have one question to ask: Is anyone in this body listening to the people who sent us here? I can only conclude at this point that the answer is ''no,'' or we would not be teetering on the precipice of not just a government shutdown but an intentional economic shutdown, the likes of which we have never seen in this country. And I say ''intentional'' because there are high stakes in this game of chicken.

We all know the game of chicken. You've got a couple of crazy teenagers racing toward each other on a highway, and nobody's going to swerve. What happens when no one blinks, no one swerves, no one comes to their senses? Crash. Lives are lost. No survivors. It's not a pretty sight.

It didn't have to come to this. The American people who voted for us, put their faith in us, they don't want this to happen. They wonder if anyone in Washington is listening, and they're absolutely right in that assessment.

I will tell you, I was at a firemen's parade in the tiny, tiny village of Silver Springs in one of my most rural counties, Wyoming County. There are more Republicans than cows out there; and cows and Democrats, not a lot of people. But I'll tell you, we are all bound by the same feelings.

This frustrated senior at the firemen's parade in Wyoming County said to me, Why can't you guys get your act together? We send you there to do a job, and you guys aren't doing it.

You know, he was right; he was absolutely right, and I took that to heart. I came back here, and I want to do something to restore his faith in us.

He talked about the seniors. He said, We are so scared out here. I need my Social Security. I need my Medicare. Why are you guys talking about hurting us? We paid into these systems all of our lives. We don't deserve this. I said, I'll go back. I'll do the best I can. I'll fight for you.

They have fear, uncertainty, and disgust, all directed at the ineptitude of Washington.

□ 1100

Well, it is wrong. It is plain wrong that we are even considering defaulting on America's obligations. It's doubly wrong that we'd consider defaulting on our obligations to our seniors, promises made 46 years ago this week with the advent of Medicare.

The integrity and willingness to uphold and honor our promises should be the hallmarks of this great institution. And yet what I've witnessed in such a short time is a willingness to renege on our promises to our debtors, our seniors and, ultimately, the American people.

Right now, it's not too late to avoid that highway collision where no one walks away. The American people deserve better than this. Our small businesses deserve better than this. Our middle class families deserve better than this.

I'll tell you, we need to get on with the business of the American people, and do it as soon as possible.

WHAT THE PEOPLE WANT TO KNOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ENGEL) for 5 minutes.

Mr. ENGEL. Mr. Speaker, I rise today because I want my colleagues to hear some of the things that I'm hearing from my constituents back home. People want to know why we cannot compromise. People want to know why we cannot work together. I don't know the answers to that because I think we should.

What I see happening here is something that I haven't seen in the 23 years that I've been here. It's that people do not seem to want to move to the center and to compromise.

I know some of my colleagues on the Republican side of the aisle, particularly the Tea Party-backed freshmen, have signed a pledge never to raise taxes. Well, I want to say what Senator COBURN said the other day. He said, what am I upholding my pledge to? I uphold my pledge to abide by the Constitution, not upholding my pledge to abide by what a special interest group wants.

People want us to meet in the middle. People don't understand why there seems to be intransigence.

You know, we have spent too much over these past decades. And you know what else? In order to get back to where we can balance our budget and pay our bills, we can't do it all with just spending cuts. It has to be three things. It has to be spending cuts, for sure. It also happens to be and should be closing tax loopholes for the very wealthy who get away with paying no

taxes at all, for large corporations who pay no taxes at all, for special subsidies to businesses that move their jobs overseas, to special subsidies for companies like Big Oil that don't need the subsidies.

We also need to make sure that those who can afford to pay a little bit more pay a little bit more, because that's how we get our budget back in balance. But if my Republican friends only say, you know, all we're going to do is cut, and we're not going to meet the Democrats halfway, then I'm afraid we're moving to fall off a cliff.

President Obama was absolutely right yesterday when he said that one side seems to be saying, my way or the highway; tax cuts forever, even if our budget is not balanced.

We, as Democrats, are saying let's do it a compromise way. Let us cut spending, let us close tax loopholes, and let those who can afford to pay a little more, millionaires and billionaires, pay a little more.

We are here because the American people sent us here. I know my constituents are concerned about Medicare and Medicaid, Social Security, and the New York Graduate Medical Education. I didn't come here to devastate those programs, and I want my constituents to know that I'm going to fight like crazy to preserve Medicare, Medicaid, Social Security, and GME. We cannot balance our budget on the backs of senior citizens.

I want to remind my colleagues that when President Clinton, the last Democratic president before President Obama left office, we had record surpluses. President Bush came in and we have red ink deficits as far as the eye can see.

And I want to remind my Republican colleagues that 6 of the 8 Bush years Republicans controlled both the House and the Senate, and had the presidency for 6 years. If they wanted a balanced budget amendment they could have had it. If they wanted to try to balance the budget they could have done it.

So I don't think lectures are important now. I think there's plenty of blame to go around on all sides. We had the Bush tax cuts, we had wars, and we had reckless spending. And it was done under President Bush with Republican majorities in the House. So we need to put our heads together and move to the sensible center in terms of what the American people want, to get us off this precipice that we're about to fall into.

I think there's one other thing the President should do. If he sees, in a few days, that there's no progress being made, and we are about to approach August 2 and we're about to have this train wreck, the President should invoke the 14th amendment. The 14th amendment says the public debt shall not be questioned and, in my estimation, gives the President the authority to raise the debt ceiling by himself. I think the President should do that if we cannot come to a compromise.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Miroslaus Stelmaszczyk, Holy Family Church, Creighton, Pennsylvania, offered the following prayer:

Almighty Father, we gather here this morning to ask for Your wisdom, charity, and humility. We continue the task of operating this great Nation with honesty and integrity. Grant us the wisdom to act for the greater good of all citizens. Keep us humble that we not forget who we are and why we are here.

We remember the Founding Fathers, who risked their reputations, their fortunes and their very lives to form a Nation that ensures the freedoms and opportunities that we enjoy today. We also remember those brave individuals who paid the ultimate price to protect and defend those freedoms and opportunities.

Father, keep us dedicated to the people we represent. Let us not allow partisanship to cause discord among our number and prevent us from completing our agenda. We depend upon Your grace and mercy to allow us to continue to serve this Nation with honor and integrity.

We ask this in Your name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. BROOKS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND MIROSLAUS STELMASZCZYK

The SPEAKER. Without objection, the gentleman from Pennsylvania (Mr. ALTMIRE) is recognized for 1 minute.

There was no objection.

Mr. ALTMIRE. Mr. Speaker, in the midst of one of the most contentious congressional debates in recent times, I knew just who to bring to Washington to help bring people together. It is my great honor to welcome Reverend Miroslaus Stelmaszczyk, who today serves as our guest chaplain for the U.S. House of Representatives.

Known simply as ''Father Miro,'' he has led the Holy Family Parish in Creighton, Pennsylvania, for 12 of his 36 years in the priesthood. He has received numerous awards in recognition of his public service since he first came to the United States from Poland in 1986.

As testament to his popularity among his congregation, Mr. Speaker, I would also like to welcome the three dozen Holy Family parishioners who made the trip to Washington, along with Father Miro, and are now seated in the gallery to witness his opening prayer today.

Welcome to you all.

On behalf of my colleagues in the House, welcome, Father Miro, and congratulations on being chosen as today's guest chaplain for the U.S. House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YODER). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

LET'S LEARN A LESSON FROM THE ''GERMAN MIRACLE''

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

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, Dr. Milton Wolf in The Washington Times reported, in the last 2 years, over 2 million private sector jobs have been lost, that unemployment has increased by 1.5 percentage points, that the U.S. dollar is 12 percent weaker, and that the long-term unemployment is the worst ever on record—and sadly, the national debt has exploded by 40 percent.

At the same time the administration pushed the failed stimulus spending here, the President urged German Chancellor Angela Merkel to do the

same in her country. The Chancellor refused. Now, as a result of her good judgment, Germany's economy has recovered. German unemployment levels are reduced while over 14 million Americans do not have jobs.

The President should learn a lesson from the ''German miracle.'' The solution is not for big government to keep borrowing and spending. Tax increases destroy jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Our sympathy to the people of Norway in the religious extremist mass murderers.

A COMPREHENSIVE, BALANCED SOLUTION TO SAVE THE ECONOMY

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

Mr. COURTNEY. Last night, Speaker BOEHNER addressed the American people and said that if the President would just simply sign his debt ceiling bill, the crisis, in his words, would disappear.

Actually, the opposite is true. An hour or two before his speech, the Standard & Poor's rating agency issued a report, saying that, if the Boehner plan passed, the American bonds would be downgraded from its AAA status. A downgrade is as bad as a default in terms of driving up lending costs and damaging a fragile economy that today needs all of us to work together to strengthen job creation to solve our problems. The Boehner plan calls for three separate votes over the next 15 months for a debt ceiling increase, exactly the kind of political instability that rating agencies are not looking for.

It is time for a comprehensive, balanced solution, which the President has said he will work with the Congress to pass in order to get this economy moving again and to create jobs.

HONORING THE LIFE AND SACRIFICE OF BORDER PATROL AGENT MICHAEL GALLAGHER

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

Mr. PITTS. Mr. Speaker, tonight, Representative GABRIELLE GIFFORDS' office is organizing a Special Order to recognize Border Patrol agents who were killed in the line of duty last year.

I want to thank her and her staff for working to acknowledge these dedicated servants who died serving our Nation. While I won't be able to speak tonight, I wanted to take a moment to honor Agent Michael Gallagher, who grew up in Lancaster, Pennsylvania.

On September 2 of last year, Agent Gallagher was on patrol near Casa Grande, Arizona. A drunk driver ran a stop sign, colliding into the patrol car and ejecting Michael from the vehicle. He served in the Border Patrol for 2 years, and also served our Nation in Iraq, risking his life to protect our freedom.

He is dearly missed by his wife and his two sons.

Even though he moved away, I understand that he remained a dedicated Pennsylvania sports fan. We cannot thank him and his family enough for his service. We can only honor him for dedicating his life to keeping Americans safe here at home and abroad.

THE CLOCK IS TICKING ON AMERICA'S DEBT LIMIT

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

Mr. BUTTERFIELD. Mr. Speaker, the clock is ticking, and we must act now on increasing our debt limit. The American people must understand that increasing the debt limit will enable us to meet obligations that have been incurred by Democratic and Republican Congresses in years past. Defaulting on these obligations will not only wreak havoc on the American people; it will weaken our overall economy.

The Republicans have been given opportunity after opportunity to help craft an acceptable, long-term debt reduction plan that would include a debt limit increase, but Republicans have slow-walked us to the brink of collapse.

The Republican plan is to imperil Medicare and Medicaid. Republicans want to balance the budget by forcing the government away from government-sponsored Medicare and provide vouchers so seniors can purchase coverage from private insurance companies. Republicans want to shift the Medicaid responsibility to States that are already struggling to balance their budgets. Republican budget cuts will force doctors, hospitals and other health care providers to leave the Medicaid program entirely.

The Republican strategy has been evolving for a long time, and now it is revealed. Shame on you. Shame on the Republican majority.

□ 1210

RAISING THE DEBT LIMIT: THE HYPOCRISY COULD NOT BE MORE CLEAR

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

Mr. DUNCAN of South Carolina. Mr. Speaker, I ask the American people to listen closely to these words:

''The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government cannot pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our government's reckless fiscal policies.

''Increasing America's debt weakens us domestically and internationally. Leadership means that 'the buck stops here.' Instead, Washington is shifting the burden of bad choices today onto the backs of our children and our grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.''

These were remarks by Senator Barack Obama, March 2006. Mr. Speaker, the President's hypocrisy could not be more clear.

God bless America.

WE NEED TO COMPROMISE

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

Mr. BACA. Mr. Speaker, 2 years ago, the Republicans in Congress campaigned on, Where are the jobs? Not spending cuts or living within our means, but where are the jobs. The Blue Dogs were the ones calling for responsible fiscal responsibility.

Then at the end of Congress last year, President Obama compromised with the Republicans, extended the Bush tax cuts in order to try to create jobs. This gamble did not create jobs. All it's done is extended the tax breaks for millionaires and billionaires.

We cannot play chicken and cause our Nation to default. We must lower the deficit with cuts to wasteful spending. But we can't balance the budget on the backs of seniors, the poor, by cutting Social Security and Medicare while continuing to give tax breaks to the ultra-rich and oil companies and those who make over $250,000 a year.

No taxes, no jobs. We must compromise. It can't be ''my way or the highway.''

THE SMALL ARMS TREATY

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

Mr. POMPEO. Mr. Speaker, over the past 1½ years, we've seen this President take away a lot of our freedoms with big spending and a big health care plan. I want to talk about another risk to American freedom today, and that is the United Nations Arms Trade Treaty, also known as the Small Arms Treaty.

I'm profoundly disappointed, but, frankly, not surprised, that this administration is joining the United Nations in crafting this dangerous treaty designed to curtail our Second Amendment rights.

Parties in the negotiations about the treaty are talking about banning civilian possession of firearms, decreasing the ability for trade in firearms, and heavily restricting the rights of Americans to carry their firearms. Each one of these directives, if implemented, would clearly violate individual rights as ensconced in our Constitution.

The Senate should not ratify this treaty. We must never turn our national sovereignty over to anyone, most especially the United Nations.

As a former soldier who dearly loves his M250 caliber machine gun and loves his firearms as a civilian as well, I know that we have that right. We've got to stand up and protect it, and I urge my colleagues in the Senate not to ratify this treaty.

RECOGNIZING FINALISTS OF SECRETARY OF DEFENSE EMPLOYER SUPPORT FREEDOM AWARD

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize three employers in Rhode Island that are honoring and supporting the brave men and women serving our great country in the armed services.

These include Amica Mutual Insurance of Lincoln, Rhode Island; Banneker Industries of North Smithfield; and the Woonsocket Middle School. These Rhode Island employers have received national recognition as finalists and semifinalists for the Secretary of Defense Employer Support Freedom Award and were selected for this honor from a pool of 4,000 nominations.

This award is the Department of Defense's highest recognition of employers for the extraordinary support they provide to our National Guard and Reserve members and their families. The Freedom Award is especially significant because nearly half of our Nation's military is currently comprised of Guard members and Reservists.

These men and women have put their lives on the line because our country asked them to. Because of their service, we're able to enjoy the freedoms that we have here at home. We owe those serving our country, our veterans, and their families our utmost gratitude and respect for their great sacrifices on our behalf.

I commend our Rhode Island businesses who recognize the sacrifices of our servicemen and -women and their families.

WHERE IS THE PRESIDENT'S PLAN TO BALANCE THE BUDGET?

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

Mr. BROOKS. Mr. Speaker, yesterday President Obama gave a speech to the Nation about the debt ceiling. He said, I won't bore you with the details of every plan or proposal. Mr. Speaker, I say please bore us with the details.

The House passed the Cut, Cap, and Balance plan that prevents a national bankruptcy by modestly cutting spending, capping the size of government, and advocating a balanced budget amendment to force Congress to act responsibly. In contrast, the President gives fine speeches, yet fails to submit a single written plan to balance the budget that can be evaluated by the American people.

Mr. Speaker, I say bore us with the details. Washington's spending binge has put America $14 trillion in debt.

America's future is at risk. Congress welcomes written detailed solutions to Washington's spending binge from the President.

Mr. Speaker, I reiterate, please bore us with the details. America has a right to hear them. President Obama has a duty to deliver them.

JUVENILE DIABETES

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

Mr. CARNEY. Mr. Speaker, I rise today in support of efforts to find a cure for type 1 diabetes.

Recently, I visited with 11-year-old Madeline Tallman from my home State of Delaware. She was here to tell her story of what it's like to live with type 1 diabetes. Madeline is faced with the life-long challenge of checking her blood sugar levels, managing her diet, and injecting herself with insulin every single day.

While research to find a cure for type 1 diabetes is progressing, people like Madeline are looking for better ways to manage their diabetes right now.

An artificial pancreas has the potential to transform the lives of those with type 1 diabetes. This device automatically controls blood sugar levels around the clock allowing patients to remain healthy until a cure is found. But before this technology can be made available to patients, the FDA must approve the next steps in the regulatory process for artificial pancreas trials.

I commend the FDA for committing to publish draft guidance by December 1. I urge the FDA to stick with that guideline. Children like Madeline have waited long enough.

THE DEBT CEILING

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

Mr. CARNAHAN. Mr. Speaker, we voted last week on a plan put forward by my Republican colleagues that I strongly opposed and was rejected by the Senate because it would have ended Medicare as we know it while preserving giveaways to Big Oil and corporations shipping jobs overseas.

Now Speaker BOEHNER has introduced a new plan which he says follows the spirit of the last plan. Rating agencies say Mr. BOEHNER's plan won't work. It won't prevent a ratings downgrade, it will destroy hundreds of thousand of jobs, weaken the American dollar, and raise interest rates on loans to keep families in their homes and students in school. It is a plan that experts tell us up front won't work, is not worth voting on, let alone passing.

Instead of retreating to our partisan quarters and refusing to cooperate, when the going gets tough we expect leaders to get to work. This default crisis is a test of leadership and those willing to drive our country over the economic cliff fail that test and need to get serious.

□ 1220

PLEASE DON'T TOUCH MEDICARE, MEDICAID, OR SOCIAL SECURITY

(Ms. PINGREE of Maine asked and was given permission to address the House for 1 minute.)

Ms. PINGREE of Maine. Mr. Speaker, in the past few weeks, the phones in my office have been ringing off the hook. The message from my constituents is clear: Please don't touch Medicare, Medicaid, or Social Security. Some are angry, and some are tearful. All are sick with worry over the threat of losing benefits they have earned and depend on. Sadly, these effective programs have become targets for those who would balance the Federal budget on the backs of seniors and the middle class rather than restoring tax rates for millionaires. It's unthinkable, and it's unfair. I plan to do everything I can to protect these critical programs because they work.

When Medicare started 45 years ago, a third of our seniors lived in poverty; half had no health care coverage. Today the poverty rate for seniors has been slashed, and nearly all of our seniors have access to quality care. And thanks to the Affordable Care Act, seniors won't have to worry about paying for preventative care or falling into the prescription drug doughnut hole. After working hard their entire lives, seniors should be able to feel confident that the system they faithfully paid into will be there for them when they need it most.

DO THE RIGHT THING

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

Mr. MORAN. Mr. Speaker, I'll never forget the day that we voted for the Clinton tax rates. We were told by all of the Republicans that this was going to cause massive job losses, an unbalanced budget, and drive us into recession. And not one Republican voted with us. Well, we know exactly what happened: More than 20 million new jobs were created; we had the lowest level of poverty, the highest expansion of the middle class, three straight budget surpluses, and the people at the highest tax rates took home more after-tax income than at any time in American history. It worked. And we had over $5.6 trillion in surplus projected over the now past decade.

Then when the Republicans took power again, what happened? Immediately they cut taxes—but not across the board—in a way designed primarily to benefit the wealthy. That's why the top 1 percent have 42 percent of this

Nation's wealth; while the bottom 90 percent have 26 percent, the greatest income disparity ever. This is a manufactured crisis, Mr. Speaker. Do what Alan Greenspan recommended: Go back to the Clinton tax rates; balance the budget; pay for the wars; pay for tax cuts; pay for expansion of Medicare; meet your obligations; don't manufacture crises; and don't drive us to deadlines when the whole world is watching and wondering if we are serious about governing the world's strongest economy.

THE JOBS OUTSOURCERS' BILL OF RIGHTS

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

Mr. TONKO. Mr. Speaker, in just a few hours, my Republican colleagues will bring to the floor the Jobs Outsourcers' Bill of Rights. This piece of legislation is an open attack on workforce protections, a union-busting bill that will open loopholes for companies to ship our jobs, American jobs overseas, and will make historic changes to workers' rights, all to serve the well-connected special interests community. This bill will allow companies to fire workers, workers who think that they might have a better shot of supporting their families in these precarious times by banding together to negotiate with their employers. That right, the freedom of association, finds its origins in the First Amendment to the United States Constitution.

Whether or not you like unions, there is no sense in making it even easier to ship our jobs overseas. If this bill becomes law, a company faced with a few organizing workers trying to form a union could close an entire United States plant and move the work to China, where sweatshop laborers will work for less than even the lowest-paid, nonunion American workers. Actually, that's an assault on America's middle class. I would urge my colleagues to oppose this reactionary and poorly thought out legislation.

WEAKENING THE UNITED STATES PRESIDENCY

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

Mr. YARMUTH. Mr. Speaker, I know my constituents and most Americans are trying to figure out exactly what this debt ceiling crisis is. It can't be about a desire to cut spending because both sides have already agreed to more cuts than are on the table in either the Senate or the House. No, this is a politically induced crisis that the Republicans have created in order to force votes on the debt ceiling next year during a Presidential campaign and weaken the President. But I hope they realize that if they weaken President Obama, they weaken the Presidency as well. And if they succeed in defeating him next year, their candidate, their President, will face reduced stature in the world, just as our political system will face a reduced stature in the world.

We are the foundation of economic and political stability around the world, and this crisis is threatening our stature in that position. We cannot let the Republican politically induced default crisis succeed.

WHERE ARE THE JOBS?

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute.)

Ms. CLARKE of New York. Mr. Speaker, our colleagues on the other side of the aisle have been in the majority for a full 29 weeks, and they still have not addressed the number one priority of the American people: jobs.

The Republican majority has, instead, used the time and energy that should have been focused on jobs to manufacture a crisis that could very well destroy the full faith and credit of our Nation. What makes this made-up crisis so undignified is that the other side has taken the American people hostage to their radical plan of placing the burden of deficit reduction on the backs of poor, working poor, and struggling middle class families while asking absolutely nothing of the most fortunate among us. Why, Mr. Speaker, have those who have done very well in America been asked to do so little for the country that made their success possible?

The Republican-led 112th Congress has totally ignored the jobs crisis and has actually managed to create another. The 112th Congress owes the American people an apology for continuing to waste their time. Where are the jobs? We owe the American people real job creation.

FAILURE TO PAY IS NOT AN OPTION

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

Mr. WALZ of Minnesota. Mr. Speaker, I rise today to tell my colleagues what my constituents are saying, simply stop playing games.

Now, we all come to this job with certain ideas, values, and principles. But that doesn't mean we get to let our ideology dictate the facts. Failure to pay our bills will have a catastrophic effect on our still-recovering economy. It's as simple as that.

This isn't a question about enabling future deficits. The Federal Government needs to cover promises it has already made to our seniors, to our soldiers in the field, to our veterans, to our States, and to our creditors at home and abroad. We need to pay our bills.

The need to address our debt is every bit as serious as the need to avoid a default, but we need a balanced approach and shared sacrifice. We cannot balance the budget on the backs of working and middle class Americans while simply refusing to ask corporations and billionaires to pay one penny more. We cannot ignore the facts, and allowing our Nation to default is no way to fix our budget problems.

SPENDING-DRIVEN DEBT CRISIS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, our record debt of $14.3 trillion is growing, and it poses a direct threat to our national security, our economy, and our children's future. The American people deserve real leadership right now, not politics as usual.

The President's bipartisan deficit commission called the House-passed Path to Prosperity a ''serious, honest, straightforward approach to addressing our Nation's enormous fiscal challenges.'' On the contrary, the Democratic cochair of the commission, Erskine Bowles, recently criticized the President's fiscal plan, introduced on April 13, by stating that ''When you compare it to the Ryan plan and to the commission's plan, it really doesn't stabilize the debt. The debt, as a percentage of GDP, gets up to around 77 percent, and it never gets to primary balance.''

If President Obama and the Democrat leaders of the Senate wish to take solving our spending-driven debt crisis seriously, the solution is simple: Washington must stop spending money it doesn't have.

FIGHT FOR AMERICAN FAMILIES AND DEFEAT H.R. 2587

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

Mr. DEUTCH. Mr. Speaker, America earned the name the Land of Opportunity because anyone willing to work hard and play by the rules can make it here. Well, our families still work hard, they still play by the rules, and yet so many are barely scraping by. So they send us to Washington to fight for them. They can't afford lobbyists. They only have us.

Today we will consider Republican legislation that is a textbook example of why too often, the special interests win out over the public interests. H.R. 2587 gives corporations a green light to send jobs overseas if their employees simply ask for a decent salary or better hours. This bill is based on the premise that executives can negotiate multimillion dollar bonuses for themselves, but if American workers exercise their rights, their jobs will be on the next plane to China. That's the majority's answer to outsourcing of American jobs. If the rights of American workers get in the way of corporate profits, then it's time to do away with those

rights. Let's stand up and fight to keep jobs here. Let's fight for American families. Let's defeat H.R. 2587.

□ 1230

STUDENT LOAN DEBT FORGIVENESS

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

Mr. CLARKE of Michigan. Mr. Speaker, as we're on the verge of facing government default, there are several proposals on the table for us, as Members of Congress, to consider. And in my opinion, none of these proposals go far enough. Yes, they cut money in hopes of reducing our deficit and reducing our debt.

But here's what they don't do. They don't cut, they don't cap, and they don't forgive student loan debt.

Look, people. We want to create jobs. We want our families to have financial security. We need to help them get out of personal debt. And the most powerful way to get this economy moving again and to get our people the education they need is to help forgive certain student loan debt.

PROVIDING FOR CONSIDERATION OF H.R. 1938, NORTH AMERICAN-MADE ENERGY SECURITY ACT

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 370 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 370

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Florida is recognized for 1 hour.

Mr. WEBSTER. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS)—who has a nice colorful Florida tie on today—pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WEBSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today to support this rule and the underlying bill. House Resolution 370 provides for a structured rule for consideration of House Bill 1938, the North American-Made Energy Security Act.

The rule makes 11 of the 13 amendments submitted to the Rules Committee in order for robust debate here on the floor of the House of Representatives. All 11 amendments made in order are Democrat amendments, and this legislation passed out of Energy and Commerce with bipartisan support, gathering ''yes'' votes from six Democrats on the committee, including the former chairman, Mr. DINGELL.

This bill has moved through the committee process with bipartisan support because it does not require anything in the extraordinary to do. Distilled in its simplest form, it directs the President to make a decision. It does not prescribe his decision one way or another; it just simply asks him to act, say ''yes'' or say ''no.''

After nearly 3 years of review, study, and comment, the President would have to decide whether or not to issue a Presidential permit permitting the Keystone XL pipeline.

This bill does not allow any corners to be cut, any environmental considerations to be glossed over. In fact, not only has it required an Environmental Impact Statement to be executed, but several supplemental statements have been performed as well.

Furthermore, upon receipt of the final Environmental Impact Statement, but not later than November 1, the President still has an additional 30 days to weigh the evidence and make up his mind. After nearly 3 years, he does not have to approve the project nor disapprove the project; he simply has to make a decision.

And what exactly is at stake? What hinges upon the approval or disapproval of this monumental infrastructure project? American job creation, overdue economic growth, and increased national energy security.

TransCanada believes that the approval of the construction of the Keystone XL pipeline will create about 20,000 shovel-ready construction and manufacturing jobs, adding about $6.5 billion in personal income for those workers. It injects more than $20 billion in private sector investment in the U.S. economy.

It generates more than $585 million in new taxes for States and communities along the pipeline route. It pays more than $5.2 billion in property taxes during the life of the pipeline; undeniably strengthens America's energy security by enabling expanded importation of 830,000 barrels of oil a day from our U.S. neighbor and ally instead of importing it from other unfriendly sources.

In fact, according to the United States Department of State, if the pipeline is not approved, ''the U.S. would not receive a reliable and cost-efficient source of crude oil from Canada and would remain dependent upon unstable foreign oil supplies from the Middle East, Africa, Mexico, and South America.''

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. Relevant committees of jurisdiction have worked to provide us with a bipartisan bill which, at its core, is quite simple. It simply directs the administration to make a decision on America's energy and security and job creation.

I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bill.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I thank my friend for yielding and compliment him on his sunshine tie, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to the rule for H.R. 1938 and feel that, much like the majority's previous legislation attempts to increase offshore drilling, this backwards-looking dirty energy bill will not lower the price of gasoline for the average American today, tomorrow, or in the future.

It manages, this bill does, to completely ignore the pressing needs to develop clean, sustainable energy. In fact, only the large oil companies will

benefit from this bill. In its very application for the Keystone XL pipeline expansion, TransCanada indicated that it believes this expansion will actually raise oil and gasoline prices.

The pipeline expansion connects Canadian oil to the Gulf of Mexico, making it possible to ship tar sands oil out onto the world market for the first time.

□ 1240

The pipeline will allow TransCanada to bypass the Midwest, reducing what the company called, and I quote, price discounting in the Midwest due to what it considers an, I quote, oversupply. The oil will run past Montana, right through Texas, ignore Nebraska completely, and wave good-bye to the United States while it rides right out of the country.

Providing Canadian oil companies access to this new market is the only reason to want to expand the pipeline. TransCanada's application actually indicates that it expects the price of crude oil to increase by $6.55 per barrel in the Midwest and $3 everywhere else after the expansion is completed.

Ultimately, the expansion would lead to a windfall for Canadian oil companies of between $2 billion and $3.9 billion by the year 2013, while increasing the cost of gasoline for hardworking Americans between 10 and 20 cents per gallon. The people of the United States will bear all the risks of an onshore oil spill and reap absolutely none of the benefits.

Let there be no mistake about this: the risk of an oil spill from these tar sand pipelines is very real. The oil is so much more corrosive than traditional crude oil that even Canada has yet to approve a dedicated pipeline conveying it to its coasts. The oil eats away at the pipelines, compromising them and leading to frequent spills. For example, the very pipeline for which the majority bill hastens expansion suffered 12 spills in its very first year. The first spill in June 2010 occurred only 1 month after the pipeline went into operation. Just this last May, the Keystone spewed 21,000 gallons of oil in North Dakota.

Already, Mr. Speaker, Americans are paying the price for a project which delivers to them absolutely no benefit. A similar pipeline recently discharged 840,000 gallons of oil into Michigan's Kalamazoo River, causing one of the largest oil spills ever in the Midwest. On July 1, a pipeline broke and spewed approximately 42,000 gallons of oil into the Yellowstone River. Between 1990 and 2005, there were over 4,700 related oil spills. The Keystone pipeline expansion would expand the risk of a BP-sized oil spill from the Gulf of Mexico to front yards across the heart of this country.

After its initial impact statement received harsh and extensive criticism, the State Department issued a supplemental draft statement. The period for public comment on that draft closed on June 6. The State Department is currently reviewing the comments it received in response to this second statement in a process expected to take several months. Nonetheless, the State Department has reasonably indicated that a decision can be expected by the end of the year. Yet this bill would require a decision within 30 days of the issuance of the final environmental impact statement and no later than November 1.

Without further justification, Republicans seem to think it necessary to short-cut the process, compromising the discussion and its analysis. There are still many questions that need to be answered regarding the pipeline, including information on greenhouse gas emissions, safety, alternative routes, and environmental justice considerations.

This year, the Republican majority has offered three offshore drilling bills that have utterly failed to preserve and protect our environment. It is clear that my friends in the majority are more concerned with keeping big oil companies happy than implementing a workable energy policy for the future. Instead of crafting policies to ensure that the growing sustainable energy industry is filled with American workers, the majority wants to enrich Canadian oil companies at a cost of America's economy and environment.

These kinds of dirty energy bills keep us mired in the muck of fossil fuels when what we need to do is focus on making our energy use more efficient. We need to develop the next generation of clean energy technology. Unfortunately, Republicans seem intent on enabling our country's oil addiction. This is not good policy today and will certainly not be good policy in the future.

I reserve the balance of my time.

Mr. WEBSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank my friend from Florida for the time.

Mr. Speaker, I am puzzled by Congressman HASTINGS' remarks in opposition to the rule. This is a very fair rule. The Rules Committee received 13 amendments from the minority. They made in order 11 of those. One amendment was not germane and the other amendment by the gentleman from Massachusetts (Mr. MARKEY) would have restricted the oil to the United States and not allowed any of the product to be refined and sent overseas possibly, and that's a function that the Rules Committee felt should be a market function and not prohibited.

So 11 amendments by the minority were made in order. This is a bill that came out of my committee, the Energy and Commerce Committee, on a bipartisan vote. All the Republicans supported it and between a fourth and a third of the Democrats supported it.

The underlying thesis of the bill is pretty straightforward. Under current law, you're supposed to make a decision on pipeline permits between 180 and 90 days. The Obama administration EPA has had 2 years on their watch and 1 year under the Bush administration. EPA has had over 3 years if you count towards this September, next month, or right after August, and has not made a decision. The bill says make a decision. Make a decision.

There is an existing pipeline. The Keystone pipeline would connect an existing pipeline that ends in the Midwest to the gulf coast. It would go to Congressman POE's district in Port Arthur and go over into Louisiana. It would create tens of thousands of jobs in construction; it would bring approximately a million barrels of oil per day into the United States to provide competition for existing oil supplies; it would be refined in U.S. refineries; and most of the product, if not all, would probably be consumed by U.S. consumers.

This is a good bill. This is a good rule. I would ask that we support the rule and then listen to the debate and hopefully decide to support the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, if I could engage the gentleman from Texas just a moment, I will yield myself 30 seconds before yielding to my colleague from Virginia.

I just am curious to know if this will cause the price of gasoline to go down, in your judgment.

Mr. BARTON of Texas. Will the gentleman yield?

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

Mr. BARTON of Texas. In my judgment, providing more fuel supply for our refineries would liken the possibility that prices would go down.

Mr. HASTINGS of Florida. Likely possibility. I'll take that pretty much as a ''no.''

Mr. BARTON of Texas. No, that's a ''yes.'' Take it as a ''yes.'' Competition drives prices down.

Mr. HASTINGS of Florida. I thank the gentleman.

Mr. Speaker, I am very pleased to yield 2 minutes to my good friend from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my colleague and my friend from Florida.

Mr. Speaker, I rise in opposition to this rule, and I rise in opposition on substantive grounds. The Rules Committee approved for our consideration here on the floor every germane amendment but one, the Markey-Connolly amendment, which would have required a simple certification that the bulk of this oil to be transported by this proposed pipeline be for and designated for domestic consumption.

□ 1250

We hear a lot of rhetoric about the need to expand American production and/or access to secure oil to lessen our dependence on foreign suppliers. That,

indeed, is a noble goal. It's one in which I share, but not at any price, and I don't want to be sold a pig in a poke.

The fact that the Rules Committee would not put that amendment on this floor, going into content rather than procedure, finding it germane but still not allowing a fair debate and its consideration on this floor, I think gives the lie to the intent behind the extension of this pipeline.

This oil is not for domestic consumption; this oil is for foreign export. It has very little to do with domestic oil supply or it might have very little to do with domestic oil supply. A simple requirement that the preponderance of it be for domestic supply I think would have made prudent domestic policy and I think would have allowed a fair and interesting debate here on the floor of the House as to what the real intention of this pipeline is.

So I say to the American public, I urge you not to be fooled by propositions from the other side that this is going to be good for American consumers. This is going to be good for Chinese consumers.

Mr. WEBSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman from Florida for yielding. I also admire the gentleman from Florida with the exotic tie and his comments. But I stand in support of the rule and, of course, the underlying bill. The rule is a fair rule.

I represent southeast Texas. We still think we're the energy capital of the world. The pipeline from Canada will go down into southeast Texas, Port Arthur, Texas, which actually has high unemployment. The pipeline will go to the refineries. The refineries will be able to expand and hire refinery workers to refine that crude oil. I think that's a good idea.

The Canadian oil sands will be able to produce 175 barrels of oil reserves, second only to Saudi Arabia. The idea that we need to move away from Middle Eastern oil is a good idea. Maybe we ought to support our loyal allies that are in a stable country.

A medium-sized pipeline, just to give you some statistics, pumps about 150,000 barrels a day. To replace that, you would have to have 750 trucks a day or a 75-car train every day.

Pipelines are the safest way to transport crude oil. Seventy-five percent of the accidents occur with a third party causing the accident to the pipeline. But if we don't make a decision—that's what we're asking the President to do—make a decision. And as my friend from Florida knows, being former judges, we made decisions. It didn't take us 3 years to make a decision. You get the evidence; you make a ruling. And it has taken, I think, the Federal Government way too long to make a decision on this issue.

But failure to act—delay, delay, delay—is tantamount to a ''no,'' and eventually the Canadians will sell that crude oil that they have to China or other buyers. So I think it's quite important that we go ahead and make a decision, have the Federal Government rule on this issue.

There are 500,000 miles of pipelines into the United States; about half of those run through Texas. I'm told that a third of all those pipelines run through my congressional district. We have a lot of pipelines. And I think it's important that we continue to try to take care of ourselves, use a safe product from Canada, make sure that all the environmental requirements are imposed in making this pipeline that creates jobs in America—build a pipeline, create jobs in southeast Texas for Americans and the refinery business—because we still rely on crude oil.

And last I would say, I agree, we need to eventually have green energy, but we don't have that now. So if we cut off all of this, what will we use?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER. I yield the gentleman 30 additional seconds.

Mr. POE of Texas. So I urge support of the rule. I urge adoption of this legislation so that we can move forward with construction, American jobs, and deal fairly on the issue of energy reliance upon ourselves and getting that from our allies instead of Third World dictators like Chavez and the Middle East.

Mr. HASTINGS of Florida. Mr. Speaker, I would say to my friend, Judge POE, that we have to start—and we are starting—the green energy movement. I readily understand the economic impact on Port Arthur, the State of Texas, and I also am deeply concerned for the ranchers in the Midwest, specifically Montana, Nebraska, those States, North Dakota, that are bypassed. And the possibility of their oil and gas costing more is, at the least, disturbing.

But I do want to share a report that was formulated regarding tar sands and their potential by the IHS Cambridge Energy Research Association, and it's under the aegis: ''Growth in the Canadian Oil Sands.'' What it says is:

''Tar sands, which are also known as 'oil sands,' are a combination of clay, sand, water, and bitumen, a heavy, black, asphalt-like hydrocarbon that cannot be extracted through a well like conventional oil. It is estimated that Canada's economically recoverable tar sands deposits in Alberta total 173 billion barrels, making Canada''—as Judge POE pointed out—''second after Saudi Arabia in oil reserves.

''Producing fuel from tar sands has significant environmental impacts. Extracting tar sands bitumen and upgrading it to synthetic crude oil produces roughly three times greater greenhouse gas emissions than producing conventional oil on a per-unit basis. Tar sands development also destroys boreal forests and wetlands and wildlife habitat, kills migratory birds, and degrades water quality and air quality.''

That said, tar sands oil contains, on average, 11 times more sulfur, 11 times more nickel, six times more nitrogen, and five times more lead than conventional oil. These pollutants are harmful to human health, causing lung and respiratory problems such as asthma and bronchitis, and the metals found in tar sands are neurotoxic. The pollutants released by refining tar sands causes acid rain, smog, and haze, and communities living near these refineries report elevated levels of cancer.

Mr. Speaker, the bill before us overrides current law for the sake of padding the pockets of oil company CEOs and fails to create significant sustainable jobs for the average American in the growing sustainable energy sector. This bill will never become law and is once again a waste of our time.

I oppose this unnecessary opportunistic legislation for many of the same reasons that I have made very clear, as have others, but I have made the vow to be the last man standing in the fight against expanding offshore drilling, and I may be among those that will continue to stand against transborder tar sands being transmitted here for purposes of going out onto the world market and not allowing for any reduction in the cost of gasoline in the United States of America.

I urge my colleagues to vote ''no'' on the rule and the underlying legislation.

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

□ 1300

Mr. WEBSTER. Mr. Speaker, this rule provides for ample and open debate, allowing our colleagues from across the aisle to offer their legislative proposals to this bill.

Furthermore, the underlying bill addresses two critical concerns, if you listen to speeches made in this Chamber every day, of every Member of this House: unemployment and dependence on OPEC oil.

As I have stated, 20,000 shovel-ready jobs can be created with the approval of this infrastructure project. Approval of the Keystone XL pipeline will also serve to increase oil imports from our friend and neighbor in the north, Canada, while driving down our dependence on oil from countries that, quite frankly, do not share our ideas about democracy and freedom.

Most important, this bill does not force the President to approve this job-creating infrastructure project. It simply asks him, requires him to make up his mind after coordinating with all of the appropriate stakeholders.

I ask my colleagues to join me today in voting in favor of this rule and passage of the underlying bill.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 2 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1311

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 1 o'clock and 11 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

adoption of H. Res. 370, by the yeas and nays;

motion to suspend the rules on H.R. 1383, by the yeas and nays;

approval of the Journal, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1938, NORTH AMERICAN-MADE ENERGY SECURITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 370) providing for consideration of the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 246, nays 171, not voting 15, as follows:

[Roll No. 637]

YEAS—246

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—171

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Bachmann
Bilirakis
Bishop (UT)
Blumenauer
Cleaver
Fudge
Giffords
Hinchey
Johnson (GA)
McDermott
Nunnelee
Schakowsky
Stark
Waters
Wu

□ 1336

Messrs. HOLDEN, LUJÁN, and BECERRA changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. SCHAKOWSKY. Mr. Speaker, on roll-call No. 637, had I been present, I would have voted "nay."

RESTORING GI BILL FAIRNESS ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill (H.R. 1383) to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and concur in the Senate amendments.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 8, as follows:

[Roll No. 638]

YEAS—424

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Bachmann
Cleaver
Giffords
Hinchey
Issa
McDermott
Towns
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute remains in this vote.

□ 1344

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 313, nays 111, answered ''present'' 2, not voting 6, as follows:

[Roll No. 639]

YEAS—313

Ackerman
Aderholt
Akin
Alexander
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
DeGette
DeLauro
Denham
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Griffin (AR)
Griffith (VA)
Grijalva
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kissell
Kline
Kucinich
Labrador
Lamborn
Langevin
Lankford
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Mack
Maloney
Manzullo
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paul
Paulsen
Payne
Pelosi
Pence
Perlmutter
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rangel
Rehberg
Reichert
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Rush
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tonko
Tsongas
Turner
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—111

Adams	Gibson	Miller, George
Altmire	Graves (MO)	Moore
Andrews	Green, Gene	Napolitano
Baca	Grimm	Neal
Baldwin	Hahn	Nugent
Bass (CA)	Hanna	Olver
Bishop (NY)	Harris	Pallone
Bishop (UT)	Heck	Pascrell
Boren	Herrera Beutler	Pearce
Boswell	Hoyer	Peters
Brady (PA)	Huelskamp	Peterson
Burgess	Jackson (IL)	Poe (TX)
Capuano	Jackson Lee (TX)	Price (NC)
Cardoza	Johnson (OH)	Rahall
Carson (IN)	Johnson, E. B.	Reed
Chu	Kind	Renacci
Clarke (NY)	Kinzinger (IL)	Ruppersberger
Conaway	Lance	Ryan (OH)
Costa	Landry	Sánchez, Linda T.
Costello	Larsen (WA)	Sanchez, Loretta
Courtney	Larson (CT)	Sarbanes
Cravaack	Latham	Schakowsky
Crowley	Lee (CA)	Sires
Cummings	Lewis (GA)	Slaughter
Davis (IL)	LoBiondo	Stivers
Davis (KY)	Loebsack	Sutton
DeFazio	Lofgren, Zoe	Terry
Dent	Lungren, Daniel E.	Thompson (CA)
Deutch	Lynch	Thompson (MS)
Donnelly (IN)	Markey	Tiberi
Duffy	Matheson	Tierney
Filner	Matsui	Tipton
Fitzpatrick	McCotter	Towns
Foxx	McNerney	Velázquez
Fudge	Meehan	Visclosky
Gardner	Miller (FL)	Woodall
Garrett		Young (AK)
Gerlach		

ANSWERED ''PRESENT''—2

Amash	Gohmert

NOT VOTING—6

Bachmann	Hinchey	McDermott
Giffords	Marchant	Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1350

So the Journal was approved.

The result of the vote was announced as above recorded.

OFFICIAL PHOTOGRAPH OF 112TH CONGRESS

The SPEAKER. Pursuant to House Resolution 299, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as the photographer indicates that these preparations are complete, the Chair will call the House to order to resume its actual session for the taking of the photograph. At that point the Members will take their cues from the photographer. Shortly after the photographer is finished, the House will proceed with its business.

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 1 o'clock and 50 minutes p.m.), the House stood in recess.

□ 1355

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 55 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 112th Congress.)

NORTH AMERICAN-MADE ENERGY SECURITY ACT

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the legislation and to insert extraneous material on the bill.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 370 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1938.

□ 1403

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes, with Mrs. EMERSON in the chair.

The Clerk read the title of the bill.

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

General debate shall be confined to the bill and shall not exceed 1 hour, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 15 minutes. The gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 10 minutes. The gentleman from Washington (Mr. HASTINGS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

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

Madam Chairman, I rise today to support H.R. 1938, the North American-Made Energy Security Act, and give a long overdue green light to the Keystone XL pipeline project. The Keystone XL expansion project would allow up to 1.29 million barrels per day to flow into refineries in the Midwest and gulf coast, a 700,000-barrel-per-day increase over existing capacity from Canada. More oil means lower prices, and more imports from a stable ally like Canada means less from unstable nations and potential adversaries.

According to a study conducted for the Department of Energy, the Keystone project has the potential to significantly reduce oil imports from the Middle East. The good news only gets better when one looks at the job impacts of the Keystone project. Construction of the expanded pipeline system alone would create an estimated 20,000 jobs.

Unfortunately, the Obama administration continues to delay this project, and there seems to be no end in sight. Let's just look at the timeline to date:

In September 2008, TransCanada, the developer of this project, first submitted its application for a Presidential permit. The State Department didn't release its draft environmental impact statement until April 2010. After this first step, EPA rejected the draft statement and told the State Department they had to perform more work. After another year, the State Department issued a supplemental draft statement that addressed EPA's concerns. Even then, EPA seems to think the thousands and thousands of pages of objective and honest analysis performed by various Federal agencies is not enough.

Because of the endless delays, H.R. 1938 is a simple bill that calls on the Obama administration to make a decision on this project by November 1, 2011. The administration has stated that they could have a decision by December 16, 2011, so we're only asking them to speed that up a few months, and we're not saying what the decision should be.

At a time when the national average of a gallon of gas is $3.70 per gallon and unemployment is still above 9 percent, the Obama administration should be doing everything it can to approve projects expeditiously if they are creating jobs and reducing gasoline prices.

H.R. 1938 is a bipartisan bill that cuts through the endless delays and creates a hard deadline for the administration to render a decision on Keystone. It's time to get moving on reducing energy prices, reduce unemployment, and pass this bill.

I urge all Members to support this important bill.

I reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I yield myself 5 minutes.

I rise in opposition to H.R. 1938. This legislation is unnecessary and it's harmful. It cuts short the State Department's ongoing review of the Keystone XL tar sands crude pipeline, it would deny the public an adequate opportunity to comment on whether the

pipeline should be built, and it benefits a specific foreign company, TransCanada Corporation, at the expense of the American people.

There are really two distinct questions here: Do you think the Keystone XL pipeline is a good idea? And does this legislation make any sense? I happen to think that the Keystone XL pipeline is a bad idea; but even if you support the pipeline, you should oppose this bill.

The Keystone XL pipeline would carry a sludge made from Canadian tar sands through the middle of America. In doing so, it would raise gas prices, endanger water supplies, and increase carbon emissions; and that's why it should not be approved.

□ 1410

Keystone XL is a highly controversial project. The State Department received over 200,000 comments on the supplemental draft environmental impact statement. Once it is built, we will live with the pipeline and its impacts for 50 years or more. This is a decision we need to get right. Unfortunately, this bill's approach does not get it right. Instead, it says whatever the risks and costs, just get it done.

H.R. 1938 takes the extraordinary step of interfering in an ongoing decisionmaking process by the Secretary of State. The Secretary is in the midst of determining whether granting the permit requested by TransCanada would be in the national interest. The process for making these permit decisions was established by Executive orders issued by President Johnson and President George W. Bush. The State Department says that it plans to issue the final environmental impact statement in mid-August and the final decision by the end of the year. That's when the applicants say they need a decision.

This bill overrides the Executive orders and other Federal law, it short-circuits the decisionmaking process, and it requires the President to make a decision within 30 days of the final environmental impact statement. This effectively eliminates the opportunity for public comment on the national interest determination, and it cuts the time for consulting with other agencies by two-thirds. That doesn't make sense, especially when you consider the potential risk.

My greatest concern is that Keystone XL will make us more reliant on the dirtiest source of fuel currently available. On a life-cycle basis, tar sands emit far more carbon pollution than conventional oil—almost 40 percent more by some estimates. That's because it takes huge amounts of energy to take something the consistency of tar, which they mine, and turn it into synthetic oil. We should be reducing our oil dependence and using cleaner fuels, but Keystone is a big step in the wrong direction.

There are many other concerns, including safety. Today is the 1-year anniversary of the Kalamazoo River oil pipeline spill, and 30 miles of the river are still closed. A few weeks ago, there was a massive oil pipeline spill into the Yellowstone River. And TransCanada, Keystone XL's owner and operator, has had 12 spills on the first Keystone pipeline in its first year of operation. Keystone One was even shut down by the Department of Transportation as ''hazardous to life, property, and the environment.'' The risks from spills are exacerbated with Keystone XL because it is rooted through the Ogallala aquifer, which spans eight States and provides drinking water for 2 million people.

With all of these risks, the benefits are unclear. A study commissioned by DOE found that we will have excess pipeline capacity from Canada for the next decade or more, even without Keystone XL. And Keystone XL will likely raise, not lower, gas prices. In its permit application, TransCanada told the Canadian Government that by raising prices for crude oil in the Midwest, Keystone XL will increase revenue for Canadian producers by $2 billion to $4 billion a year.

But even if you believe we should build Keystone XL, you should oppose this legislation.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield myself an additional 30 seconds.

If you think the project has merit, let it be approved on the merits, not rushed to judgment without public comment. Cutting the public out of the process and ramming this through will only increase opposition to this project.

I urge my colleagues to vote ''no'' on H.R. 1938.

I reserve the balance of my time.

Mr. WHITFIELD. Madam Chair, I yield 2½ minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Today, national unemployment rests at 9.2 percent, but it's even higher in my State of Michigan at 10.5 percent. Gasoline costs $3.80 a gallon or more in many areas, up a dollar from last year. Political unrest halfway around the world disrupts the flow of oil to markets, causing prices to rise. Most leaders in this situation would be searching for a project that would create jobs, help bring down gas prices and, yes, provide a stable and secure source of oil to replace imports from dangerous parts of the world. Our President is being handed such a project on a silver platter, and he's dangerously close to letting it slip through his fingers.

Our northern ally, Canada, has discovered an oil resource comparable to the size of Saudi Arabia, and they want to send the oil here to the United States. Five major labor unions have thrown their support behind the pipeline because it's going to create more than 100,000 jobs. Yet this administration has allowed the permit application to languish for nearly 3 years, even saying that they were inclined to support it almost a year ago in October.

This pipeline, the Keystone XL, if approved, would dramatically improve our energy security. According to DOE, the pipeline would essentially eliminate our Middle East oil imports. It would provide for a massive influx of stable oil into the market, something desperately needed as threatened supplies in North Africa send prices into orbit.

This country needs the President to make a decision on Keystone XL's permit. The uncertainty has gone on too long, and if we don't act, these energy supplies will go someplace else. That's why we have this legislation, H.R. 1938. This bipartisan bill doesn't tell the President how to decide, it just requires him to make a decision. I commend my colleagues, Representatives Terry and Ross, for finding a commonsense and, yes, bipartisan solution.

If we don't build this pipeline, Canada will find another buyer. The Chinese have expressed significant interest in Alberta's oil sands. Are we going to stand by and watch China receive imports from our ally while we're forced to rely on imports from unstable countries? I sure hope not.

While I believe construction of this pipeline is necessary and important, I know it has to be done safely. Last year, 20,000 barrels of oil did spill through a creek that runs through my district. I have made pipeline safety a priority in our committee, and just this week we're going to be moving forward on effective pipeline safety legislation to protect the environment and, yes, our communities.

This legislation will ensure that crucial energy supplies, like the oil received from Canada, is transported safely throughout the country. We need a ''yes'' vote on this bipartisan bill.

Mr. WAXMAN. Madam Chair, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), a member of the Energy and Commerce Committee.

Mrs. CAPPS. I thank my colleague for yielding.

Madam Chair, I rise to speak against this hazardous piece of legislation.

H.R. 1938 directs the President to allow Canadian oil companies to build a dangerous pipeline through American lands and waters. And H.R. 1938 would expedite the pipeline's permitting process despite a long list of unaddressed concerns from numerous communities. The environmental impacts of this pipeline—which would extend over 1,600 miles through six States—have not been thoroughly considered. And we know that this project has the potential to significantly impact the environment.

We have already seen what damage can be done. There have been 12 spills along TransCanada's Keystone pipeline in its first 12 months of operation. And the Keystone XL pipeline will deliver some of the most destructive oil on the planet. Tar sands oil contain higher

concentrations of toxic chemicals, like sulfur, nickel, nitrogen, and lead, than conventional oil. And a barrel of tar sands oil emits up to three times more climate-disrupting gases than conventional oil.

Building this pipeline would be the greenhouse equivalent of adding roughly 6.5 million passenger vehicles to a highway or constructing 12 new coal-fired power plants. Major concerns arise about the negative impacts of the pipeline on public health and the environment.

At a time when we must find ways to end our dependence on fossil fuels, it is simply not in the national interest to deepen our reliance on one of the most dirtiest forms of oil on the planet. I believe that conducting the appropriate analysis under NEPA, which cannot be done properly if it's rushed, will make this abundantly clear.

We need to be moving forward by supporting clean, renewable energy in this country. And while the President is calling for a reduction in oil imports, this bill calls for an increase.

For all these reasons, I urge my colleagues to vote ''no'' on H.R. 1938.

□ 1420

Mr. WHITFIELD. I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY), the author of the bill.

Mr. TERRY. Madam Chair, this bill is simple, but the ramifications may be significant. Let me set the record straight: I want to get off OPEC oil. Receiving as much as 700,000 barrels of oil from our northern neighbor, Canada, makes us more energy secure, more energy independent.

The application for this pipeline, an efficient way to move oil from one part to another part, the most efficient and safest, was filed almost 3 years ago. We are just a month shy of its 3-year anniversary; whereas, it is usually around 18 months to 24 months to have something like this approved.

Now, this bill sets a hard date of November 1, 2011, for the President to make a determination of national interest on this pipeline. Let me repeat: All we're asking is that the President make his decision by November 1. Enough time has passed.

Now, what we would see if this project moves forward: It will be a $13 billion construction project, privately funded; it will create at least 20,000 direct high-paying labor construction jobs; it will generate $6.5 billion in new personal income for U.S. workers and their families; it will spur more than $20 billion in new spending for the U.S. economy; it will stimulate more than $585 million in new State and local taxes; it will deliver $5.2 billion in property taxes during the estimated operating life span of this pipeline.

Now, we have heard from two speakers already about the environmental impacts. I come from Nebraska. I want to make sure that this pipeline is safe as it passes through an environmentally sensitive area called the Sand Hills and over the Ogallala Aquifer. There have been draft environmental impact statements. There have been supplements, and it has been shown that it can be done safely. This is the single-most studied pipeline in the history of the United States.

I believe it's in our national security interest. It's about the jobs, economy, and energy security.

Mr. WAXMAN. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Madam Chair, I thank the gentleman, the ranking member of Energy and Commerce, for yielding me this time.

I rise in strong support of H.R. 1938. I represent a district at the end of this proposed pipeline in southeast Texas. I have five refineries in my district, and this will give them an alternative for crude oil to keep those refineries running.

North American oil sands are a vital source of energy for the U.S., and with skyrocketing fuel prices, I believe it's imperative for the U.S. to diversify our energy sources by exploring alternatives such as the oil sands in Canada.

As the largest single exporter of oil to the U.S. and a stable energy partner, Canada has helped to reduce our dependence on energy supplies from unfriendly nations, and this partnership should continue and be encouraged.

The pipeline owner, TransCanada, has agreed to comply with 57 additional special conditions developed by the Pipeline and Hazardous Materials Safety Administration for the Keystone XL project.

The supplemental environmental impact statement on the project has gone so far as to state that the incorporation of these conditions will result in a project that has a larger degree of safety over any other typically constructed domestic oil pipeline under the current code or law, and a larger degree of safety along the entire length of the pipeline similar to what we have in high consequence areas.

Additionally, an independent study showed that the $7 billion Keystone XL pipeline is expected to directly create 20,000 high-wage manufacturing and construction jobs in the U.S. So not only will this project help our energy security, but it will help our recovering economy by creating thousands of jobs.

I am constantly hearing from building trades in the Houston area about their support for this pipeline and the bill. And yet none of this even matters because the bill very fairly doesn't say what the administration's determination should be. Instead, it says expedite the decision. It has been too long once the environmental review is complete.

I appreciate the Department of State's recent announcement that they are on track to make a final decision by December 31. Maybe that wouldn't have been announced last week if we hadn't had this bill moving in the House. But I do appreciate the effort. I support the bill and appreciate my colleagues' support.

Mr. WHITFIELD. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. I thank the gentleman for yielding me this time and for his leadership on this important issue.

Madam Chair, I rise today in strong support of H.R. 1938, the North American-Made Energy Security Act. This bill is a bona fide jobs bill and will have a positive economic impact on our entire country.

The Keystone XL pipeline will stretch from our neighbor and ally Canada through Montana, the intersection of North Dakota and South Dakota, Nebraska, Kansas, Oklahoma, all of the way down to my home State of Texas, ultimately transporting nearly 1.3 million barrels of oil per day—1.3 million barrels per day—and creating hundreds of thousands of jobs on its journey to the gulf.

The Keystone XL pipeline has the potential to create up to 624,000 jobs over the next 15 years, including 50,000 in the Lone Star State, with its economic impact valued in the billions. Madam Chair, 170,000 companies alone in Texas would serve as suppliers. These are real jobs for real Americans.

This is real energy security for America. The Department of Energy has determined that this pipeline could ''essentially eliminate'' our dependence on Middle Eastern oil sources.

The Obama administration has dragged its feet for over 2 years, insisting on delaying the project with more environmental studies and regulatory hurdles. If we don't break through this regulatory wall, China is more than happy to take our place.

The studies have been done, Madam Chair. It is time to approve the permit. H.R. 1938 will ensure that the administration does just that.

The Keystone XL pipeline will strengthen America's economy and reduce our dependence on Middle Eastern oil.

The CHAIR. The time of the gentleman has expired.

Mr. WHITFIELD. I yield the gentleman an additional 1 minute.

Mr. OLSON. In conclusion, the Keystone XL pipeline will strengthen America's economy, reduce our dependence on Middle Eastern oil, and produce hundreds of thousands of jobs right here in America. It's a win/win/win.

I urge my colleagues to support this very important energy security bill that creates, jobs, jobs, jobs right here in America.

Mr. WAXMAN. Madam Chair, I am pleased at this time to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Madam Chair, this bill is a charade. It purports to increase oil production in America, yet it would direct construction of a pipeline designed to export oil. There is already one Keystone pipeline from the tar sands of Alberta into America. That pipeline terminates in Oklahoma

and supplies America with oil derived from tar sands.

If the Republicans wanted to bring a bill to the floor that would increase domestic access to this oil, then it would support it. In fact, Mr. MARKEY and I introduced an amendment to ensure that oil from the Keystone pipeline would benefit American consumers, and it wasn't allowed on the floor. The Republican leadership wouldn't even let this amendment come for debate. They claim this pipeline will deliver oil to America but have used a backdoor procedural trick to block debate on it.

The amendment Mr. MARKEY and I introduced was the only germane amendment which was blocked by the Rules Committee. Why? Because it gives lie to the real intent of this bill: oil for export, not for domestic consumption. Our amendment met all of the parliamentary tests necessary to come to the floor and didn't increase spending. All it would have done was ensure that Keystone pipeline oil would flow to America rather than China, Cuba, or some other country. The fact that the Republicans blocked this simple amendment shows that the bill before us today isn't about energy security or gas prices but about oil company profits and exports.

It isn't surprising that leadership would put Big Oil profits ahead of consumers. This is the same caucus that is driving our Nation toward default while they refuse to close tax loopholes for oil companies.

□ 1430

This is the same Republican caucus that gutted the Clean Air and Clean Water Act earlier this week with three dozen policy riders in the Interior and Environment appropriations act; the same Republicans that slashed funding for the Commodities Futures Trading Commission, our cops on the beat to stop oil speculation; the same Republicans who opposed using the Strategic Petroleum Reserve to burst the speculative bubble in prices, that marches in lockstep with big oil companies since they took over the House majority; and today they're attempting to pass legislation that would take gas from America and send it overseas. We're being given a false proposition in this legislation, and I urge my colleagues to oppose it.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Madam Chair, I yield the gentleman 1 additional minute and ask if he will yield to me.

Mr. CONNOLLY of Virginia. I yield to the gentleman from California.

Mr. WAXMAN. I must say that we've heard comments on the floor and in committee on this bill that it's going to allow us to become less dependent, maybe not even dependent at all, on Saudi Arabia; that we'll be able to be self-sufficient and have lower prices because of this pipeline. But the truth of the matter is that some economists believe that this oil pipeline will bring oil to Texas, and that oil will either be refined or shipped as crude oil to China. It doesn't help us to have any excess oil if it's going to be picked up and shipped to China.

I think that we need to always have in mind that the United States of America uses 25 percent of the world's oil resources and we have 2 percent of the source of those resources—the reserves—here in the United States. We are always going to be dependent on imported oil unless we start moving away from oil itself.

I thank the gentleman for yielding.

Mr. WHITFIELD. Madam Chair, how much time do I have remaining?

The CHAIR. The gentleman from Kentucky has 4 minutes remaining, and the gentleman from California has 2½ minutes remaining.

Mr. WHITFIELD. At this time I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), a member of the Energy and Commerce Committee.

Mr. SCALISE. I thank the gentleman from Kentucky for yielding.

I rise in support of this jobs bill, the Keystone bill, that actually opens up another 700,000 barrels a day coming into the United States from Canada. First of all, this oil will be going to United States refineries in Texas to refine oil for Americans. On top of that, it will create another 20,000 American jobs.

If you look at what that means, first of all, China wants to get that oil from Canada. So if we don't agree to this, if the President, for whatever reason—because radicals don't want that oil coming in. They don't like oil at all. So I guess they're going to ride around on bicycles, and that's going to get them where they need to be.

We've got to live in reality. We've got a demand in this country for oil. It's either going to come from Middle Eastern countries, many of whom don't like us, or we can bring more of it in not only from America, where the United States has more reserves that they won't allow us to utilize, but here Canada is saying 700,000 barrels a day can come into America, where we can create those good jobs. What does that really mean? That means we don't have to buy 700,000 barrels a day from Middle Eastern countries.

Let's talk about the trade gap. The biggest part of our trade gap is all the money that we send to these Middle Eastern countries and other countries because we don't produce enough of our own in America because of these radical policies. So you bring that 700,000 barrels a day from Canada, that's $25 billion a year that we're not sending to Middle Eastern countries who don't like us.

If you want to talk about a trade gap, when we trade with Canada, think about this: When we trade with Canada, 90 cents on the dollar comes back to the United States of America. Canada is a great ally and a good friend of ours. It's a good trading relationship. We get 90 percent of that money back. When we trade with Middle Eastern countries, buying their oil, which we do right now, less than half of that money comes back to the United States.

So if you want to talk about this from dollars and cents, from jobs, from national security, all of that adds up to passing this bill to build this relationship, build this pipeline with Canada, who says they want to partner with us. Now, if we turn them down, they'll go to China. But they want this relationship. They want to increase our energy security and create those jobs.

I urge passage of this bill.

Mr. WAXMAN. Madam Chair, I am pleased at this time to yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Let's connect the dots here. The Koch brothers, who financed the election of 2010, won. And they won big time. They own a facility up in Canada that will be the place where the tar sands oil will be converted into a form that can then be shipped to the gulf coast by this pipeline. All that money that they put in, millions and millions of dollars into the last election, is coming back as a return on the investment. And it's a big return, ladies and gentlemen.

This pipeline is going to cost $13 billion. Who's paying for it? The Koch brothers? No, not the Koch brothers. The American people are on the hook for the $13 billion to build this pipeline for the Koch brothers and for their cohorts ExxonMobil, Shell, BP, and all of the rest of the big boys whose tax credits and tax breaks they are protecting without hesitation.

So they're getting it both ways, ladies and gentlemen. They're getting it on the front end, and they're getting it on the back end in terms of not having to pay any taxes.

I think we need to look at during this debt ceiling debate what our priorities are as a Nation and what our values are. Are we simply there to do the bidding of Big Business and the oil companies, or are we here to do the business for the American people?

Mr. WHITFIELD. Madam Chair, at this time I yield 1 minute to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the chairman for yielding.

Today, I rise to speak on the importance of the Keystone XL pipeline, H.R. 1938. One of my goals here in Congress has been to help advance projects like this—projects that will help advance domestic sources of energy. I'm continuously awed at how much potential we have here at home—and our neighbors—and how relatively simple it would be to advance policies that would make us more energy independent. However, I'm continuously baffled at how difficult this administration has made it to wean ourselves off Middle East oil and to create more jobs here at home. In fact, this bill alone, in committee I learned that it will create 6,000 new jobs in Colorado

over the next 4 years—good-paying construction jobs, for example.

I'm appalled at the regulatory burdens or, almost worse sometimes, the inaction on the part of our administration that has led us down the path of insecurity and dependence on many countries that have animosity towards us. Not only do we have the resources in our own backyard, but we have the ability to utilize friendly and willing neighbors like Canada to import oil into the United States.

H.R. 1938, the Northern American-Made Energy Act, would direct the President to simply make a decision on the Keystone XL permit and hopefully move us in the direction of energy security. American jobs, American made.

I urge passage of this bill.

The CHAIR. The gentleman from California has 30 seconds remaining.

Mr. WAXMAN. Madam Chair and Members of this House, climate change is real. We're experiencing its effects. According to The Washington Post, almost 2,000 high temperature records have been broken in towns and cities across America since the start of the month. Another 4,300 records have been set for high overnight temperatures. I don't think that we should short-circuit consideration of a pipeline that increases our consumption of tar sands crude with up to 40 percent higher carbon pollution. That is not in our national interest.

Even the National Farmers Union is urging opposition to this legislation. They say: ''NFU continues to have serious concern regarding the Keystone XL pipeline as currently proposed. We believe all necessary time should be taken for public review and analysis of options for the proposed project. Congress should not fix a hard deadline for this process to be completed.''

I urge a ''no'' vote on this legislation.

I yield back the balance of my time.

□ 1440

Mr. WHITFIELD. Madam Chair, I would remind everyone that in America today, we're using about 22 million barrels of oil a day and that we're producing about 7 million barrels of oil a day in this country. We need more efficiency—there is no question about that—to make better gas mileage.

We also have to recognize that we have the responsibility to bring more product into the United States. To do so from Canada would be good for the American people. It would create, it has been said, 20,000 construction jobs at a time when unemployment is at 9.2 percent. We also understand that, if that pipeline does not come to America, it's going to go to west Canada, and then that oil will be going to China. We have to remain competitive in the global marketplace if we're going to create jobs in America, and that's what this pipeline is about.

I would remind everyone that we're not short-circuiting any studies. Comprehensive studies have been made, and environmental impact statements have been examined, so I would urge everyone to support this important legislation.

I yield back the balance of my time.

Mr. SHUSTER. I claim time in support of the bill on behalf of the Committee on Transportation and Infrastructure.

The CHAIR. The gentleman from Pennsylvania is recognized for 10 minutes.

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

Madam Chair, I rise in support of H.R. 1938, the North American-Made Energy Security Act.

As a member of the Transportation and Infrastructure Committee and as the chairman of the Subcommittee on Railroads, Pipelines and Hazardous Materials, I appreciate the hard work of my colleague from Nebraska (Mr. TERRY) and of my colleagues on the Energy and Commerce Committee to bring this bill forward, with whom our committees share jurisdiction.

This important legislation directs the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline. This important project has been delayed for far too long, and as my colleague from Nebraska pointed out, it is one month away from its 3-year anniversary from its introduction. The time has come for the President to finally move forward and make a decision. This legislation doesn't force the President to make a ''yes'' or ''no'' decision, but it does require the President to issue a final order granting or denying the Presidential permit for the Keystone XL pipeline no later than November 1, 2011.

This $7 billion, 1,700-mile Keystone XL pipeline would link Canada's tar sands region with refineries in the Midwest and Texas. The economic impacts of the Keystone XL pipeline are immense, with estimates of 465,000 U.S. jobs stemming from the oil sands development by the year 2035.

All of my colleagues talk on the House floor about taking action to limit our dependence on oil from unstable areas of the world and from foreign governments hostile to the United States' interests. This is a project that will move us in that direction. Accomplishing that goal will also grow our economy in our partnering with our close friend and ally, Canada.

The United States has the largest network of energy pipelines of any nation in the world, and the pipelines remain the energy lifelines that power nearly all of our daily activities. The hallmark of America's pipeline network continues to be that it delivers extraordinary volumes of product reliably, safely, efficiently, and economically. Since 1986, the volume of energy products transported through pipelines has increased by one-third; yet the number of reportable incidents has decreased by 28 percent. Both government and industry have taken numerous steps to improve pipeline safety over the last 10 years. Safety advocates, environmentalists and the pipeline industry all agree that the Federal pipeline safety program is working.

Later this summer, the Transportation and Infrastructure Committee will bring a bill to the floor to reauthorize the Federal pipeline safety program. We will work with our colleagues from the Energy and Commerce Committee, as we bring our bill to the floor, to ensure that safety remains our top priority. That piece of legislation will ensure that pipelines, like the Keystone XL pipeline, will continue to be the safest and most efficient way to move petroleum products and natural gas.

I am concerned by what appears to be a bias by some in this body to nontraditional sources of energy. To end our reliance on oil from overseas, we must develop the resources we have available in North America. That includes the oil sands in Canada and the Marcellus shale natural gas in my home State of Pennsylvania. We must ensure that the development of these resources is done responsibly and in an environmentally safe manner, but we cannot hold them back and show prejudice just because they are unconventional. We simply can't have it both ways. We can't grow our economy and reduce our dependence on foreign oil without developing the resources that are available right here in our own backyard.

So in closing, I urge my colleagues to support H.R. 1938, and I look forward to continuing to work on this important issue.

I reserve the balance of my time.

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

Madam Chair, as someone who has the privilege of representing an ''American-made energy'' producing State, I understand the economic benefits of producing energy here at home, and I believe my record on this subject in this body is well-documented.

I want to begin, of course, by complimenting the gentleman from Nebraska (Mr. TERRY) for his leadership on this legislation, as well as Chairman MICA of my Transportation and Infrastructure Committee, Subcommittee Chairman SHUSTER, and Ranking Member CORRINE BROWN.

I do rise today to express serious concerns regarding the process, or rather lack thereof, that was taken to bring this legislation to the House floor for consideration today.

The Committee on Transportation and Infrastructure has primary jurisdiction over pipeline construction and safety legislation. Following this longstanding precedent, on May 23, the Speaker designated the Committee on T&I as the committee of primary jurisdiction of the pending legislation. Yet instead of considering the legislation under regular order, as the committee has always done in the past, Chairman MICA chose to discharge the committee from consideration of the bill.

Now, I have served on the Committee on T&I for 34 years—my entire tenure in this body. I cannot think of one instance when this committee, acting as the committee of primary jurisdiction, has discharged its consideration of major legislation in this manner—not one single instance.

The fact is, in the aftermath of several devastating pipeline incidents, there are some legitimate concerns about the potential safety, environmental and health impacts of transporting heavy crude oil by pipeline. I would have liked to have explored those concerns in an open and transparent manner had the committee considered this legislation. With that said, I am optimistic that this is an issue that we can delve into further as we work with Chairman MICA to craft a bill that reauthorizes the Nation's pipeline safety program. In the interim, I believe we need to move forward with a decision on a Presidential permit for construction of the Keystone XL pipeline. Current plans are for construction activities to begin in the first quarter of 2012 and commercial operation to commence in 2013.

The fact is that this pipeline will create thousands of new jobs at a time when unemployment in the construction sector is double the national average. Construction was hard-hit by the recession, with the construction industry having lost nearly 2 million jobs since December 2007. We need to put these people back to work.

Unfortunately, last week, the House Republican leadership piled on the already devastated construction industry by shutting down major parts of the Federal Aviation Administration, which will jeopardize $2.5 billion in construction projects, 87,000 American construction jobs, furlough 3,600 FAA aviation engineers, safety analysts, and other career professionals in 35 States, and will cost $200 million per week in lost revenue.

If the chairman can discharge consideration of this bill and fast track it to the House floor for a vote, I hope he will do the same with the legislation that Representative COSTELLO and I introduced earlier today to end the Republican-led FAA shutdown in order to get aviation experts and construction crews back on the clock. While pink slips already went out to construction companies from coast to coast yesterday, Republicans seem to have reversed gears and now seem to want to support construction jobs—union jobs, in fact. I congratulate them on the latter.

In September 2010, TransCanada announced that it had entered into a project and labor agreement for a significant portion of U.S. construction of the proposed Keystone XL pipeline. The agreement, made with five labor organizations—the Laborers' International Union of North America, the International Brotherhood of Teamsters, the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, the International Union of Operating Engineers, and the U.S. Pipeline Contractors Association—will provide TransCanada with a capable, well-trained and ready workforce in the U.S. to construct the pipeline.

□ 1450

During construction, the project is expected to create over 13,000 highways union jobs for American workers. Despite the procedural concerns that I've raised, I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. SHUSTER. May I inquire as to how much time is remaining?

The CHAIR. The gentleman from Pennsylvania has 6½ minutes remaining. The gentleman from West Virginia has 6 minutes remaining.

Mr. SHUSTER. At this time I yield 1 minute to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. Madam Chair, I rise in strong support of H.R. 1938. I thank my friend, LEE TERRY from Nebraska, for taking the lead on this important issue.

The Keystone XL pipeline is vital to ensure that the United States is able to meet its demand for oil. Canada is already the single largest source of oil imports for the United States.

This pipeline is expected to bring between 830,000 to over 1 million more barrels of Canadian crude to American refineries each and every day, helping to reduce our dependency on oil from unfriendly nations.

At a time when unemployment continues to hover near 10 percent, this project is expected to add close to 13,000 new American jobs. Until we are able to maximize our domestic sources of oil, we will have to rely upon imports. Canada is one of our strongest allies and is a stable democracy with a strong free market economy.

Canada serves as an example of how we should be exploring and developing our own domestic resources. Again, I thank my friend from Nebraska for working so diligently on this issue. I urge my colleagues to support H.R. 1938.

Mr. RAHALL. Madam Chair, I yield 3 minutes to the distinguished gentlewoman from Florida, the ranking member, CORRINE BROWN.

Ms. BROWN of Florida. Madam Chair, let me just thank publicly the ranking member, Mr. RAHALL, for his leadership.

I am very upset that for the first time after 21 extensions, the FAA was shut down Friday night, jeopardizing $2.5 billion in construction projects, 87,000 American construction jobs, and furloughing at least 3,600 FAA aviation engineers. This is really a sad time for the Committee on Transportation. We have always worked together in a bipartisan way to make sure that we move America and keep people working.

This is America, and I want to say I fully believe it's possible to build the Keystone pipeline in a way that improves our access to crude oil and put thousands of people to work while protecting citizens from hazardous spills. But we have to hold the industry's feet to the fire and make sure that they take every possible precaution to build this pipeline.

The Pipeline and Hazardous Material Safety Administration must ensure full oversight in every step of the way in developing this pipeline and must ensure that it is completed safely.

I want to ask Chairman MICA and the ranking member to ensure that the committee fulfills its oversight role by regularly reviewing the construction of the pipeline to ensure that it is capable of transporting these most damaging products.

I want to take this time to express my disappointment that the Transportation and Infrastructure Committee waived its jurisdiction over the Keystone pipeline legislation that was developed by the Energy and Commerce Committee. The Committee on Transportation and Infrastructure is the committee of primary jurisdiction over pipeline construction and safety legislation and is the primary committee to refer for the Keystone legislation.

Just last week our subcommittee held a hearing on the spill in Montana and is continuing to monitor the progress on cleaning up this spill and compensation of those who were harmed. The legislation we are debating today should have been strongly vetted by our committee, and I join Ranking Member RAHALL in urging the committee to hold hearings and markups up on any legislation within our jurisdiction.

Our railroad and pipeline subcommittee held at least five hearings last session concerning pipeline safety and found significant problems with reporting and inspections, as well as an unhealthy relationship between the pipeline industry and the agency regulating them.

Moreover, much like the sewer and water infrastructure in this country, much of the pipeline infrastructure is reaching the end of its useful life. And we are going to need to make significant investments improving this access if we are going to accomplish the goals of both delivering critical petroleum to the States and protecting citizens from the danger of hazardous pipelines and spills and deadly explosions.

We need to develop new technology and strategies for improving safety in highly populated areas now located above the aging pipelines. With the high unemployment rate this country is currently facing, we should be hiring and training inspectors.

The CHAIR. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlewoman an additional minute.

Ms. BROWN of Florida. We should be hiring and training inspectors and putting construction workers to replace this aging pipeline infrastructure in the U.S. gas and oil industry.

Let me rush to say that the Republicans in their deficit reduction plan are protecting the big oil companies that made over a trillion dollars in the last 10 years: $310 billion by Exxon; $552 billion by Chevron; $207 billion by Shell and BP. We are giving them a tax break of a—they made a trillion dollars, but yet we are trying to take senior citizens' retirement and Social Security.

You know, you can fool some of the people some of the time, but you can't fool all of the people all of the time. And I will submit their profit record for the RECORD.

BIG FIVE OIL COMPANIES' NOMINAL PROFITS, 2001–2010

(All figures in billions, 2011 $)

	2001–2006	2007	2008	2009	2010	2001–2010
BP	80.39	22.2	21.68	17.14	−3.74	137.67
Chevron	77.39	19.86	24.45	10.78	19.29	151.77
Conoco Phillips	49.07	12.53	17.18	5.03	11.51	95.32
Exxon Mobil	169.42	43.12	46.23	19.81	30.9	309.48
Shell	116.93	33.24	26.9	12.01	18.28	207.36
Total	493.2	130.95	136.44	64.77	76.24	901.6

Note: Figures rounded to the nearest billion.
Sources: EIA and Google Finance.

Mr. SHUSTER. At this time I yield 1 minute to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. I thank Chairman SHUSTER for the time.

I might point out that our energy companies are making major profits overseas because that's where this White House has chased our jobs and our energy production.

Today we're saying ''yes'' to North American-made energy. The Keystone XL pipeline will increase our access to safe and secure energy supplies from our neighbors from the north. Not from the Middle East, not from unstable parts of the word.

When completed, the pipeline will build millions of barrels of oil into our Midwest and gulf coast refineries and thousands of jobs—good-paying American-made jobs—with them. Unemployment is high. Prices at the pump are high. We've seen the effects of delay of American-made energy. And if you haven't seen that delay, ask our gulf coast workers who've lost their jobs and been hurt because of the ''permitorium'' in the Gulf of Mexico.

We have part of the solution before us today. More North American-made energy, solutions for safe, affordable energy from a strong trading partner and ally, and a solution that supports good old American jobs.

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

Mr. SHUSTER. I yield 4 minutes to the chairman of the Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Madam Chair and my colleagues, I rise in strong support of the proposal by the gentleman from Nebraska (Mr. TERRY). We should all be thanking Mr. TERRY for this initiative.

Not only are people in this country hit by incredible unemployment economic challenges and a dysfunctional Congress, but if they go to the local service station to fill up with gasoline, they're paying record prices.

I woke up this morning and I heard one of the commentators that was interviewing an expert, again, on energy, and he predicted that 1 year from now we will be paying between $4.50 and $5.50 for a gallon of gasoline.

Now, you just heard the ranking members criticize me for fast-tracking this legislation. I guess I beat some kind of record, never having waived before. I'm telling you I will waive this and anything else we need to do to get this country energy independent and find a way for the average citizen to be able to afford energy.

We need a short-term plan, and that's bringing energy into the United States without being held hostage to people like the regimes in the Middle East or Venezuela. This pipeline will bring in 1.3 million barrels of oil per day. That exceeds what comes in from Venezuela. It exceeds what comes in from Saudi Arabia.

□ 1500

How frustrated the people of America must be. Then, of course, is the attack on the FAA, the lack of reauthorization. How could they attack me? For 4 years they controlled this place with incredible numbers, huge numbers to do anything in the House, huge numbers to do anything in the Senate—4 years. I authored the last FAA authorization in 2003 that expired in 2007, and they sat on it and never did anything. They did 17 extensions. They forced us to do three. And I'm telling you, I've had it. If they've done this before in a different way, it's not going to be done that way anymore.

We sent them, last Wednesday, an extension, and it was a clean extension. It had one provision which they passed unanimously, and they don't like part of that one provision that stops funding of Essential Air Service subsidies, Federal taxpayer subsidies in excess of $1,000. So for three airports where their passengers are being paid a subsidy of $1,500 to $3,700—at three airports—they're closing down the FAA. They've had it since last Wednesday, and they've sat on it.

So I don't care how we've done things before. We're going to do things differently. I will be in charge of the committee at least through next year, and I'm going to find a way to do things. We're going to get reasonable energy to the American people. And a year from now, mark your calendar.

We didn't mandate that they build the pipeline. And I want the pipeline built with every safety consideration. Yes, the Obama administration shouldn't be asleep at the wheel, like they were with the gulf oil spill when they issued the permit and stamped it in just a few days. They issued more permits for deepwater drilling in their short term in office and then closed down the rest of the access to energy across the United States, and actually issued more deepwater permits in their first few months in office than the entire Bush administration and then were asleep at the switch when they should have been inspecting that procedure. And they should inspect this. This doesn't say you must build the pipeline. It sets a deadline for a response from this administration.

Mr. RAHALL. Madam Chair, I appreciate the gentleman's remarks and his anger. It is, indeed, frustrating. I, again, invite him to fast-track without consideration of process, as he has done on this pipeline bill, in order to free us from reliance upon foreign sources of energy. I would hope he would just as quickly fast-track our clean extension of the FAA bill we introduced today in order to fast-track jobs, getting people back to work here in America. There are people that are already sitting at home for the second, going on the third day without jobs.

As I noted during my previous remarks, these are good-paying jobs. They are union jobs. A project labor agreement has been entered into that will ensure the protection of these union workers and their families.

So I would urge my colleagues to support the pending legislation at the same time that I would urge, again, my chairman to expedite consideration of a clean FAA reauthorization bill that has been introduced today by Representative COSTELLO and myself.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, June 30, 2011.

Hon. JOHN L. MICA,
Chairman, Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN MICA:I write to express my serious concerns regarding your decision to discharge the Committee on Transportation and Infrastructure from consideration of H.R. 1938, the ''North American-Made Energy Security Act''. I urge you to reconsider your decision to abandon ''regular order''.

The Committee on Transportation and Infrastructure is the committee of primary jurisdiction over pipeline construction and

safety legislation. Following these longstanding precedents, on May 23, 2011, the Speaker designated the Committee on Transportation and Infrastructure as the committee of primary jurisdiction of H.R. 1938.

Nevertheless, in your June 24, 2011, letter to Committee on Energy and Commerce Chairman Fred Upton, you indicated your intent to discharge the Committee on Transportation and Infrastructure—the committee of primary jurisdiction—from consideration of the bill.

Although jurisdictional letters between committees are commonplace, I cannot recall an instance where the Committee on Transportation and Infrastructure, as the committee of primary jurisdiction, has discharged its consideration of major legislation in this manner. I urge the Committee to hold hearings and Subcommittee and Full Committee markups of the legislation prior to its Floor consideration.

Thank you for your consideration.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,
Ranking Democratic Member.

LIUNA!,
Washington, DC, July 12, 2011.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the trade unions representing well over 2-million members, including the skilled craft workers who will build the Keystone XL pipeline, we seek your support for H.R. 1938, the ''North American-Made Energy Security Act.'' H.R. 1938, a bi-partisan effort sponsored by Congressman Terry, would require a timely decision by the Executive Branch whether to grant or deny a Presidential Permit for the construction of the pipeline. Construction of the Keystone XL Pipeline will employ tens of thousands of our members and help secure the United States' economic and national security. The pipeline has been delayed in the permitting process for nearly three years. Each week that goes by in the permitting process of Keystone XL furthers the sense of uncertainty that private sector companies face when making massive investments that depend on regulatory approval. Providing procedural certainty to the project owner is simply good public policy.

The Keystone XL pipeline will help the Nation's energy security by reducing U.S. imports of foreign oil from Venezuela and the Middle East and replacing it with stable, secure supplies from both the U.S. and Canada. This project will also help strengthen the U.S. economy by creating good jobs and will reduce the American economy's vulnerability to supply shocks like the one in Libya today that has driven up prices at the pump for consumers.

This $13-billion construction project is privately funded, privately financed and will not involve any government subsidy or expenditure. With sustained unemployment in the construction sector at double the national average, our members desperately need the work that the pipeline will create. Our unions have entered into a Project Labor Agreement with TransCanada which will ensure that a capable, well-trained and ready workforce is used to build the pipeline. Estimates are that the construction of the pipeline will:

Spur more than $20 billion in new spending for the U.S. economy;

Directly create 20,000 high-wage construction and manufacturing jobs in 2011–2013 across the U.S. and 118,000 person-years of employment;

Generate $6.5 billion in new personal income for U.S. workers and their families;

Stimulate more than $585 million in new state and local taxes in states along the pipeline route during construction; and

Deliver $5.2 billion in property taxes during the estimated operating life of the pipeline.

We believe that the demand for oil and gas resources will dictate the development of the Alberta oilsands, regardless of whether or not the Keystone XL is built. Allowing the construction of the pipeline will assure that the product is transported to American markets in the safest and most efficient way possible.

Further delay in the permitting process could have detrimental consequences and puts at risk the billions of dollars in private sector investment to be made into America's energy infrastructure. The members of our unions—and indeed the U.S. economy—need the Keystone XL Pipeline. That is why the four pipeline craft unions are proud to endorse H.R. 1938. The leadership of you and your colleagues on this project is greatly appreciated.

Sincerely,

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA,
INTERNATIONAL UNION OF OPERATING ENGINEERS,
UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA.

Mr. SHUSTER. Will the gentleman yield?

Mr. RAHALL. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Did I hear correctly that the gentleman is going to support the underlying legislation?

Mr. RAHALL. Yes. I made that clear in both of my speeches.

Mr. SHUSTER. I thought so. But I guess I wasn't paying attention to the end. So it is great to hear.

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

Mr. SHUSTER. Madam Chair, it's important that we pass this on a bipartisan basis because it does mean jobs for Americans, construction jobs, somewhere up around 20,000. It means steel that is going to be made in U.S. steel plants. So this is a bill that is not only going to create jobs, but it's going to help us break that dependence on foreign oil.

Again, I tip my hat to Mr. TERRY from Nebraska for putting forth H.R. 1938, and I urge all of my colleagues on both sides of the aisle to support this pro-energy, pro-jobs bill.

I yield back the balance of my time.

Mr. LAMBORN. Madam Chairman, I claim time on behalf of the Committee on Natural Resources.

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

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

This legislation takes a crucial step towards securing our Nation's energy security and putting Americans back to work. In 2010 alone, the United States imported over 1 trillion barrels of oil from OPEC countries, many of which have unstable or unfriendly governments. While my preference would be that we replace that oil with domestically produced resources from the Rockies, our Outer Continental Shelf, and Alaska, we have the next best thing by having Canada as a stable, friendly, energy-rich trading partner sharing our northern border.

As we have seen in so many other aspects of our Nation's energy portfolio, whether it be offshore production, onshore production, or even renewable energy production on Federal lands, the Obama administration is once again slow-walking or even stonewalling domestic energy security and job creation with needless delays and bureaucratic red tape.

This legislation will help ensure a steady supply of crude oil from one of our strongest allies. It has the potential to create 20,000 direct construction jobs for Americans and spur $20 billion in new spending in the U.S. economy. The extension of this pipeline will generate $585 million in new State and local taxes during construction. It will greatly lessen our dependence on oil from OPEC.

Opponents of this pipeline seem to believe that if we don't use this oil here, it won't be produced. That position is fundamentally wrong and displays a foolish and naive disregard for the flow of international oil production.

The reality is, if America won't take this oil, China will. Instead of having a secure pipeline feeding the American heartland, we will see massive tankers off the coast of Washington and Oregon as China fills its ships for export. And China doesn't have the environmental safeguards that we do.

We should pass H.R. 1938.

At this moment, Madam Chairman, I yield 1 minute to my colleague from the State of Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. I thank the gentleman for yielding.

Madam Chairman, today I rise in support of H.R. 1938, the North American-Made Energy Security Act.

For far too long, the proposed Keystone XL pipeline has been caught up in bureaucratic red tape that unfortunately has become the norm with this administration. This legislation simply forces the administration to make a decision by November 1 of this year, which will be more than 3 years after the application was originally submitted. This bill addresses our Nation's dependence on OPEC for oil, but it also creates American jobs.

The pipeline extension would allow for an additional 700,000 barrels of oil per day to be brought to the U.S. marketplace. This increase in oil, from America's largest trading partner, would begin to make America less beholden to unstable OPEC countries for our oil demands. Furthermore, if this pipeline isn't built, the oil will simply go to China instead of coming to America.

This legislation would also pave the way for the creation of 13,000 direct

jobs and tens of thousands of indirect jobs should the project be approved.

I urge my colleagues to support this commonsense legislation.

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

Madam Chair, I rise in strong opposition to H.R. 1938.

We are here debating whether to expedite the approval of a pipeline that will import the dirtiest crude oil on the planet into the United States of America by melting the oil out of the tar in Canada, which creates more greenhouse gases than any other production method for crude oil on the planet.

□ 1510

It also destroys the boreal forest. It contaminates millions of gallons of water each day. That is a very high environmental price to pay for oil from tar in Canada that may not lower prices for Americans and may never be sold to Americans. But we will build the pipeline for them through our land to accomplish this goal.

The majority has repeatedly claimed that expediting the approval of this pipeline will lower gas prices at the pump for the American public. But what factual evidence should we rely upon in order to substantiate this claim?

Well, we can't rely upon TransCanada, the very company that wants to build the pipeline through our country, because it has concluded that after the pipeline is constructed that gas prices would rise in the Midwest of our country as a result of the Keystone XL pipeline.

We are also told that building this pipeline will enable us to reduce our dependence on imported oil from countries who don't like us very much. Instead, we will be able to rely upon dependable Canada, our friends, the Canadians.

But what are the guarantees that building this pipeline will actually lead to greater supplies of crude oil for the American people?

Well, the answer, Madam Chair, is that there are no guarantees. There is nothing in this bill, nothing that prevents Keystone XL pipeline oil from being shipped to the gulf coast, refined there, from the tar of Alberta Canada, and then re-exported and sold into the global oil market to China, to Korea, right out of our country.

I offered an amendment to the Rules Committee that would have required the Department of Energy to ensure that the approval of this pipeline would, in fact, guarantee that the benefits of the Keystone oil being transported through our country stay right here in our country.

My amendment would have required that Keystone oil be sold in this country. That would increase the gasoline and the diesel supplies at the pump and would help to ensure lower prices at the pump. And my amendment would have benefited domestic businesses that use refined petroleum products, including plastics and chemical companies, by ensuring a steady supply of petroleum products for their manufacturing plants here, made in America. My amendment was consistent with longstanding U.S. policy on oil exports.

Well, ladies and gentlemen, the Republicans refused to allow a vote on my amendment here today. They won't even allow our Members to vote on keeping the oil that is going to be transported in a pipeline that we're going to allow to be built through our country here.

So, yes, it's the dirtiest oil in the world; but at least, if you're going to build the pipeline, at least have it be sold here in America and not sold to China, not sold to Korea. At least have that guarantee.

They refused to even have a vote on it, ladies and gentlemen. That's what this is all about. Once again, it's all about this ideological belief that the largest oil companies know best. We should not be taxing them. We should not be putting any burden on the biggest oil companies.

Better to push the American economy to the brink of fiscal collapse than the Republicans would ever consider allowing to rescind tax breaks for the biggest oil companies. They wouldn't even begin to think about putting that on the table. Grandma's Social Security check, absolutely. Building a pipeline through our country with the dirtiest oil in the world to be sold to Asia, absolutely no problem for the Republicans.

So this bill, despite the overwhelming factual evidence that building the pipeline will only result in dirtier air, more profits for Big Oil, without benefits for the American consumer, they are going to continue to push forward.

Vote ''no'' on this environmental atrocity.

The CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield 1 minute to my good colleague and friend from the State of Texas (Mr. FLORES).

Mr. FLORES. Madam Chair, I rise today in strong support of H.R. 1938, the North American-Made Energy Security Act.

This bipartisan legislation would increase access to more energy supplies by expediting the Presidential permit for the Keystone XL pipeline extension.

We are all aware that every additional barrel that can be produced within North America is one fewer barrel that we need from the Middle East. This pipeline extension will help bring total capacity up to more than 1.2 million barrels per day into our markets. Also, as we look for opportunities to address our struggling economic recovery, this project will create an estimated 100,000 American jobs and help grow our economy.

Canada's vast oil resources have also attracted interest from other energy-hungry nations. If we do not tap this valuable resource, the Chinese or other countries will. The Obama administration has already delayed the decision on this project for almost 3 years and it is time that they act and make a decision.

The choice is clear. By passing this bill, we will increase our energy security with a more stable supply of efficient and affordable energy from our best international friend and trading partner, and we will lessen our dependence on Middle Eastern oil.

I urge my colleagues to support this critical legislation.

Mr. LAMBORN. Madam Chairman, the North American-Made Energy Security Act is a pivotal first step toward securing our energy future, lessening our dependence on oil from OPEC countries, and putting Americans back to work.

Canada and the U.S. have the world's largest two-way relationship. Rather than put up roadblocks, we should foster and build upon that relationship to utilize each other's resources.

If we don't use this oil, Chinese consumers will, and we will continue to rely on oil from OPEC. We cannot stand idly by as the Obama administration continues to delay and put up roadblocks that prevent the production of American energy and the creation of American jobs.

H.R. 1938 will force the administration to make a decision that has been unnecessarily delayed for years. The legislation is good for the American economy and good for American jobs, and I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. VAN HOLLEN. Madam Chair, I rise in opposition to H.R. 1938 and object to this majority's repeated attempts to circumvent environmental law and prioritize special interests over sound science.

The Keystone XL is a proposed pipeline project from Alberta, Canada to Port Arthur, Texas. Since the project crosses national boundaries, it requires Presidential approval to proceed. By Executive Order, President Obama has delegated that authority to the State Department, which is in the process of reviewing public comment so that it can finalize the Environmental Impact Statement (EIS) required by the National Environmental Protection Act (NEPA). Once an EIS has been completed, the State Department will receive final input from other relevant federal agencies, as well as the general public, before making a final determination as to whether the Keystone XL pipeline is in the national interest. According to the State Department, this review—which appropriately includes a thorough evaluation of the project's environmental, marketplace, national security and community impacts—should be completed by the end of the year.

However, rather than allowing that process to come to a timely and considered conclusion, today's legislation sets forth its own demonstrably inaccurate and woefully incomplete findings in order to justify the majority's preferred outcome—and then directs the President to make a final permitting decision by November 1, whether the required evaluation is complete or not.

In truth, one need look no further than the errors and omissions throughout this legislation's findings to understand why an objective, complete, scientifically-based review of the proposed Keystone XL pipeline project is so necessary.

Accordingly, I urge a "no" vote.

Mr. WILSON of South Carolina. Madam Chair, I appreciate the leadership of Congressman LEE TERRY of Nebraska to develop H.R. 1938, the North American-Made Energy Security Act.

H.R. 1938 would expedite the Presidential Permit approval process for the Keystone XL pipeline extension. This pipeline extension would allow the delivery of more oil to come into this country from Canada's oil sands in the province of Alberta. I appreciate Canada as America's largest trading partner.

There are strategic and economic impacts of the development and delivery of oil and natural gas between the U.S. and Canada, and I am well aware of the economic impacts in South Carolina, creating thousands of jobs in the District I represent in Aiken and Lexington Counties.

Currently, there are over 100 of the large mine haul trucks operating in the Oil Sands powered by MTU engines. The engines produced by MTU in Aiken, South Carolina, support not only the North American manufacturers of these large mining trucks, but the international market as well. Interestingly, by next year, Aiken will be producing MTU's largest engine for the haul-truck market, the 20V 4000. The marine variant of this engine powers the U.S. Coast Guard's Fast Response Cutter, and this will also be produced in Aiken. Hundreds of jobs are created in Aiken County and neighboring Georgia due to the oil sands development in Alberta.

Furthermore, the Michelin tire manufacturing facility in Lexington, South Carolina, produces earthmover tires and is one of the mining industry's largest suppliers. Overall, 7,930 people are employed by Michelin in South Carolina with locations in Anderson, Greenville, and Lexington.

Passage of this legislation is critical to our economy. The nearly three-year delay of the Keystone XL pipeline expansion project is blocking significant economic growth and preventing Americans from fully accessing a safe and dependable source of oil held by Canada, a longtime ally and the largest trade partner of the United States. This expansion would enable expanded importation of 830,000 barrels of oil daily from Canada, instead of importing it from other unfriendly sources.

A Canadian Energy Research Institute study found that investing in Canadian oil sands will produce 340,000 U.S. jobs and create $34 billion in revenues for the U.S. government. Construction of the pipeline itself would also support more than 10,000 jobs, and the addition of the pipeline to the Bakken formation would enable additional, more cost-effective development of that domestic energy source.

For these reasons, I support this legislation and am hopeful of ultimate support from the President.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1938

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''North American-Made Energy Security Act''.

SEC. 2. FINDINGS.

Congress finds and declares the following:

(1) The United States currently imports more than half of the oil it consumes, often from countries hostile to United States interests or with political and economic instability that compromises supply security.

(2) While a significant portion of imports are derived from allies such as Canada and Mexico, the United States remains vulnerable to substantial supply disruptions created by geopolitical tumult in major producing nations.

(3) Strong increases in oil consumption in the developing world outpace growth in conventional oil supplies, bringing tight market conditions and higher oil prices in periods of global economic expansion or when supplies are threatened.

(4) The development and delivery of oil and gas from Canada to the United States is in the national interest of the United States in order to secure oil supplies to fill needs that are projected to otherwise be filled by increases in other foreign supplies, notably from the Middle East.

(5) Continued development of North American energy resources, including Canadian oil, increases domestic refiners' access to stable and reliable sources of crude and improves certainty of fuel supply for the Department of Defense, the largest consumer of petroleum in the United States.

(6) Canada and the United States have the world's largest two-way trading relationship. Therefore, for every United States dollar spent on products from Canada, including oil, 90 cents is returned to the United States economy. When the same metrics are applied to trading relationships with some other major sources of United States crude oil imports, returns are much lower.

(7) The principal choice for Canadian oil exporters is between moving increasing crude oil volumes to the United States or Asia, led by China. Increased Canadian oil exports to China will result in increased United States crude oil imports from other foreign sources, especially the Middle East.

(8) Increased Canadian crude oil imports into the United States correspondingly reduce the scale of ''wealth transfers'' to other more distant foreign sources resulting from the greater cost of importing crude oil from those sources.

(9) Not only are United States companies major investors in Canadian oil sands, but many United States businesses throughout the country benefit from supplying goods and services required for ongoing Canadian oil sands operations and expansion.

(10) There has been more than 2 years of consideration and a coordinated review by more than a dozen Federal agencies of the technical aspects and of the environmental, social, and economic impacts of the proposed pipeline project known as the Keystone XL from Hardisty, Alberta, to Steele City, Nebraska, and then on to the United States Gulf Coast through Cushing, Oklahoma.

(11) Keystone XL represents a high capacity pipeline supply option that could meet early as well as long-term market demand for crude oil to United States refineries, and could also potentially bring over 100,000 barrels per day of United States Bakken crudes to market.

(12) Completion of the Keystone XL pipeline would increase total Keystone pipeline capacity by 700,000 barrels per day to 1,290,000 barrels per day.

(13) The Keystone XL pipeline would provide short-term and long-term employment opportunities and related labor income benefits, as well as government revenues associated with sales and payroll taxes.

(14) The earliest possible construction of the Keystone XL pipeline will make the extensive proven and potential reserves of Canadian oil available for United States use and increase United States jobs and will therefore serve the national interest.

(15) Analysis using the Environmental Protection Agency models shows that the Keystone XL pipeline will result in no significant change in total United States or global greenhouse gas emissions.

(16) The Keystone XL pipeline would be state-of-the-art and have a degree of safety higher than any other typically constructed domestic oil pipeline system.

(17) Because of the extensive governmental studies already made with respect to the Keystone XL project and the national interest in early delivery of Canadian oil to United States markets, a decision with respect to a Presidential Permit for the Keystone XL pipeline should be promptly issued without further administrative delay or impediment.

SEC. 3. EXPEDITED APPROVAL PROCESS.

(a) IN GENERAL.—The President, acting through the Secretary of Energy, shall coordinate with each Federal agency responsible for coordinating or considering an aspect of the President's National Interest Determination and Presidential Permit decision regarding construction and operation of the Keystone XL pipeline, to ensure that all necessary actions with respect to such decision are taken on an expedited schedule.

(b) AGENCY COOPERATION WITH SECRETARY OF ENERGY.—Each Federal agency described in subsection (a) shall comply with any deadline established by the Secretary of Energy pursuant to subsection (a).

(c) FINAL ORDER.—Not later than 30 days after the issuance of the final environmental impact statement, the President shall issue a final order granting or denying the Presidential Permit for the Keystone XL pipeline, but in no event shall such decision be made later than November 1, 2011.

(d) ENVIRONMENTAL REVIEW.—No action by the Secretary of Energy pursuant to this section shall affect any duty or responsibility to comply with any requirement to conduct environmental review.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112–181. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WELCH

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–181.

Mr. WELCH. Madam Chair, I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 24, insert the following new paragraph:

(18) The proposed Keystone XL pipeline would run through the Ogallala aquifer, risking an oil spill into one of the world's largest freshwater aquifers that provides 30 percent of the groundwater used for irrigation in the United States and drinking water for millions of Americans. Even a small, undetected leak from an underground rupture of the pipeline in the Nebraska Sandhills could pollute almost 5,000,000,000 gallons of groundwater—enough oil to pose serious health threats to anyone using the underlying Ogallala Aquifer for drinking water or agriculture.

The CHAIR. Pursuant to House Resolution 370, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this amendment inserts an environmental finding that highlights the very significant environmental and health risks that are proposed that will occur as a result of this proposed pipeline. This pipeline is going to carry up to 900,000 barrels of tar sands oil every day, and it's going to carry them a distance of 2,000 miles. And whatever assurances are given about the safety of any mechanical and engineering system, we have too much regular experience that the best of intentions oftentimes fail.

□ 1520

So there is risk, and we want that to be known as part of the findings.

A University of Nebraska professor recently released the first independent assessment of the spills that could come from the Keystone XL pipeline. That study found that TransCanada has in fact greatly understated the risks of the pipeline. That study established that the pipeline could spill over 5 million gallon of tar sands oil into a major river, making water undrinkable for hundreds of miles. Also, the Keystone real-time leak detection system doesn't register spills that are less than 700,000 gallons per day.

Cynthia Quarterman, the administrator of the Pipeline and Hazardous Materials Safety Administration, has noted that the U.S. pipeline system was not designed with raw tar sands crude in mind.

My amendment is very simple: if we're going to rush through—and that's what we're doing—the environmental permitting process for a project that has questionable benefits to our Nation, let's at least recognize the risks.

I reserve the balance of my time.

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

The CHAIR. The gentleman from Nebraska is recognized for up to 5 minutes.

Mr. TERRY. Madam Chair, I urge rejection of this gutting amendment. What this would do is basically say you can't build any pipelines in this general area.

I would like the gentleman from Vermont to know that there are many pipelines already running through this area, oil pipelines, natural gas pipelines; and also the other part that I would like to make regarding this amendment, this almost 2 feet high stack of materials is the draft environmental study, the supplemental environmental study, PHMSA's report. I can assure the gentleman that there is no other pipeline that has been studied to the point that this one has. It is as close to the best built pipeline as demanded by the agencies that have oversight. It has gone through a very thorough, thorough examination.

The owners of this pipeline, TransCanada, have already agreed to not only increasing the thickness of the pipeline, itself, but additional pump stations to be able to detect when there's a leak. The pipeline reform bill will be reported out of committees later; and they would have to adhere to all of those rules, including something that we're discussing that all leaks have to be able to be onsite repaired within 1 hour.

There's no way to design a perfect pipeline, but there are ways to make sure that if there is an issue, there's a rapid response, and that has been built in. Those are additional agreements. I'm vastly positive that, A, any leaks that would occur are going to be minimal and not hazardous to the Ogallala aquifer or to the Sand Hills.

I reserve the balance of my time.

Mr. WELCH. How much time do I have?

The CHAIR. The gentleman from Vermont has 3 minutes remaining.

Mr. WELCH. I yield such time as he may consume to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Chair, I rise in support of the Welch-Cohen amendment. Our simple, not a gutting, amendment—that's totally wrong—noncontroversial amendment, states an important fact that was not mentioned in the findings section. I'm disappointed that this stilted legislation fails to mention any of the risks associated with the pipeline, such as the critical fact that Keystone XL would run through the world's largest fresh water aquifer, the Ogallala, which provides 30 percent of the groundwater used for irrigation in the United States and drinking water for millions of Americans. This fact is an essential aspect of the pipeline that must be considered by the State Department and the American public before granting a determination of national interest.

Our amendment also states the results of the only independent assessment of the worst-case spills for the proposed Keystone XL pipeline, a report that indicates that TransCanada has greatly understated the pipeline's risks.

Perhaps the most important component of the report is the discovery that even a small undetected leak from an underground rupture of the pipeline in the Nebraska Sand Hills could pollute almost 5 billion gallons of groundwater, enough oil to pose serious health threats to anyone using this aquifer for drinking water or agricultural purposes; and a leak of this magnitude is certainly possible given that the Keystone XL's real-time leak detection system does not register spills less than, get this, 700,000 gallons a day. They'll have no knowledge of it.

What is even more disconcerting is that according to Cynthia Quarterman, the administrator of the Pipeline and Hazardous Materials Safety Administration, the U.S. pipeline safety regulations were not written to address the unique risks of piping tar sand, the worst oil one could imagine. Additionally, Administrator Quarterman noted that her agency, the government's pipeline safety experts, has not been included in the review of Keystone XL and has never studied the risks of piping tar sands.

As we consider building a dangerous tar sands pipeline through our Nation's most important aquifer, it is critical the decision be based on an accurate depiction of the pipeline's risks and not just rosy, overly optimistic descriptions of its projected benefits. This is why the Sierra League and the National Resource Defense Council are so interested, as is the American public in these findings.

I urge support for the Welch-Cohen amendment.

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

Mr. TERRY. Madam Chair, in closing, I want to allay the fears here. To sit there and say that this hasn't been studied, we have the environmental impact study; we have the supplemental. This has been studied. All the agencies are involved, including PHMSA. I'm sure they will make their recommendations based on sound science.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

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

Mr. TERRY. I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–181.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, lines 10 through 13, strike paragraph (15) (and redesignate the subsequent paragraphs accordingly).

The CHAIR. Pursuant to House Resolution 370, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. I yield myself as much time as I may consume.

Madam Chair, during both the subcommittee and full committee markups, I offered my amendment to delete a finding that I thought was particularly misleading.

Finding No. 15 states: ''Analysis using the Environmental Protection Agency models shows that the Keystone XL pipeline will result in no significant change in total United States or global greenhouse gas emissions.''

□ 1530

My amendment was defeated on a party-line vote after my colleagues on the other side insisted that the statement was indeed true. Well, Madam Chair, I took it upon myself to write a letter to the EPA asking the agency to weigh in on the accuracy of this finding, and this was the agency's reply:

''EPA has conducted no modeling, nor provided any models, to analyze the likely effect of the Keystone XL pipeline on U.S. or global greenhouse gas emissions. The language in the above finding is therefore incorrect.''

The official EPA statement went on to say:

''As detailed in the Supplemental Draft Environmental Impact Statement for the Keystone XL project issued by the Department of State, the Department of Energy directed a contractor to conduct modeling on potential impacts of the project. EPA provided some data to be used in that effort, but EPA models were not used and EPA did not model any projected emissions effects of the project.''

Madam Chairman, there are some who believe that the majority does not care about facts or truth or science or climate change if these facts and otherwise get in the way of industry moving forward unfettered. Well, by voting for my amendment, we have an opportunity to set the record straight and prove to the American people that when a statement is demonstrably shown to be false, then Members of Congress from both sides, Democrat or Republican, will put their partisan differences aside and stand on the side of truth. Know ye the truth and the truth shall set you free.

So I urge all my colleagues to support my corrective amendment in order to correct this misleading statement contained in the bill.

I reserve the balance of my time.

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

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

Mr. TERRY. I would like to join my friend in standing up for the truth and accuracy; so what I will do is read the Supplemental Environmental Impact Study.

Page 7: ''The WORLD and DOE Energy Technologies Perspective model analyses results show no significant change in total U.S. refining activity, total crude and product import volumes and costs, in global refinery CO_2 and total life-cycle greenhouse gas emissions whether Keystone XL is built or not.''

It's the exact verbiage from the actual Department of Energy using the EPA's modeling conclusions. So we're just using the Department of Energy study's own language that it's not increasing. So what this amendment does is takes out the exact language from an independent study by the Department of Energy and supplants it with an inaccurate statement.

Now, I think where my friend is going, and the EPA has recently written a letter saying, the standard they would like to see is not heavy crude versus heavy crude. Because what this study is saying is this oil is still going to be refined, whether it's in Kansas, Oklahoma, Texas, or Chicago. If it's not being refined there, it will be refined in China; therefore, it has the same impact globally, the same life-cycle greenhouse gas emissions.

Well, the EPA wrote a letter and said, Well, we're changing that standard. We would like you to just compare it to Texas sweet crude. And they just pulled that out of a hat here just a few months ago. So that's what he's saying, but it's not part of what the study says. So there is no reason to remove this.

This is accurate. It's exactly from the Department of Energy's study based on EPA's own modeling.

I reserve the balance of my time.

Mr. RUSH. Madam Chair, may I inquire as to how much time is remaining?

The CHAIR. The gentleman from Illinois has 1½ minutes remaining, and the gentleman from Nebraska has 2½ minutes remaining.

Mr. RUSH. Madam Chair, this is simply an argument over whether or not this House will allow demonstrably false information in this bill to move forward even though we have documentation from the very agency in question stating that the information is false. This is the letter. This is the letter. It's a letter dated June 22, and it says:

''EPA has conducted no modeling, nor provided any models, to analyze the likely effect of the Keystone XL pipeline on U.S. or global greenhouse gas emissions. The language in the above finding is therefore incorrect.''

How clear can it be that the EPA states beyond a shadow of a doubt that this particular passage in this bill is false, is misleading? And if, in fact, we vote to enact this wrong piece of legislation, not only is it wrongheaded, it's wrong in its effort. If we vote to pass this legislation, then we are perpetuating a falsehood.

Madam Chair, this Congress stands for a greater and higher standard than to vote for something that we know is false. We know it's not accurate. The other side knows it's not accurate. But if industry wants it, if it's accurate or not, industry, according to them, must have it. And I say industry must not have it. We should have to stand for the truth in this Congress, and the truth is that the EPA did not conduct any model.

I yield back the balance of my time.

Mr. TERRY. Madam Chair, once again, in the entire record that's been submitted from the Department of Energy to EPA, the studies that have been done conclude that, in global refineries, CO_2 and total life-cycle greenhouse gas emissions, whether the Keystone XL is built or not, there is no additional CO_2, no significant CO_2. That is the exact language in here. To strike that would strike the truth that is set forth in the studies and supplant it with something that doesn't exist in all of the models and studies that have been provided.

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

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

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

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

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

□ 1540

AMENDMENT NO. 3 OFFERED BY MS. ESHOO

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–181.

Ms. ESHOO. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 24, insert the following new paragraph:

(18) Recent oil pipeline spills, such as the May 2011 leak of 21,000 gallons of crude from TransCanada's existing Keystone pipeline in North Dakota, have raised serious concerns about the risks associated with pipelines carrying diluted bitumen. At a June 16, 2011, hearing on pipeline safety held by the Subcommittee on Energy and Power of the Committee on Energy and Commerce, Cynthia L. Quarterman, Administrator of the Pipeline and Hazardous Materials Safety Administration of the Department of Transportation, testified that the Pipeline and Hazardous Materials Safety Administration had not done a study analyzing the risks associated with transporting diluted bitumen.

Page 7, line 19, insert ''Notwithstanding the previous sentence, prior to the issuance of a final order granting or denying the Presidential Permit for the Keystone XL pipeline, the Pipeline and Hazardous Materials Safety Administration shall complete a comprehensive review of the properties and characteristics of bitumen and the hazardous liquid pipeline regulations to determine whether current regulations are sufficient to regulate pipelines used for the transportation of tar sands crude oil.'' after ''November 1, 2011.''.

The CHAIR. Pursuant to House Resolution 370, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. Madam Chair, pipeline safety is not a subject that we can afford to take lightly. On September 10, 2010, last year, a natural gas explosion in San Bruno, California, just north of my congressional district in Congresswoman SPEIER's district, killed eight people, injured dozens of others, and destroyed 55 homes. This was from a natural gas explosion.

Since 1938, Congress has attempted to promote natural gas pipeline safety, but the horrific explosions, like the one in San Bruno, California, continue to occur every year someplace in our country. It is a dangerous business under the best of circumstances.

To move forward with the tar sands pipeline, which we have little experience regulating, without a solid understanding of the safety issues is an enormous and, I think, dangerous mistake. We have heard strong, well-informed concerns that pipelines carrying tar sands and the chemical bitumen may pose greater safety risks than even those pipelines carrying conventional or synthetic crude.

On June 16 of this year, during an Energy and Power Subcommittee hearing on pipeline safety, Cynthia Quarterman, administrator of the Pipeline and Hazardous Materials Safety Administration, known as PHMSA, testified that this agency, specifically tasked with researching and administering pipeline safety, has not analyzed the risks of these new pipelines. But Ms. Quarterman replied, when asked, that the agency would be pleased to make such a review. I think the American people would be safer if they did.

My amendment would require PHMSA to complete a comprehensive review of the properties and characteristics of bitumen and the hazardous liquid pipeline regulations before a final Presidential permit is issued.

I think this study is very, very important for the safety of all Americans, and it will determine whether current regulations are sufficient to regulate pipelines used for the transportation of tar sands crude oil. This approach I think makes sense because it is far less costly to build pipelines correctly than to try to fix or replace a line that is already built.

The explosion that occurred in San Bruno, California, and the recent oil spills that have occurred, particularly the spills from TransCanada's Keystone pipeline, which leaked 21,000 gallons of crude in North Dakota—I want to repeat that—leaked 21,000 gallons of crude in North Dakota, is a warning to all of us that we need to get this right. So let's protect lives, money, property, and take the proper precautions now.

For these reasons, I urge all of my colleagues to support my amendment.

I reserve the balance of my time.

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

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

Mr. TERRY. Madam Chair, the crux of this amendment is that the gentlelady from California is asking for another study. That seems to be kind of the new tactic of how to delay or kill a bill; let's do a study instead of implementing something.

I want to talk about the safety of the pipeline with the chemical bitumen, which helps the crude actually flow through the pipeline better. This chemical isn't new to the Pipeline Hazardous Materials Safety Agency. In fact, heavy crude has been sent through pipelines with this chemical since the 1920s, including out of California. So they have the expertise to deal with this already. They are working on their assessment of the Keystone pipeline to assist the State Department and Department of Energy in their recommendation, so there is really no need for this type of a study.

I reserve the balance of my time.

Ms. ESHOO. Madam Chair, to respond to my friend and colleague, Mr. TERRY, with all due respect, I didn't come to the floor today with a tactic. I offered this, I raised this in the committee. We had a very good discussion about it there. It's my understanding that an EIS is being conducted, but an EIS on the entire pipeline is very different than what I am raising.

And the head of the agency, of PHMSA, when she appeared before the committee, understanding that there had not been an examination in particular about the tar sands crude oil and bitumen, said that her agency would be pleased to undertake that study.

So I'm here today, obviously, to offer this amendment. I think it is based on good common sense that we examine this before we go ahead with it. I raised something that is very real and that is just a handful of miles from where I live, even though it is outside my congressional district, where lives were lost—eight people were killed, dozens were injured, and 55 homes destroyed. So this is not a tactic. This is not to delay. This is to get this right before the permit is issued. I think the agency can do this on an expedited basis. I'm not seeking to delay and blow up anything. I'm here relative to public health and public safety.

I yield back the balance of my time.

Mr. TERRY. Madam Chair, I too have great confidence in PHMSA to be able to determine whether or not the chemical creates any issues. Bitumen has been around for 91 years with heavy crude, and so I just don't think there is a need for additional delays or studies.

Ms. Quarterman has already said she is undertaking the study, and that will be included in her recommendation.

I yield back the balance of my time.

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

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

Ms. ESHOO. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MRS. CHRISTENSEN

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–181.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 24, insert the following new paragraph:

(18) The Supplemental Draft Environmental Impact Statement estimates that the Keystone XL pipeline would increase carbon pollution associated with United States fuel use by up to 23,000,000 metric tons of carbon dioxide equivalent per year, which is equivalent to the annual emissions from an extra 4,500,000 passenger vehicles.

The CHAIR. Pursuant to House Resolution 370, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

Mrs. CHRISTENSEN. Madam Chair, I rise to introduce an amendment that would simply add a provision to H.R. 1938 to recognize that the construction of the Keystone XL pipeline would increase carbon emissions and make it harder to address global warming.

Permitting Keystone and allowing the transport of heavy petroleum product from the Canadian tar sands to refineries in the Gulf of Mexico has serious environmental and economic ramifications. Reports indicate that the production of fuel from tar sands can yield greenhouse gas emissions nearly three times as high as those produced from conventional extraction.

While my colleagues and I last Congress worked to reduce greenhouse emissions by 2020, Canada has projected that their emissions will grow 25 percent by 2020, with those from tar sands being the single largest contributor. This is not something that we should be working to expedite.

H.R. 1938 makes a series of findings related to the Keystone XL pipeline. Some of these findings are a matter of opinion, and some are just flat-out wrong. All of these findings share one characteristic—they all support the pipeline. And inconvenient facts are not included. In fact, there are a lot of inconvenient facts about the pipeline that the American people should know.

Tar sands require far more energy to extract and process than conventional crude oil.

□ 1550

The result is that emissions from using tar sands fuel are approximately 9 to as high as 37 percent higher than from our baseline fuel mix. This pipeline would almost double our current use of tar sands fuel. At a time when

we're trying to curb carbon emissions and stop global warming, Keystone makes us more reliant on one of the dirtiest sources of fuel currently available.

In short, tar sands oil threatens our air, water, land, and economy, and will increase already dangerously high greenhouse gas emissions and demand for natural gas. It has no place in the clean energy economy.

On page 3–198 of the State Department's Supplemental Draft Environmental Impact Statement, it is estimated that Keystone XL pipeline could increase carbon pollution associated with U.S. fuel use by up to 23 million metric tons of CO_2 equivalent per year. This is equivalent to the annual emissions from an extra 4.5 million passenger vehicles.

The SDEIS further indicates that most of the greenhouse gas emissions will come from the production of crude oil, refining of the crude oil, and combustion of the refined products. Transportation of the crude oil to the refinery and transportation of the products to the market also contribute to greenhouse gas emissions. This does not include the range of secondary carbon emissions to be considered as well.

In a letter to the State Department, our very own EPA indicated that the extra greenhouse gas emissions associated with this proposed project may range from 600 million to up to 1.15 billion tons of CO_2 over Keystone XL's lifecycle.

It's unfortunate that while the Department of State and EPA have recognized the huge risk that would be incurred, the proponents of H.R. 1938 simply ignore them. While some will tout that the Keystone XL will enhance energy security, the other side of this equation must be considered.

Now is not the time for us to increase harmful air emissions and further jeopardize the people in our environment.

I reserve the balance of my time.

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

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

Mr. TERRY. Two points here: I think, number one, the gentlelady's amendment really helps define what the real issue here is. It isn't with, necessarily, the pipeline or its placement of the pipeline or a chemical that's in it. It's actually about whether we're going to continue to use oil. As we use more oil, it gets heavier.

As I mentioned earlier with the amendment by the gentleman from Illinois, the EPA is doing this switch where you don't compare a heavy crude or sour to the same, like what's been brought in by Venezuela. Now you have to compare it to a different type of sweeter crude or easier to refine crude.

The reality here—and that's the point that's made in the study itself, and the part that the gentlelady reads from, it is actually noting that we're using a heavier crude. So I just want to point out that that's kind of an unfair comparison. We have got to do heavy to heavy to determine if there's going to be an increase in greenhouse gasses.

There's no rushing or expediting. This has been sitting around for 3 years. So it's really time to get up and do something.

At this time, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. This debate is about U.S. energy security, North American energy, and jobs.

The original Keystone pipeline cost $2 billion, a thousand U.S. jobs. The expansion of the refinery bordering my district and the chairwoman's district is thousands of jobs and an expansion of the refinery. Keystone XL will allow us to create thousands of new jobs expanding the pipeline, expanding new refineries, getting down to the refineries in Texas.

The Canadians are going to build this pipeline in one or two directions. They're either going to go south to help us become North American reliant and secure in energy, or they're going to build this pipeline west to put it on tankers and ship it to China.

Now, I would ask my colleagues: What's more environmentally safe, secure, and sound—a pipeline or a supertanker? What's better for our country—have that oil coming to the United States or that oil going to China?

I think the answer is clear. We can become North American energy independent. The Keystone XL pipeline is part of that.

I would ask my colleagues to vote against the amendment.

Mrs. CHRISTENSEN. Madam Chair, my amendment really says nothing about the placement. This is also a problem. And while I realize that we will be using oil for a long time, it's time for us to begin to move towards a clean and greener economy and to slow down global warming and do what we can to protect the public health.

My amendment is in direct opposition to the finding. The finding says the XL pipeline will result in no significant change in total U.S. or global greenhouse gas emissions, when EPA and also the supplemental EIS from the Department of State clearly says: range from 600 million to 1.15 billion tons of CO_2, assuming the life cycle that's projected, and also that the range could be equivalent to greenhouse gas emissions from the combustion of fuels in approximately—this is from the State Department—588,000 to 4.5 million passenger vehicles, or the CO_2 emissions of combusting fuels used to provide energy consumed by approximately 255,000 to 1.9 million homes.

In addition to that, the social cost has not been assessed. The social cost to agricultural productivity, human health, property damages from flood risk, ecosystem services due to climate change. So even though this has been under discussion for a long time, there are a lot of things that have not been considered.

With that, I reserve the balance of my time.

Mr. TERRY. I still am in opposition because it doesn't really accurately reflect the statements within the EIS, the Environmental Impact Studies.

I yield back the balance of my time.

The CHAIR. The gentlewoman from the Virgin Islands has 15 seconds remaining.

Mrs. CHRISTENSEN. Madam Chair, while we're trying to reduce the emissions, when you look at Canada, primarily because of the tar sands, their emissions are projected to rise by 25 percent. So I continue to offer my amendment and ask for the support of my colleagues.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. COHEN

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–181.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, lines 14 through 17, amend paragraph (16) to read as follows:

(16) TransCanada Corporation's first wholly owned oil pipeline in the United States is the recently built Keystone I, which spilled 12 times in the United States and 21 times in Canada in less than one year of operation. Despite claims that it is ''the safest pipeline ever built'', Keystone was recently shut down by the United States Government because it was deemed a ''threat to life, property, and the environment''.

The CHAIR. Pursuant to House Resolution 370, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

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

As the State Department and the U.S. public consider whether the proposed Keystone XL tar stands pipeline is in the national interest, it is critical that the most accurate information be made available. That's why I have offered an amendment to this legislation that eliminates a rhetorical, baseless safely claim and replaces it with a substantiated factual statement.

TransCanada is engaged in a high-stakes public relations campaign to brand the Keystone XL pipeline as safe and their company as responsible operators. I'm sure that BP Oil said the same thing about Deepwater. But that wasn't true. Just because they say it doesn't make it true. It is one thing for a foreign oil company to employ misleading rhetoric, but it's not the place of the House of Representatives to endorse these mistruths.

It only requires a brief objective glance at the safety record to realize that TransCanada's meritorious safety claims do not withstand even the slightest scrutiny. When selling Keystone—that's not Keystone XL, which we're looking at; Keystone, another pipeline—to the U.S., TransCanada claimed the pipeline was ''state-of-the-art,'' and even went as far as dubbing it the ''safest pipeline ever built.'' Well, we're in trouble.

□ 1600

After 1 disastrous year of operation, TransCanada's rosy claims are not reflective of the reality that exists.

In less than 12 months of operation, the so-called ''safest pipeline ever built'' has spilled 12 times in the United States—the dirty dozen—and 21 times in Canada. Following that 12th domestic spill, the Department of Transportation shut down pipeline operations because Keystone was deemed ''a threat to life, property and the environment.''

Since Keystone is TransCanada's first wholly owned pipeline in the United States, TransCanada's safety record is off to a pretty bad start. TransCanada's misleading safety claim extends far beyond their simple rhetoric. Here are three of the most egregious claims for Keystone XL:

Number one: TransCanada claims that, if and when the Keystone XL pipeline has a leak, it will shut down the pipeline almost instantly.

Unfortunately, spills on the Keystone pipeline have demonstrated that TransCanada's theoretical response is far better than their actual response. In May, when Keystone spilled 21,000 gallons, it took TransCanada 44 minutes to shut down the pipeline after the spill. It would have taken even longer had it not been for a landowner who called in the spill, which shot a six-story-high gusher of toxic oil into the air. You'd have thought it was Texas.

Number two: TransCanada suggests there is little risk of a spill on the Keystone XL pipeline.

However, the only independent assessment of the worst case spills for Keystone XL indicates that TransCanada has greatly understated the severity and frequency of significant spills, an estimate that is more than 800 percent lower than what would likely occur.

Over the last few weeks, we have all witnessed the irreparable damage caused by the 40,000-gallon Silvertip pipeline spill in the Yellowstone River. Now try to imagine how devastating a 6.95 million-, almost a 7 million, gallon spill of more toxic oil would be on the Yellowstone River. A spill of this magnitude and devastation is possible if we approve the Keystone XL.

Number three: TransCanada claims that Keystone XL would be built of thicker steel and operate at lower than allowed pressures.

But major segments of Keystone XL would be made of thinner steel than Exxon Mobil's failed Silvertip pipeline. So while Keystone XL would operate at lower than allowed pressures, it would still operate at nearly twice the pressure of the Silvertip. Additionally, Keystone XL would be transporting tar sands, a substance which is far more corrosive and volatile than conventional oil.

Even a cursory review of TransCanada's safety claims reveals a web of exaggerations, understatements and lies that have been carefully woven together to manufacture an image of safety and responsibility.

It is critical that the American people have an accurate depiction of the dangers of the proposed Keystone XL pipeline. Congress must exercise more scrutiny and not take TransCanada's manufactured rhetoric at face value. We cannot afford to let TransCanada once again dupe us into permitting an even more dangerous pipeline, for as they say, ''Fool me once, shame on you. Fool me twice, shame on me.'' Somebody from Texas tried to say that once, but we know the statement.

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

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

The Acting CHAIR (Mr. POE of Texas). The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. There is no doubt that the facts are that, on the Keystone but not the Keystone XL, there have been 12 leaks, 12 leaks of as little as 5 gallons to 400 barrels from a recent one. Those were determined to be caused, not by the safety of the pipeline but by valves that were mal-manufactured, where there was a manufacturing problem, but within a 12-hour period, they were up and running again. Those have all been replaced. That's the type of response that we expect under our pipeline laws.

I think the issues here are better placed in our discussions of pipeline safety, on which both the Transportation Committee and Energy and Commerce Committee will begin working soon, so I just don't see the need for this type of an amendment, or fact-finding, to be put into this bill.

I yield back the balance of my time.

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

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

Mr. COHEN. 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 Tennessee will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–181.

Mr. MURPHY of Connecticut. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, lines 18 through 23, amend paragraph (7) to read as follows:

(7) Consultants employed by Canadian tar sands companies have publicly stated that without the Keystone XL pipeline, Canada's tar sands will be ''landlocked'' and unable to be exported overseas. There are significant barriers to construction of a pipeline to ports on the West Coast of Canada. The Keystone XL pipeline, which would service Port Arthur and the Port of Houston, would allow tar sands crude to be exported. Permitting the pipeline would provide an export route to China where none now exists.

The Acting CHAIR. Pursuant to House Resolution 370, the gentleman from Connecticut (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Mr. Chairman, my amendment before us today asks a simple question:

Why should America shoulder new environmental risks to help power the economy of China?

Many Members have come to the floor today to document the considerable ecological and public health threats posed by the development of the TransCanada Keystone XL pipeline. In addition to producing 40 percent more life cycle greenhouse gas emissions than conventional oil, the recent Exxon pipeline spill in Montana's Yellowstone River serves as a stark reminder of the very real risks posed by these kinds of pipeline projects.

However, in discounting these facts, the proponents of Keystone XL assert that, without the new pipeline, Canada's dirty tar sands oil will be shipped to China and to other overseas markets. This simply isn't true. Without access to a major new shipping terminal and refining hub on the gulf coast, Canada's tar sands will remain stranded on the North American continent.

Indeed, Keystone XL is essential to the economic expansion of Canadian tar sands because it opens up new trade routes to the East. Current pipeline infrastructure carries tar sands oil to the Midwest but no further. By 2015, existing markets will no longer be sufficient to absorb this increased tar sands production. So the Keystone XL pipeline will provide that new market to China for this oil.

Indeed, earlier this year, the CEO of Valero Energy, one of the companies that has signed up to ship oil through Keystone XL, said this: that the future of refining in the United States is in exports.

So America is increasingly now the global middleman in world oil exports. Our oil exports have doubled in the last 5 years. The question is this: Shouldn't we have some say in where our oil goes?

With the construction of this new pipeline, we are going to be shouldering

all of the increased environmental risks that come with its construction to help meet the growing overseas oil demand of our economic competitors. How does that further the energy independence of the United States?

So the amendment we are offering today with Mr. COHEN and Mr. WELCH will merely make it clear that a decision to permit Keystone XL is a decision to, in part, help promote North American oil exports to China. Whether you like that or don't like that, we should at least admit that that is one of the byproducts of our action today. I urge my colleagues to support this amendment and to face the reality of the Keystone XL pipeline rather than just the rhetoric.

At this point, I yield such time as he may consume to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the gentleman from Connecticut for yielding time.

I rise in support of the Murphy-Cohen-Welch amendment. This amendment sheds light on the oil industry's attempt to pressure the U.S. into approving Keystone XL by threatening to export tar sands to China if we do not approve the pipeline.

As Mr. MURPHY has well stated, Canada has already said themselves they can't get that oil out of Canada without this pipeline, that they can't get it to China unless they build a pipeline. They want to build a pipeline through America over one of our most important aquifers—threatening our environment and our drinking water so that Canada can get some oil to possibly go to China.

□ 1610

Canada cannot get it to China without going through the United States, and it makes no sense. The fact is this amendment, like the previous amendments, is just simply putting the facts, the truth, into this particular paper.

There is nothing wrong with these. Nobody disputes the facts. In fact, the gentleman agreed on the previous amendment that there had been a dozen leaks of the Keystone pipeline. He mentioned that some of them were very small. The average one is a thousand barrels.

So if the Keystone pipeline, which was the safest in the world, was not safe, what's wrong with mentioning it in the findings?

And the same thing here. What they said about China is just not true. The only feasible route to export tar sand to China is the Keystone XL. And that's what they're looking to do, because it's not going to affect the United States' use of oil, oil as a commodity that the Canadians want to sell, and they're not going to give it to us any cheaper than they're going to give it to anybody else. They want to make money, but they've got opposition in their own country as well.

We need to look out for the American people and not have some situation where maybe because Canada is helping us with oil in the Middle East that we're helping them with oil through our Midwest. America's Midwest is too important to sacrifice to some misguided adventure that Canada got into with us and the Mideast all because of oil.

So I would support the Murphy-Cohen-Welch amendment.

Mr. MURPHY of Connecticut. I would like to yield the balance of my time to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Chairman, I stand in support of Mr. MURPHY's amendment, and this amendment replaces misleading findings about the Keystone XL pipeline's critical faster implementation.

The only problem that I see was the majority's argument in that Canada has really—and I agree with Mr. COHEN—that Canada has no way to send oil to China now and no realistic prospect of ever sending oil to China. They won't do anything any time soon.

So I think that this is a commonsense amendment, and I certainly stand in support of this amendment.

Mr. MURPHY of Connecticut. I yield back the balance of my time.

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

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

Mr. TERRY. Thank you, Mr. Chairman.

First of all, the purpose of this pipeline is so that American citizens will have a reliable source of fuel made in America. That's the whole point of this. And there are companies that are expanding their refineries right now to be able to accept this crude.

Now, it's been stated that if we don't use it, then this is not going to be used because it's landlocked, but nothing could be further from the truth. It's only 800 miles from the point that the oil sands will be used to the Vancouver coast where it could be put on and would be put on tankers to be shipped to China.

Now, Enbridge is already in the promoting process for a pipeline that will link the Athabasca fields in northern Alberta to a terminal in Kitimat, British Colombia. It's 525,000 barrels per day. So the statement that it will be landlocked and never used is just simply flat wrong. That is not what the Canadians will do.

To say that it's going to be sent to our refineries in Oklahoma, Chicago, Texas, and Louisiana so it could be then refined and put on a tanker then to go south through the Panama Canal and through just makes no sense because we have the most stringent regulations in refining and on cleaning, or a clean process that adds a great deal more to the cost of refining, so it just makes no economic sense to do that. It would be much cheaper just to put a pipeline to the west coast of Canada, put it on tankers. It would be much cheaper to do that.

At this point I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY of Pennsylvania. I thank the gentleman from Nebraska.

That line through Canada, less than 800 miles long, to add an additional almost 10,000 miles to go through the Panama Canal to Shanghai doesn't make economic sense. And let's keep in mind, Canada is our neighbor. They are our friend, our most consistent and reliable ally, and I trust the way they are going to be working on many things with us.

But I also trust the workers who will work on this pipeline, American workers from here in the United States, well-trained people who have gone through good training programs as apprentices and journeymen. Construction of this pipeline will generate about $20 billion in economic output, perhaps $13 billion in direct work on the pipeline itself.

Now, some estimates have said that for every $1 billion you spend on infrastructure, it yields about 35,000 jobs. That's some jobs that go for manufacturing, that's some jobs that go for the actual construction, and some jobs that go for all the supports that help those workers as well as the places that they will spend money—steamfitters and welders who make $45 to $50 an hour, operating engineers, laborers who will earn between $23 and $31 an hour.

And, yes, this is a time we need to do this, not with more delays and more problems, but at a time when we need jobs.

Let's keep this in mind too: Construction of this pipeline with oil from Canada is going to make us less dependent on OPEC. Right now we send $129 billion a year to OPEC. That's $129 billion in foreign aid which we do not have to send to those countries there, $129 billion which we wouldn't have to be spending on countries that sometimes turn around and use U.S. dollars against our soldiers and then we end up fighting for both sides on the war on terror.

This is what we need to keep in mind: This is a jobs bill; this is a bill dealing with a friend; and this is a bill that makes a lot of sense, and we shouldn't put more delays and restrictions on this because we have to get off of our addiction to OPEC oil.

Mr. TERRY. Mr. Chairman, I urge defeat of this onerous and job-killing amendment.

I yield back the balance of my time.

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

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

Mr. TERRY. 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 Connecticut will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. RUSH

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–181.

Mr. RUSH. 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:

Page 7, line 14, strike ''30 days'' and insert ''120 days''.

Page 7, lines 18 and 19, strike ''November 1, 2011'' and insert ''January 1, 2012''.

The Acting CHAIR. Pursuant to House Resolution 370, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. Mr. Chairman, today's debate on fast-tracking the Keystone XL pipeline by 2 months reminds me of a saying that adequately sums up the fight before this Congress: Good sense minus common sense equals nonsense.

With the current crisis our Nation faces on lifting the debt ceiling and other priorities for the American people, including the economy and jobs, it is incomprehensible that we are here debating a bill that is totally and absolutely unnecessary, completely futile, and is not even worth not one millisecond of Congress' time.

Mr. Chairman, as written, this bill will force the administration to issue the Presidential permit for the pipeline within 30 days of the environmental impact statement and no later than November 1, 2011, regardless of whether or not the review process has been completed.

This arbitrary, willy-nilly time line would reduce the allocated time that the Federal agencies will have to determine the national interest in deciding this proposal by almost two-thirds of the time that they need, while also reducing or eliminating the 30-day public comment period.

□ 1620

Mr. Chairman, the amendment that I am offering would allow for 120 days after the final environmental impact or no later than January 1, 2012, for the President to issue a final decision on the Keystone XL pipeline.

I believe that public input is a vital and necessary part of the permitting process, and I also believe that it is important for the various departments to weigh in with their national interest determinations, which this bill would severely curtail, if not completely eliminate. In fact, in conversations that my office has held with the State Department and the EPA, we were informed that it would be close to impossible for the responsible agencies to complete their due diligence and reply by the arbitrary timeline of November 1, as this bill would mandate. Additionally, just yesterday, the State Department publicly stated that this bill was ''unnecessary'' since the agency already plans to reach a final decision on the Keystone XL by the end of the year, after first holding a series of public hearings in the very six States that would be affected by the enactment of this bill. Mr. Chairman, whether you support the Keystone XL pipeline or not, it is extremely important that all of the relevant information and consequent impacts be considered so that an informed decision can be made.

So I urge all my colleagues to support my amendment, which would allow for the appropriate time period for the public and the different agencies to weigh in, while also mandating that a decision is made within a timely manner.

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

Mr. TERRY. Mr. Chairman, I rise in opposition.

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

Mr. TERRY. Mr. Chairman, I first want to state that this is an infrastructure bill. This is a $13 billion project, $13 billion spent in the United States, employing United States workers.

On the surface, my friend from Illinois' amendment seems fairly innocuous, just delaying this decision by 61 days. The point that I would like to make is that we've just had it with the delays. This isn't rushing or expediting. This is only weeks away from the 3-year anniversary of the filing of the application when, in comparison to other transcontinental pipelines, the average is 18 to 24 months. So it's time that we act.

The date of November 1 was actually calculated by the time it would take the State Department, after they requested another round of town hall meetings, to have sufficient time to accomplish those. So there's just no reason to bump it back from this date, from November 1, 61 days to January 1.

I yield 3 minutes to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the gentleman from Nebraska for generously yielding.

Mr. Chairman, I'm also from Illinois. And I can tell you, in Illinois there is a very tough economic environment right now. We've got a tough budget. There is a lot of talk about the budget right now. We've got huge unemployment. We've got people who desperately want to go to work. And when I do town hall meetings, when I'm in the 11th Congressional District in towns like Joliet, or when I'm in Ottawa, or Princeton, or some of those towns, I get this from a lot of people: Why can't we just become energy independent? Why can't we just become energy secure? And I think that's a great question.

When people look at Washington, D.C., and they say, Washington, D.C., is broken, I think one example of that is the fact that we can't get our act together and do what we need to do to increase oil that we're not pulling in from the Middle East. I mean, it's just very basic. How can we do anything in this Congress if we can't even agree that our partners to the north can bring their oil here for our consumption so that we can come off of that oil we're buying from the Middle East that, in some way, is always going to fund the people that we are fighting overseas and the terrorists that we're fighting?

But when we talk about the Keystone pipeline, let me ask you, what does the pipeline mean for the United States and for Illinois? For starters, it means creating more than 100,000 American jobs. We've been seeing the jobs reports lately. They're not good. How would you like to add 100,000 American jobs? That's what we're offering. It means 1.3 million barrels of oil from our friends to the north, which means we need less oil from the Middle East, from Venezuela, and less oil from other countries that we can no longer rely on and are not friendly to the interests of the United States. What's bad about that? It means $5.2 billion in new property tax revenue for bankrupt States, like my own, like Illinois.

The North American-Made Energy Security Act expedites a final decision on the Keystone XL pipeline, a project that would allow millions of barrels of Canadian oil supplies to flow into U.S. markets and requires the President to issue a final Presidential permit decision by November 1, 2001. This bill does not require the President to accept the benefits of the Keystone XL pipeline. It merely requires him to make a long overdue decision on this pipeline.

The State Department has, at their discretion, the authority to decide if the U.S. benefits from this. The fact is that someone will benefit from the oil out of Canada. If it's not the United States, it will be China. Unless we take immediate action to expand the Keystone pipeline, it will be American businesses, American consumers, and those who are unemployed that are desperately seeking a job in this terrible economy who will suffer the consequences from our inaction.

According to a Department of Energy report, the pipeline extension will ''essentially eliminate'' our oil imports from the Middle East. I urge my colleagues to oppose this amendment and support the final passage.

Mr. RUSH. Mr. Chairman, I really want my friend from Illinois to know that I don't have to travel to Joliet, Illinois, or any other part of Illinois; I don't even have to come down to his district in Peoria to see unemployment, to see the joblessness. I am not standing here fighting against jobs. I am fighting for jobs. But I think at the same time that we fight for jobs, we have to also fight so that the American people have input in terms of making decisions such as this. Mr. Chairman, I also believe that at the end of the day, we want to ensure that this pipeline benefits America and not China.

I yield back the balance of my time.

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

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

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

Mr. RUSH. 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 Illinois will be postponed.

AMENDMENT NO. 8 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–181.

Ms. HANABUSA. 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:

Page 7, after line 23, insert the following new subsection:

''(e) WORST-CASE DISCHARGE SCENARIO CERTIFICATION.—

''(1) IN GENERAL.—No Presidential Permit shall be issued approving the construction and operation of the Keystone XL pipeline unless the Secretary of Energy, in consultation with the Pipeline and Hazardous Materials Safety Administration, certifies that the applicant—

''(A) has calculated a worst-case oil spill scenario for the proposed pipeline; and

''(B) has demonstrated to the satisfaction of the Secretary and the Pipeline and Hazardous Materials Safety Administration that the applicant possesses the capability and technology to respond immediately and effectively to such worst-case oil spill scenario.

''(2) WAIVER.—The Secretary of Energy, in consultation with the Pipeline and Hazardous Materials Safety Administration, may waive the requirement under paragraph (1) if the applicant has already completed a worst-case discharge scenario analysis and established that it possesses the capability and technology to respond immediately and effectively to such worst-case oil spill scenario.

The Acting CHAIR. Pursuant to House Resolution 370, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

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

□ 1630

Mr. Chairman, this amendment requires that prior to the Presidential permit approving the construction and operation of the Keystone XL pipeline, that it will not issue until such time as the Secretary of Energy, in consultation with the PHMSA, certify that the applicant has calculated a worst-case oil spill scenario for the proposed pipeline and has demonstrated to the satisfaction of the Secretary and the PHMSA that the applicant possesses the capability and technology to respond immediately and effectively to the worst-case scenario.

Mr. Chairman, the reason this amendment is so necessary is because we are talking about a 2,000-mile pipeline from Alberta to the gulf coast. Actually, according to the bill itself, it will increase the production; and the pipeline will carry 700,000 to 1.290 million barrels of oil in a day.

This pipeline will go over important aquifers; and what we need to recognize is that the people of this great country, after experiencing the BP oil spill, expect us to address and recognize that that type of catastrophe may occur. And what this amendment does is it gives the people that assurance.

I would also like to say, Mr. Chairman, that part of this amendment also gives the Secretary the opportunity to waive the requirement. If the Secretary and the PHMSA believe that the applicant has, in fact, completed a worst-case discharge scenario, then they can say that this provision is no longer necessary.

So, Mr. Chairman, this is really for the people. It gives the people peace of mind that, in fact, we have addressed the situation, especially when we're going over aquifer and many people's lands, 2,000 miles.

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

Mr. TERRY. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. TERRY. I appreciate the thoughts of the gentlelady from Hawaii. Coming from Nebraska, where it's the Sand Hills and the sensitive area and the Ogallala aquifer, I want to make sure that the people in my State have the peace of mind and the confidence that the worst-case scenarios have already been modeled out and written into their plans. In fact, that's the whole premise of PHMSA. And so the analysis of a worst-case scenario spill is already part of the application. It's part of the environmental impact statement and the supplemental environmental impact statement.

Furthermore, it's demonstrated its response plan in the event of the worst-case discharge, that the pumps will be stopped in 9 minutes and the valves will shut in 3 minutes. So the worst-case scenarios are actually part of the record so that the entities that have to make the recommendation to the President already have that determination. Then they'll use those facts and figures and models to determine what to recommend to the President. Then the President can make that recommendation.

So I believe that this amendment is really superfluous and unnecessary.

I reserve the balance of my time.

Ms. HANABUSA. Mr. Chairman, I understand what the proponent of this measure is stating. However, let us also recognize that this bill, in its own requirement, says that not later than 30 days after the issuance of the final environmental impact statement, the President shall issue an order either granting or denying the Presidential permit.

We're not here to slow this up. We're actually here to assist them if this is really what they want to do. The reason why is this: if you're very familiar with the environmental impact statement process, and we are in the comment period right now, but you know that after the comment period is done, that what will then happen is that you will then be able to file challenges to the EIS itself.

What this does is it then creates the opportunity to say, in a challenge, to an EIS, the sufficiency of which, if it's challenged on the fact that it did not properly address the worst-case scenario, that there is a process in the law itself which will permit them to say, hey, we can look at the worst-case scenario. And I believe that any kind of construction project such as this, it would be the worst-case scenario argument that would bring it to a complete halt.

So, given that, Mr. Chairman, I urge my colleagues to vote ''yes'' on this amendment because it really will give the people the peace of mind; and if this is a project worthy of going forward, that it does assist in that process.

I yield back the balance of my time.

Mr. TERRY. Mr. Chairman, I want to give a degree of confidence that this scenario's already been set forth. This is the environmental study, pages 3–99: maximum spill volumes. It's already been modeled out. It's already been determined.

And just to provide further confidence, even the EPA, that wrote a letter a few months ago, did not say anything about the maximum spills and whether the responses were appropriate or not. Most of theirs was on greenhouse gases. So this issue is pretty well settled. The facts are there for those who will make the recommendations. I request defeat of this amendment.

I yield back the balance of my time.

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

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

Mr. TERRY. 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 Hawaii will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–181.

Mr. JOHNSON of Georgia. 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:

Page 7, after line 23, insert the following new subsection:

(e) REQUIRED STUDY.—Notwithstanding subsections (a) and (e), final approval of construction and operation of the Keystone XL pipeline shall not occur until the President has determined that the appropriate Federal agency has completed a study of the health impacts of increased air pollution in communities near refineries that will process up to 830,000 barrels per day of tar sands crude transported through the Keystone XL pipeline, including an assessment of the cumulative air pollution impacts on these communities, many of which already experience unhealthy levels of air pollution.

The Acting CHAIR. Pursuant to House Resolution 370, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman, for allowing me to speak today on H.R. 1938, the North American-Made Energy Security Act of 2011, and on my amendment to this legislation.

I oppose H.R. 1938, which would accelerate the approval of the Keystone Koch Brothers XL pipeline. No one knows how much air pollution this pipeline will cause, or how the pollution will impact the public health.

My amendment, which has been endorsed by the National Resources Defense Council and the Sierra Club, is common sense. I'm simply requesting a thorough analysis of the potential health risks that should be completed before any decision is made to begin construction.

Even though the State Department has submitted two environmental impact statements on the Keystone Koch Brothers XL pipeline, the Environmental Protection Agency has found that neither statement included a satisfactory evaluation of the increased air pollution that would come as a result of this pipeline's operation.

Communities surrounding the oil refineries that would be along the transportation route for these raw tar sands crude are already exposed to dirty air. Approval of the Koch Brothers Keystone XL pipeline will only make it worse.

The raw tar sands crude is more toxic and acidic than other types of crude. Raw tar sands crude produces significantly more harmful pollutants and greenhouse gas emissions than conventional crude oil due to the complex refining process it must go through before it reaches gas pumps in China.

As this type of crude has only been exported to the United States from Canada for a relatively short period of time, there has not been a thorough study on how its transport would effect air pollution in our Nation. It's troubling that the construction of the Keystone Koch Brothers XL pipeline, which could transport 900,000 barrels of this crude oil daily, should take place before such a study is ever done.

We have a responsibility to the American people to properly assess what risks the construction of this pipeline may pose to our health. It would be irresponsible for us to sweep these concerns under the rug, just to rush this project to the finish line.

□ 1640

Valid questions have been raised about the health risks associated with the increased air pollution this pipeline will produce, and these questions deserve legitimate answers. For this reason, I am requesting that a study be conducted to measure the health impacts of raw tar sands crude pollution in communities surrounding the refineries where the Keystone-Koch XL pipeline would operate. If you share my commitment to safeguarding Americans' health, I ask that you approve my amendment and allow for such a study to be done before we make any decision on the pipeline's construction.

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

Mr. TERRY. Mr. Chairman, I rise in opposition.

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

Mr. TERRY. Thank you.

Let me assure the gentleman from Georgia that part of the environmental impact study based on the EPA modeling inherently includes the impact of health around the communities. So I am confident that the Department of Energy and the Department of State will have the necessary health impact data to make the proper recommendation to the President, and the President will then be able to rely on those or review the data himself before issuing it. But to require an additional study on top of the ones that have already been done appears to me to just simply be an act of trying to slow the process down.

Let me remind the Chairman that we are on the third-year anniversary of this particular application, whereas ordinarily these types of transborder pipeline applications are resolved within 18 to 24 months. The owner, TransCanada—TransCanada is a Canadian company—they've agreed to all of the recommendations that have come forth from all of the draft environmental impact studies and supplemental, so I really do not want additional studies layered on additional studies layered on additional studies to slow this down.

This is a $13 billion construction project, not funded by the government, that will employ at least 20,000 union contractors and 100,000 to 200,000 employees to help build the refineries and to work the refineries in the United States. This is the jobs bill. This is getting people back to work. This is an infrastructure bill. Let's get this decision done. The data's available. It can be done by November 1. I urge the defeat of this amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. I yield myself the balance of my time.

The gentleman from Nebraska is incorrect in terms of the Environmental Protection Agency having conducted a study of the increased air pollution that would come as a result of this pipeline's operation.

The State Department has submitted two environmental impact statements on the Keystone XL/Koch brothers pipeline, but the Environmental Protection Agency has found that neither statement included a satisfactory evaluation of the increased air pollution that would come as a result of this pipeline's operation. So I wanted to correct the record on that.

Last but not least, I want this body to know that it is the health of Americans that is most important here as opposed to making money for an oil company.

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

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

I hold up the United States Department of State report here. A cooperating agency in the development of the report is the U.S. Environmental Protection Agency, EPA. The actual study was done by the Department of Energy using the EPA standards and modeling, so I think that may be where the confusion is entering here. I didn't state that the EPA did the study. I've always said that the Department of Energy, using EPA's modeling and standards, did it, but the EPA was a partner in this and had made their recommendations on it. Again, what we're requesting is a redundant study being done, and I urge the defeat of this amendment.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are advised not to traffic the well while another is under recognition.

The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

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

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

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

AMENDMENT NO. 10 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–181.

Ms. JACKSON LEE of Texas. 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:

Page 7, after line 23, insert the following new subsection:

(e) SENSE OF CONGRESS.—It is the sense of Congress that the United States must decrease its dependence on oil from countries

which are hostile to the interests of the United States. Canada has long been a strong trading partner, and increased access to their energy resources will create jobs in the United States.

The Acting CHAIR. Pursuant to House Resolution 370, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

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

I am glad I'm able to rise and speak about legislation that involves one of our closest allies, Canada, and because this is a relationship with Canada, and because it is an international issue, I'm assured that in the process, we will have significant oversight that includes the Environmental Protection Agency, the Secretaries of Defense, Commerce, Transportation, Energy, Homeland Security, and the Attorney General who will have to comment on this application before the conclusion and the final decision. That is good news.

I also think it's important, as we discuss what the potential of this relationship is and the opportunity for oil coming from a friendly neighbor, to be reminded that many of us have said over and over again that we must cease to rely upon foreign oil.

In fact, in a Senate hearing when Egypt was beginning to, in essence, explode, Members said, watch Egypt, and we must lessen our dependence on foreign oil. Obviously Egypt is not one of our major sources of energy, but they were beginning to see the ripple effect in the Mideast of what has been called the Arab Spring. For many of us, we realize that it is a long, long winter as our friends in the Mideast seek peace. So this is an important statement about our commitment to creating jobs, but also it is an important statement on relieving or ceasing the dependence of the United States on foreign oil.

Let me just take one State's economy and realize what would happen with this particular effort. There would be a $2.3 billion investment in the Texas economy, creating more than 50,000 jobs in the Houston area, providing $48 million in State and local taxes, increase the gross State product by $1.9 billion.

But I don't choose to be selfish in my amendment, and my amendment is a sense of Congress that says that it is the sense of Congress that the United States must decrease its dependence on oil from countries that are hostile to the interests of the United States and that Canada has been a strong trading partner, and increasing access to their energy resources will help create jobs in the United States. If I were to add to that, I would say continue the strong relationship between the United States and Canada.

In addition, I think it is important to note that the President of the United States has indicated that we should decrease our reliance on foreign oil.

□ 1650

In this instance, I believe that we are making an effort toward that. Do I believe that we should, in essence, cross our environmental Ts? Absolutely. So I would ask my colleagues to support my amendment.

I reserve the balance of my time.

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

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

Mr. TERRY. I would like to inform the Chair and the gentlelady from Texas that we think that her amendment reflects the thoughts of the American people, and we agree with it.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. May I inquire as to the time I have remaining.

The Acting CHAIR. The gentlewoman from Texas has 2 minutes remaining.

Ms. JACKSON LEE of Texas. I thank the gentleman very much for his agreement.

Let me give a famous quote: ''Can we all get along?'' I mentioned the different agencies that will have oversight. I have listened to a number of concerns about safety, security, and health. I frankly believe we can do it all. We can increase jobs here up to 300,000 and we can pay attention to the issues of environmental safety and security.

I think it will be important for TransCanada to be able to address the question of spills, important for there to be discussions about protecting against toxic chemicals, important to disarm farmers—when I say disarm them, about fears about the pipeline in their area.

I've worked on pipelines. I know there is a lot of work that goes into construction, a lot of overall State laws that regulate the building. And so putting forward more safety procedures and standards, being concerned about the public health, and making sure that we address the concerns of all Americans is an important step.

But I think we have a bottom line here: the importance of lessening our dependence on foreign oil, and as well to be able to ensure that jobs are created here in America. That's what we are sent to Congress to do: to create these jobs, to stand alongside our neighbors and make sure they have a safe environment while they work, and produce an economy that is known only to America, the greatest economy in the world.

I ask my colleagues to support this amendment.

I thank the Chair for this opportunity to explain my amendment #6 to H.R. 1938 "North American Made Energy Security Act," expressing the sense of Congress that it is imperative that we decrease our dependency on oil from nations hostile to our national interest. Canada has long been a strong trading partner, and increased access to their energy resources will create jobs in the United States.

I represent the 18th Congressional District in Houston, TX, our Nation's energy capital. I understand the vital role that the oil and gas industry plays in our economy and will continue to play in the future. Our nation needs a concrete and viable strategy for gaining independence from foreign oil and gas sources. These strategies need balance on the one hand this pipeline will create jobs and on the other we must weigh the costs associated. Upon careful and deliberate considerations of our energy needs, our need for jobs, and our need to protect our national security will result in finding a comprehensive energy strategy that works.

Houston is the fourth most populous city in the United States, and is home to nearly 3,500 energy companies and related firms. There is no denying the importance the energy industry has in creating jobs in Houston and across our Nation. I understand the need to put the hard-working people of the Gulf region back to work, and I believe it can be done in compromise with The Department of Interior. We have all heard the famous phrase "can't we all just get along." I believe that we can get along.

I have consistently brought attention to our dependence on oil coming from nations in the Middle East who are in turmoil and have shifting views of the United States. I offer this amendment to call attention to the national security implications of our continued dependency on foreign oil imports. I also, offer this amendment to draw attention to the need to create jobs here in the United States.

The United States imports 49% of all the oil we use. In 2010, 16% of oil imports came from OPEC countries in Africa and South America, with another 9% coming from OPEC nations in the Persian Gulf. Relying on oil imports from hostile regions greatly weakens our energy security.

A variety of events have caused increases in the price of oil over the last decade. In 2003, strikes shut down oil production in Venezuela, increasing oil prices of other OPEC nations. A 2004 terrorist attack in Saudi Arabia caused a sudden increase in oil prices, as did militant attacks in Nigeria in 2003, 2007 and 2008.

With the current political unrest brought by the Arab Spring, our oil supply is constantly threatened by hostile nations, and circumstances beyond our control. Oil is an integral part of the U.S. economy. 40% of the nation's total energy requirements are met by oil, including 94% of the energy used in transportation, and 41% of the energy used by the industrial sector.

Increases in the price of oil affect average American consumers as well as industry. Last week, the average price of gas in Houston ranged from $3.57 to $3.85, according to the U.S. Energy Information Administration's weekly retail gasoline index.

Increasing the amount of oil imported from Canada is beneficial to both our energy security and economy. Canada provides a far more stable source of oil than many of the OPEC countries, and importing Canadian oil often yields investment in U.S. infrastructure.

Additionally, Canada has been a longtime ally of the United States, and an important trading partner. In fact, the U.S. and Canada represent the world's largest two-way trading

relationship, and for every U.S. dollar spent on Canadian products, including oil, 90 cents is returned to the U.S. economy.

In addition to providing a stable and reliable energy source, the Keystone pipeline XL, which we are considering in H.R. 1938, will generate $20 billion of private sector investment in the U.S. economy, as well as $585 million in new taxes for states and communities along the pipeline route.

The American oil and gas industry are inextricably linked to our economy, and we must take steps to ensure that the U.S. remains competitive in the energy sector. According to an independent review of the Keystone XL Pipeline Project and its potential economic impact, during the construction period the pipeline will stimulate $20 billion in new spending for the U.S. economy, spur the creation of 118,000 jobs and generate more than $585 million in state and local taxes for the states along the pipeline route. When Keystone XL is operational, the states along the pipeline route are expected to receive an additional $5.2 billion in property taxes during the operating life of the pipeline, according to the analysis.

However, there are some aspects of the legislation that require further review. I am particularly concerned about the implications of Congress legislating to force a decision of executive authority, as well as the environmental risks that may be associated with the pipeline.

As a Representative of Houston, the nation's energy capital, I certainly understand the importance of the energy industry with regard to our economy. The energy sector creates jobs, and increased energy production is good for the economy, but I do have reservations about the precedent set by this legislation. Ordinarily, we do not require a permit for constructing oil pipelines. However, any pipeline that connects the United States and another country is subject to executive permission, conveyed through a Presidential permit. Historically, any pipeline crossing international borders has required executive permission by way of a Presidential permit. Executive Order 13337 designates the Secretary of State as able to receive applications for Presidential permits. TransCanada submitted its permit applications to the Department of State in September of 2008. Environmental impact review has been underway since January of 2009, and has included public comment periods with extensions for additional input from impacted communities. The State Department is afforded primary jurisdiction over the proposal for the pipeline and expects to make a decision by the end of the year. Forcing the State Department and President Obama to render a decision before completing a thorough review is in no one's interest. Currently several agencies have worked together to determine the feasibility of this pipeline.

The Final Environmental Impact Statement is expected to be released by the EPA in August, at which time, the Secretaries of Defense, Commerce, Transportation, Energy, and Homeland Security, along with the Attorney General, and EPA Administrator will be asked for their views.

It is imperative that we achieve energy independence; we cannot continue to rely on foreign sources of oil from regions of the world which are unstable, and in some cases, opposed to our interests. Accordingly, there is no issue more integral to our economic and national security than energy independence.

We must encourage the development of innovative new technologies that create jobs; we must focus on reducing carbon emissions, protecting consumers, and increasing production of clean and renewable energy sources to truly modernize our infrastructure.

Yet, oil and gas companies provide jobs and serve a valuable need, and must be instrumental in devising a pragmatic strategy for achieving energy independence. We need new solutions, but they must strike a balance that will support continued growth in the oil and gas industry.

However, we must also carefully examine any project that impacts the environment to prevent lasting harmful effects to the nation and the planet. Before a decision is rendered on the current Keystone pipeline XL project, it is essential the proposal be thoroughly reviewed, and all environmental impact be evaluated.

We can work together to find a solution to our energy concerns upon which we can all agree. We can take the time to educate farmers who have valid concerns. We can brief environmental groups and seek their input from the planning stages to the implementation of the Process. We must not forget that the Canadian people also have an interest in protecting their environment. Certain parts of Canada are known for their pristine landscapes and nature conservatories. We must be prepared to advance and listen to the environmental concerns raised in the United States and Canada. We must protect both our citizens and the citizens of Canada.

The pipeline considered in this legislation transports tar sands oil, a high polluting fuel that produces high rates of carbon emissions. We must consider the potential for leaks and explosions that will release harmful toxins into the environment.

I am confident that both parties can find ways to work with the energy industry, the Administration, and other stakeholders to forge a compromise that will protect the environment without an adverse impact on the industry or consumers.

Rome was not built in a day; however, it was built on the backs of hard workers. At a time when our citizens seeking employment, many are struggling to live from one check to the next, it is imperative to review opportunities presented to us that will create a significant amount of jobs. We must utilize the technology and the resources we have at hand to advance our understanding of how to effectively process and use energy. We must acknowledge that we need energy. Our need for energy requires a comprehensive energy plan that will create jobs and decrease our dependence on countries that are hostile to our interests and indeed to our national security.

The oil resources currently available in Alberta, Canada are second to those available in Saudi Arabia. No one can argue that against the preference of getting oil from a stable country rather than from countries that are constantly in turmoil.

Canada has been our longest and strongest trading partner. Our countries share a common boarder and a common language. The sky will not fall if we build a pipeline. There is no doubt that we have all learned from the damage that can result by accidents caused by poor oversight.

I have thought about both the pros and the cons. I have carefully studied this issue. I believe that we must use the technology of today to advance the technology of the future. A lot has been made today of the recent pipeline explosion—has anyone asked why it occurred? How to prevent it from happening again?

Today, we are faced with looking at ways to decrease our dependence on oil from nations that are hostile to our interests. I support firmly advancing, if not this pipeline, then access to the oil resources in Canada. We must look at the thousands of jobs that can be created. There is .3 billion in revenue that can be generated. In the greater Houston area which has suffered so much job loss this will add thousands of jobs.

The arguments made have been balanced ones; however, when placed in context, when balanced against the need for working parents to have jobs that will feed their children during a time of economic crisis, then we must consider all options. I have long been and will continue to be a champion of the environment. Groups who have championed the environment are the very watchdogs we need to ensure its safety. At this time, our relationship with Canada merits careful and deliberative consideration.

We must consider all of the aspects of this legislation, and I offer this amendment to express the Sense of Congress that, despite how we will individually vote on H.R. 1938, we are committed to reducing our dependency on foreign oil from hostile regions, or those that oppose the interests of the United States.

I urge my colleagues to support my amendment and make very clear to the American people that we are dedicated to finding stable energy sources, reducing fuel costs, and creating jobs.

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

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. KUCINICH

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–181.

Mr. KUCINICH. 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:

Page 7, after line 23, insert the following new subsection:

(e) MANIPULATION OF OIL MARKETS.—The President shall not issue a final order granting or denying the Presidential Permit for the Keystone XL pipeline until the Secretary of Energy, in consultation with the Federal Trade Commission, has certified that permitting the pipeline would not lead to manipulation of the United States oil market that would be detrimental to United States consumers.

The Acting CHAIR. Pursuant to House Resolution 370, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, Americans are turning to the Federal Government for relief from high gas prices. However, approval of the Keystone XL pipeline will lead to exactly the opposite result; it will actually raise gas

prices—principally in the Midwest. In fact, some of the States that will suffer the worst gas price increases are the same ones that will have to bear the environmental burden of this pipeline.

This is not just my conclusion, this is the conclusion of TransCanada, the company that wants to build the Keystone XL pipeline. This is the conclusion of international energy consultant Purvin and Gertz, Inc., the company that TransCanada hired to evaluate its Keystone XL pipeline. And this is the conclusion of respected oil market economist Philip Verleger. That is why TransCanada wants to build this pipeline.

My amendment simply requires the Secretary of Energy to analyze the effect of the proposed pipeline on increased gas prices for American consumers and to determine if this pipeline is just an effort to manipulate the market for crude oil in the United States.

The proposed pipeline would carry up to 900,000 barrels per day of tar sands oil from Alberta, Canada over 2,000 miles to refineries on the U.S. gulf coast. Proponents have claimed that it would bring down oil prices.

However, TransCanada's permit application to the Canadian Government for the pipeline included documents and testimony which said Canadian oil companies could use the pipeline to increase America's fuel bill by up to $4 billion per year by limiting the supply of Canadian crude to Midwest refineries and rerouting it to gulf coast refineries. This benefit to Canadian oil companies was used by TransCanada to argue that approval of the pipeline was in Canada's interest, but this information was conveniently hidden when TransCanada applied for the U.S. Presidential permit from the State Department.

This information comes from a report by international energy consultant Purvin and Gertz, Inc., the company that TransCanada hired to evaluate its Keystone XL pipeline.

In section 3.4.3 of their report, they concluded that there was an oversupply of crude oil in the Midwest that resulted in lower prices for Canadian crude oil and that the Keystone XL pipeline would remove this oversupply and raise crude oil prices in the market. In section 3.4.5 of their report, they recite that ''Keystone has reviewed the PGI assessment and agrees with its conclusions.''

Through manipulation of U.S. oil markets, the Keystone XL pipeline will increase U.S. gas prices by 10 to 20 cents per gallon across the United States, according to respected oil market economist Phillip Verleger. However, the greatest price increase—twice as much by one estimate—will occur in 15 States, including my State of Ohio, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, and Wisconsin. It is estimated to increase prices by $6.55 per barrel of crude oil in the Midwest and $3 per barrel across the U.S.

This market manipulation will gouge American consumers, forcing them to hand over up to 3.9 billion hard-earned American dollars to foreign oil companies every year. While this boon may benefit TransCanada and Canadian oil shareholders, it will only further devastate the American people, our economy, and farmers who are already struggling financially and can't afford a gas price hike.

Americans want low gas prices. Permitting the Keystone XL pipeline will deliver the opposite by increasing prices at the pump and making Americans pay more and more for almost every commodity they purchase.

I urge my colleagues to protect Americans from being further gouged by foreign oil companies and to support my amendment.

I reserve the balance of my time.

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

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

Mr. TERRY. I strongly oppose this amendment. This is a poison pill, especially the way that this amendment is worded.

Now, the reality here is when this infrastructure of the pipeline is completed to U.S. refineries that are expanding to be able to accept this additional crude from Canada, we will have a reliable supply of at least 700,000 barrels per day—not relying on the Middle East as the gentlelady from Texas just spoke about, wherein the Arab Spring provided great uncertainty of which speculators took advantage.

But the reality here for the U.S. markets is that we won't have to deal with that uncertainty if we continue to take steps like the Keystone XL pipeline. Once again, a reliable resource of 700,000 to 1.3 million barrels per day will only deflate prices at the pump.

□ 1700

That's what the American citizens want. They want stability and reduced prices at the pump. It is a bogus argument to say that this pipeline is going to lead to an increase at the pump. It just doesn't make sense.

Now, what I believe is a strained conclusion of a comment made by a TransCanada employee that they can actually charge more, well, the reality is heavy crude is heavily discounted when compared to a sweet or lighter crude that is easier and less costly to refine. So there is a discount in there. But if you have a pipeline that easily transports and eliminates a lot of the costs of transporting and you have reliability, that does slightly increase the value to those buyers of that crude in Texas, Louisiana, Oklahoma and other parts of the Midwest.

So the reality is this heavy crude still will not rise to the price of a sweet crude. The reality is the reliability of this oil coming to U.S. refineries will lower the price at the pumps, and that's what we should be doing, besides all of the jobs that will be created from this pipeline: 20,000 direct jobs created from this pipeline, energy security, an additional 100,000 to 200,000 jobs created on top of the construction.

So we need to move. We need the decision made. The data is here. They have enough time for additional comments to be able to make the decision by November 1.

I urge defeat of this amendment.

I reserve the balance of my time.

Mr. KUCINICH. How much time remains?

The Acting CHAIR (Mr. LATOURETTE). The gentleman from Ohio has 30 seconds remaining.

Mr. KUCINICH. The bottom line is the people whose jobs depend on their being right, and a company with billions of dollars at stake, all concluded that increases in price of gas will especially hit the Midwest as a result of this pipeline. These aren't just employees of TransCanada; these people are experts, legal experts who put this in an application. This is not a bogus argument.

If that is a bogus argument, to my friend, then that information should be conveyed to the Government of Canada, because TransCanada's permit application to the Canadian Government for a pipeline included documents and testimony which said that Canadian oil companies could use the pipeline to increase America's fuel bill by $4 billion per year by limiting the supply of Canadian crude to Midwest refineries and rerouting it to gulf coast refineries.

Stand up for the American consumer.

I yield back the balance of my time.

Mr. TERRY. American workers and American consumers will be better off. They will reap the advantages of a reliable source of energy, eliminating, or at least greatly reducing, the uncertainties that cause the gas price spikes at the pump. Let's defeat this amendment.

I yield back the balance of my time.

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

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

Mr. KUCINICH. 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 Ohio will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–181 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WELCH of Vermont.

Amendment No. 2 by Mr. RUSH of Illinois.

Amendment No. 3 by Ms. ESHOO of California.

Amendment No. 5 by Mr. COHEN of Tennessee.

Amendment No. 6 by Mr. MURPHY of Connecticut.

Amendment No. 7 by Mr. RUSH of Illinois.

Amendment No. 8 by Ms. HANABUSA of Hawaii.

Amendment No. 9 by Mr. JOHNSON of Georgia.

Amendment No. 11 by Mr. KUCINICH of Ohio.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 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 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 164, noes 260, not voting 8, as follows:

[Roll No. 640]

AYES—164

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gibson
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—260

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Bachmann
Bishop (UT)
Carter
Giffords
Gutierrez
Hinchey
Jordan
Sánchez, Linda T.

□ 1731

Messrs. POSEY and BISHOP of Georgia changed their vote from ''aye'' to ''no.''

Ms. LORETTA SANCHEZ of California changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The Acting CHAIR (Mr. JOHNSON of Ohio). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the Committee now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and of all who serve in our Armed Forces and their families.

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 164, noes 261, answered ''present'' 1, not voting 6, as follows:

[Roll No. 641]

AYES—164

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)

Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—261

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—1

Johnson (IL)

NOT VOTING—6

Bachmann
Giffords
Gutierrez
Hinchey
Lee (CA)
Pelosi

□ 1738

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. JOHNSON of Ohio. Mr. Chair, on rollcall No. 641, I inadvertently voted "yes" on the Rush Amendment, when I intended to vote "no." I had just led a moment of silence from the chair, and in the excitement afterwards pressed the wrong button.

AMENDMENT NO. 3 OFFERED BY MS. ESHOO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. ESHOO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 163, noes 264, not voting 5, as follows:

[Roll No. 642]

AYES—163

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—264

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall

Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—5

Bachmann
Giffords
Gutierrez
Hinchey
Nunnelee

□ 1742

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. COHEN

The Acting 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 Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 155, noes 272, not voting 5, as follows:

[Roll No. 643]

AYES—155

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Bishop (NY)
Blumenauer
Boswell
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Hahn
Hanabusa
Heinrich
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—272

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—5

Bachmann
Giffords
Gutierrez
Hinchey
Walberg

□ 1746

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. MURPHY OF CONNECTICUT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 152, noes 275, not voting 5, as follows:

[Roll No. 644]

AYES—152

Ackerman
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Shuler
Sires

Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—275

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—5

Andrews
Bachmann
Giffords
Gutierrez
Hinchey

□ 1750

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. RUSH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 161, noes 265, not voting 6, as follows:

[Roll No. 645]

AYES—161

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Fudge
Garamendi
Gibson
Grijalva
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—265

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—6

Bachmann
Giffords
Gutierrez
Hinchey
Stark
Wolf

□ 1755

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. HANABUSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HANABUSA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 168, noes 260, not voting 4, as follows:

[Roll No. 646]

AYES—168

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Grijalva
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—260

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—4

Bachmann
Giffords
Gutierrez
Hinchey

□ 1758

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. JOHNSON OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 163, noes 263, not voting 6, as follows:

[Roll No. 647]

AYES—163

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—263

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy

Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—6

Bachmann
Cantor
Giffords
Gutierrez
Hinchey
Nugent

□ 1804

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. KUCINICH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 164, noes 261, not voting 7, as follows:

[Roll No. 648]

AYES—164

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Dicks
Doggett
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Price (NC)
Quigley
Rangel
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—261

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

Bachmann
Cantor
Deutch
Giffords
Gutierrez
Hinchey
Scott, Austin

□ 1807

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, on rollcall No. 648 I was inadvertently detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Chair, I was delayed for votes, due to my participation in a peaceful rally and protest against the current Administration's enforcement policies against immigrant students and the families of U.S. citizens. Had I been present for the votes I would have voted "yes" on rollcall votes 640, 641, 642, 643, 644, 645, 646, 647, and 648.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DOLD) having assumed the chair, Mr. LATOURETTE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes, and, pursuant to House Resolution 370, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Ms. SUTTON. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SUTTON. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Sutton moves to recommit the bill H.R. 1938 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendments:

Page 6, after line 24, insert the following new paragraphs:

(18) TransCanada Corporation has threatened to condemn the land of American farmers, ranchers, and homeowners along the Keystone XL pipeline route, and farmers, ranchers, and homeowners in the States of Montana, Nebraska, Oklahoma, South Dakota, Kansas, and Texas are at risk of having their property seized by a foreign corporation.

(19) In its permit application to the Canadian Government, TransCanada Corporation, the owner and operator of the Keystone XL pipeline, projected that the Keystone XL pipeline will increase oil prices in PADD 2, which includes the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Wisconsin, increasing annual revenue to Canadian oil producers by an estimated $2,000,000,000 to $3,900,000,000 in 2013.

Page 7, lines 14 and 20, redesignate subsections (c) and (d) as subsections (d) and (e), respectively.

Page 7, after line 13, insert the following new subsection:

(c) PROTECTING CONSUMERS FROM UNFAIR GAS PRICE INCREASES AND SEIZURE OF FARMLAND.—The President shall ensure that the necessary actions under subsection (a) shall include—

(1) any feasible step to prevent an increase in gasoline prices in any region of the country; and

(2) any feasible step to limit the seizure of American farmland and ranchland without consent of the landowners.

□ 1810

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. SUTTON. Mr. Speaker, I rise today to offer this amendment in response to a concern that we have all heard and which was recently raised in a letter that I received from a constituent in Cuyahoga Falls, Ohio. He wanted to know how Congress can help with rising gas prices, prices that are forcing him to spend less on taking care of his family and causing uncertainty and uneasiness. And it's with my constituent in mind that I offer this amendment today.

Mr. Speaker, today we have an opportunity to join together to pass this amendment and do something for my constituent and for the middle class families like his across the country that exist in each and every district.

At the outset, I want to be clear, this amendment, this motion, it does not kill the underlying bill. So regardless of whether you intend to vote for the legislation or against it, you will have the opportunity to do that today. This amendment simply offers us, Democrats and Republicans alike, the opportunity to speak up on behalf of our constituents loudly and clearly.

What this amendment does is makes it clear that if the underlying bill passes, we want the President to take feasible steps to prevent gas prices from rising as a result of its passage and to take feasible steps to limit the seizure of American farmland. This should be an easy amendment for colleagues on both sides of the aisle to support. A vote for the amendment means standing up for American consumers to protect them against gas increases. A vote for this amendment means you are standing up for American families to protect them from unfair seizures of their property. These are the goals that all of us in this body, the people's House, should share.

It is important that we act together to pass this amendment today because, make no mistake, at a time when gas prices are already too high, this bill in its current form will raise gas prices even higher, placing an even greater burden on American families and small businesses. We know this, Mr. Speaker, because TransCanada, the Canadian corporation that is building this pipeline, has admitted as much. TransCanada's own assessment from February of 2009 states that Keystone XL pipeline will increase the cost of a barrel of crude oil by $6.55 per barrel in the Midwest and $3 per barrel everywhere else.

Mr. Speaker, this is simply unacceptable. It's unacceptable because far too many middle class families are already struggling. Without this amendment, this legislation amounts to salt in the wounds of working families, so many of whom have seen their jobs sent overseas and now they will see even more of their hard-earned dollars being sent out of the country and will have to pay more for gas to boot.

And this legislation, in its current form, also stands to harm our small business owners, putting a larger financial burden on them at a time when we have called on them to create jobs and lead the way in our recovery. It will burden our family farmers who will now have to pay more to gas up their combines and buy fertilizer.

But an increase in gas prices is not the only reason this legislation needs to be amended. From South Dakota to Texas, we have a situation where the non-U.S. energy company building this pipeline has been pushing American farmers and ranchers to give up their rights to their own property. And for those who have resisted, the company—in pursuit of billions of dollars—has been taking Americans to court to seize control of their land through eminent domain. TransCanada has been bringing these lawsuits even before they have the permits to build the pipeline.

These outrageous acts are bringing Democrats and Republicans together to speak out on behalf of property owners and to ensure that their rights come before the rights of any big corporation. That is the way it should be—us standing together to protect American consumers and property owners.

Mr. Speaker, our country needs to protect the rights of our citizens, not subject those rights to a foreign corporation. Mr. Speaker, our constituents pay high enough gas prices. They need us to stand up and do all that we can to prevent the admitted increases that will occur according to TransCanada's own study. With this amendment, we can join together to do just that. We can put the American people before politics and before corporate profits and ensure that the President takes any feasible steps to protect against gas increases and limit the taking of property through eminent domain that will result from this legislation. This final amendment will ensure these things while allowing for an immediate final vote on the bill.

I encourage my colleagues to stand together and vote ''yes'' on this final amendment.

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

Mr. TERRY. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. Mr. Speaker, I urge all of my colleagues here to vote against this. This is, A, nonsensical and not even relevant here. Why? Well, maybe some of my friends on the other side of the aisle have confused a public works

project with this private infrastructure project.

Number one, private companies do not have any rights of eminent domain; they can't take people's lands. So this part about them exercising eminent domain is just not relevant here. They aren't doing this; they don't have the power.

The other part is equally as nonsensical. Listen, this is a $13 billion stimulus infrastructure bill.

□ 1820

This is what all of us have been asking for because it creates thousands of jobs, 20,000 direct union construction jobs. Now, the Laborers International Union of North America supports this bill. International Brotherhood of Teamsters, United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States, the AFL–CIO International Union of Operating Engineers, the Pipeline Contractors Association. These are the people. It's the labor. It's the jobs that are going to be created here, and we're standing with the American people.

Now, this other argument that we have been debating ad nauseam throughout the afternoon about bringing in 700,000 to 1.2 million barrels per day from Canada that is somehow going to raise prices at the pump. I'm sorry, I went through some economics. I don't see how adding supply, adding American jobs, making a reliable source of energy, and eliminating uncertainty is going to drive up costs. It doesn't make sense.

Let's stand with the American people. Let's create 100,000 new jobs. Let's get America working. Let's get the prices down at the pump. Vote against this motion for reconsideration, and let's vote to put people back to work.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Ms. SUTTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 181, noes 248, not voting 3, as follows:

[Roll No. 649]

AYES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—248

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—3

Bachmann
Giffords
Hinchey

□ 1838

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. REED. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 279, noes 147, answered ''present'' 1, not voting 5, as follows:

[Roll No. 650]

AYES—279

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Austria
Baca
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle

Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—147

Andrews
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Fortenberry
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—5

Bachmann
Carter
Giffords
Hinchey
Walsh (IL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1845

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SMALL BUSINESS PROGRAM EXTENSION AND REFORM ACT OF 2011

Mr. HANNA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Program Extension and Reform Act of 2011''.

SEC. 2. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 2 of the Small Business Additional Temporary Extension Act of 2011 (Public Law 112–17; 125 Stat. 221), is amended by striking ''July 31, 2011'' each place it appears and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on July 30, 2011.

SEC. 3. REPEALS AND OTHER TERMINATIONS.

(a) GENERAL PROVISIONS.—

(1) EFFECTIVE DATE.—A repeal or other termination of a provision of law made by this section shall take effect on the date of enactment of this Act.

(2) RULE.—Nothing in this section shall affect any grant or assistance provided, contract or cooperative agreement entered into, or loan made or guaranteed before the date of enactment of this Act under a provision of law repealed or otherwise terminated by this section and any such grant, assistance, contract, cooperative agreement, or loan shall be subject to the applicable repealed or otherwise terminated provision, as in effect on the day before the date of enactment of this Act.

(3) APPLICABILITY OF TEMPORARY EXTENSIONS.—A repeal or other termination of a provision of law made by this section shall have effect notwithstanding any temporary extension of programs, authority, or provisions under the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742).

(b) POLLUTION CONTROL LOANS.—Paragraph (12) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) by striking ''(A) The Administration'' and inserting ''The Administration''; and

(2) by striking ''research and development'' and all that follows and inserting ''research and development.''.

(c) SMALL BUSINESS INSTITUTE.—Subparagraph (E) of section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)) is repealed.

(d) DRUG-FREE WORKPLACE GRANTS.—Paragraph (3) of section 21(c) of the Small Business Act (15 U.S.C. 648(c)) is amended—

(1) in subparagraph (R) by adding ''and'' at the end;

(2) in subparagraph (S) by striking ''; and'' and inserting a period; and

(3) by striking subparagraph (T).

(e) CENTRAL EUROPEAN SMALL BUSINESS ENTERPRISE DEVELOPMENT COMMISSION.—Section 25 of the Small Business Act (15 U.S.C. 652) is repealed.

(f) PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM.—Section 27 of the Small Business Act (15 U.S.C. 654) is repealed.

(g) PILOT TECHNOLOGY ACCESS PROGRAM.—Section 28 of the Small Business Act (15 U.S.C. 655) is repealed.

(h) NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.—

(1) IN GENERAL.—Section 33 of the Small Business Act (15 U.S.C. 657c) is repealed.

(2) CORPORATION.—Beginning on the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(i) LEASE GUARANTEES AND POLLUTION CONTROL.—Part A of title IV of the Small Business Investment Act of 1958 (15 U.S.C. 692 et seq.) is repealed.

(j) ALTERNATIVE LOSS RESERVE.—Paragraph (7) of section 508(c) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(c)) is repealed.

(k) SMALL BUSINESS TELECOMMUTING PILOT PROGRAM.—Subsection (d) of section 1203 of the Energy Independence and Security Act of 2007 (15 U.S.C. 657h) is repealed.

(l) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS INVESTMENT ACT OF 1958.—Section 411(i) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(i)) is amended to read as follows:

''(i) Without limiting the authority conferred upon the Administrator and the Administration by section 201 of this Act, the Administrator and the Administration shall have, in the performance of and with respect to the functions, powers, and duties conferred by this part, all the authority and be subject to the same conditions prescribed in section 5(b) of the Small Business Act with respect to loans, including the authority to execute subleases, assignments of lease and new leases with any person, firm, organization, or other entity, in order to aid in the liquidation of obligations of the Administration hereunder.''.

(2) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking ''and the National Veterans Business Development Corporation''.

(3) TITLE 38.—Subsection (h) of section 3452 of title 38, United States Code, is amended by striking ''any of the'' and all that follows and inserting ''any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).''.

(4) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking ''In cooperation with the National Veterans Business Development Corporation, develop'' and inserting ''Develop''.

SEC. 4. TERMINATION OF EMERGING LEADERS PROGRAM.

Notwithstanding any other provision of law, the Administrator of the Small Business Administration may not carry out or otherwise support the program referred to as ''Emerging Leaders'' in the document of the Small Business Administration titled ''FY 2012 Congressional Budget Justification and FY 2010 Annual Performance Report'' (or any predecessor or successor document) and may not carry out or otherwise support any successor to that program with similar goals.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. HANNA) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. HANNA. Mr. Speaker, I ask unanimous consent that all Members shall have 5 consecutive days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, there are a few components to the legislation we have before us.

First, the bill provides for a straightforward extension of certain SBA programs through December 31, 2011. This is a necessary measure since the current extension, which the House passed in May, expires at the end of this month. As we continue to do work with our Democratic colleagues and with our colleagues in the other body towards a full and complete reauthorization of the SBA and its programs, this extension will ensure that these programs are still available to provide assistance to entrepreneurs who need to create jobs.

Secondly, the bill before us terminates several duplicative and outdated programs that are either used very infrequently or not at all. It has been said that, once a program is initiated, it is almost impossible to eliminate. Today, we will prove that notion wrong. The program eliminations contained in this bill represent a good first step toward cleaning up the SBA's program portfolio, thereby refocusing the agency's energy on their core mission of facilitating small business lending, offering entrepreneurial advice to small business owners, and ensuring that they receive their fair share of Federal contracts.

For example, one of the programs selected for termination is the Central European Enterprise Development Program. This initiative has not been funded since 1995, and one of the countries involved, Czechoslovakia, no longer exists. For an even more striking example, the Pollution Control Bond Guarantee program, initiated in 1976 to provide SBA-backed bonds for the purchase of pollution and control equipment to retrofit existing factories, has not offered a single bond guarantee since the early eighties.

Simply having these programs on the books at the SBA detracts manpower and resources away from the SBA's core programs, and it is time to get them out of the way. Not only does this bill clean up the SBA; it also saves money.

□ 1850

The bill eliminates two drug-free workplace programs. These programs were allocated $2 million for fiscal year 2011. While not a huge sum of money when considering the overall fiscal budget, each and every penny we save is a penny we don't have to borrow.

For additional cost savings, the legislation also prohibits the SBA from using any of its discretionary funding on its Emerging Leaders Program. While the program started in fiscal year 2009 without any congressional approval or authorization of appropriations, the SBA has requested $3 million for this program for 2012. The program is duplicative of existing entrepreneurial development programs and does not have a good matrix for evaluating the program's success.

The SBA ought to be focusing on well-evaluated, congressionally authorized programs that have been fully vetted and supported by Members of Congress.

I would like to thank the gentlelady from New York, our committee's ranking member, Ms. VELÁZQUEZ, for her efforts to craft this legislation. It is a breath of fresh air to work in a truly bipartisan manner on important issues facing our Nation, and I appreciate her leadership on this issue.

With that, I urge my colleagues to support H.R. 2608 as amended.

I reserve the balance of my time.

Ms. VELÁZQUEZ. I yield myself such time as I may consume.

Small businesses who employ more than half of all private sector employees remain absolutely critical to the U.S. economy. With the unemployment rate at 9.2 percent, we need them more than ever to create new jobs. Central to these efforts are the tools and resources of the Small Business Administration which enable entrepreneurs to secure low-cost capital, fairer contracts, and technical assistance.

However, over time, I feel the agency's programs have become redundant and unnecessary. Many have not been funded in decades, while others are simply antiquated policy remnants from a bygone era.

It is a disservice to both small businesses and taxpayers to keep these obsolete initiatives on the books. By cleaning up the statute, as this legislation does, we can be assured that efforts to assist small businesses both now and in the future will be both efficient and up to date.

Importantly, many of these cuts were at the behest of our colleagues in the Senate. Given this, it is my hope that the Senate takes up this legislation and passes it expeditiously.

Chairman GRAVES is also to be commended for his comity and bipartisan approach to vetting these charges. Doing so has produced a bill that does not adversely affect small businesses.

Similarly, a new but equally concerning trend has been the growth of unauthorized programs. The costs of this program have grown dramatically to equal more than $50 million and constitutes nearly 10 percent of the SBA's noncredit programs budget. By passing the legislation before us, Congress can take a small but meaningful step that will begin to close this loophole.

The reforms in this bill come against a backdrop of extending certain authorities for the SBA itself. However, whether or not this legislation becomes law has no bearing on whether the agency can serve small businesses. Given the passage of the full-year continuing appropriations bill and a prior SBA extension passed 2 months ago, the agency will remain fully operational irrespective of the passage of this bill.

Ensuring that small firms have continued access to a strong and stable SBA is more important than ever. The agency's resources enable would-be entrepreneurs to start up while helping existing ventures expand. By doing so, we will allow small business owners to do what they do best and create the

jobs we need to move the economy forward.

I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. HANNA. Mr. Speaker, in closing, let me state that small businesses can and will lead our economic recovery. It's time that those of us in Congress provide them with the certainty they need to create jobs and grow our economy. The legislation we have before us today gives small firms the confidence to know that the SBA programs they rely on will be there for them when they need them. It also shows them that this House is serious about cutting spending, lowering debt, and restoring confidence to our entrepreneurs.

I look forward to continuing to work with the chairman and the ranking member and all our colleagues on the Small Business Committee to enact policies that benefit American entrepreneurs.

I urge my colleagues to support this good bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. HANNA) that the House suspend the rules and pass the bill, H.R. 2608, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

IMPACT OF INSURED DEPOSITORY INSTITUTION FAILURES

Mr. WESTMORELAND. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2056) to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INSPECTOR GENERAL STUDY.

(a) STUDY.—The Inspector General of the Federal Deposit Insurance Corporation (FDIC) shall conduct a comprehensive study on the impact of the failure of insured depository institutions.

(b) DEFINITIONS.—For purposes of this Act—

(1) the term ''insured depository institution'' has the meaning given such term in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c));

(2) the term ''private equity company'' has the meaning given the terms ''hedge fund'' and ''private equity fund'' in section 13(h)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1851(h)(2)); and

(3) the term ''paper-loss'' means any write down on a performing asset held by an insured depository institution that causes such institution to raise more capital in order to cover the write down.

(c) MATTERS TO BE STUDIED.—In conducting the study under this section, the Inspector General shall address the following:

(1) LOSS-SHARING AGREEMENTS.—The effect of loss-sharing agreements (LSAs), including—

(A) the impact of loss-sharing on the insured depository institutions that survive and the borrowers of insured depository institutions that fail, including—

(i) the impact on the rate of loan modifications and adjustments;

(ii) whether more types of loans (such as commercial (including land development and 1- to 4-family residential and commercial construction loans), residential, or small business loans) could be modified with fewer LSAs, or if LSAs could be phased out altogether;

(iii) the FDIC's policies and procedures for monitoring LSAs, including those designed to ensure institutions are not imprudently selling assets at a depressed value;

(iv) the impact on the availability of credit; and

(v) the impact on loans with participation agreements outstanding with other insured depository institutions;

(B) the FDIC's policies and procedures for terminating LSAs and mitigating the risk of acquiring institutions having substantial assets remaining in their portfolio when the LSAs are due to expire;

(C) the extent to which LSAs provide incentives for loan modifications and other means of increasing the probability of commercial assets being considered ''performing'';

(D) the nature and extent of differences for modifying residential assets and working out commercial real estate under LSAs; and

(E) methods of ensuring the orderly end of expiring LSAs to prevent any adverse impact on borrowing, real estate industry and the Depositors Insurance Fund.

(2) PAPER LOSSES.—The significance of paper losses, including—

(A) the number of insured depository institutions that have been placed into receivership or conservatorship due to paper losses;

(B) the impact on paper losses of raising more capital;

(C) the effect of changes in the application of the fair value of real estate accounting rules and other accounting standards;

(D) whether field examiners are using proper appraisal procedures with respect to paper losses; and

(E) methods of stopping the vicious downward spiral of losses and write downs.

(3) APPRAISALS.—

(A) The number of insured depository institutions placed into receivership or conservatorship due to asset write-downs and the policies and procedures for evaluating the adequacy of an insured depository institution's allowance for loan and lease losses.

(B) The policies and procedures examiners use for evaluating the appraised values of property securing real estate loans and the extent to which those policies and procedures are followed.

(C) FDIC field examiner implementation of guidance issued December 2, 2010, titled ''Agencies Issue Final Appraisal and Evaluation Guidelines''.

(4) CAPITAL.—

(A) The factors that examiners use to assess the adequacy of capital at insured depository institutions, including the extent to which the quality and risk profile of the insured institution's loan portfolio is considered in the examiners' assessment.

(B) The number of applications received by the FDIC from private capital investors to acquire insured depository institutions in receivership, the factors used by the FDIC in evaluating the applications, and the number of applications that have been approved or not approved, including the reasons pertaining thereto.

(C) The policies and procedures associated with the evaluation of potential private investments in insured depository institutions and the extent to which those policies and procedures are followed.

(5) WORKOUTS.—The success of FDIC field examiners in implementing FDIC guidelines titled ''Policy Statement on Prudent Commercial Real Estate Loan Workouts'' (October 31, 2009) regarding workouts of commercial real estate, including—

(A) whether field examiners are using the correct appraisals; and

(B) whether there is any difference in implementation between residential workouts and commercial (including land development and 1- to 4-family residential and commercial construction loans) workouts.

(6) ORDERS.—The application and impact of consent orders and cease and desist orders, including—

(A) whether such orders have been applied uniformly and fairly across all insured depository institutions;

(B) the reasons for failing to apply such orders uniformly and fairly when such failure occurs;

(C) the impact of such orders on the ability of insured depository institutions to raise capital;

(D) the impact of such orders on the ability of insured depository institutions to extend or modify credit to existing and new borrowers; and

(E) whether individual insured depository institutions have improved enough to have such orders removed.

(7) FDIC POLICY.—The application and impact of FDIC policies, including—

(A) the impact of FDIC policies on the investment in insured depository institutions, especially in States where more than 10 such institutions have failed since 2008;

(B) whether the FDIC fairly and consistently applies capital standards when an insured depository institution is successful in raising private capital; and

(C) whether the FDIC steers potential investors away from insured depository institutions that may be in danger of being placed in receivership or conservatorship.

(8) PRIVATE EQUITY COMPANIES.—The FDIC's handling of potential investment from private equity companies in insured depository institutions, including—

(A) the number of insured depository institutions that have been approved to receive private equity investment by the FDIC;

(B) the number of insured depository institutions that have been rejected from receiving private equity investment by the FDIC; and

(C) the reasons for rejection of private equity investment when such rejection occurs.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General shall submit to Congress a report—

(1) on the results of the study conducted pursuant to this section; and

(2) any recommendations based on such study.

(e) COORDINATION BETWEEN FDIC IG, TREASURY IG, AND FEDERAL RESERVE IG.—In carrying out this section, the Inspector General of the FDIC shall consult with the Inspectors General of the Treasury and of the Federal Reserve System, and such Inspectors General shall provide any documents or other material requested by the Inspector General of the FDIC in order to carry out this section.

SEC. 2. FUNDING.

The FDIC shall make available from the portion of the FDIC budget allocated to management expenses, sums allowing the FDIC Inspector General to complete this study.

SEC. 3. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the following:

(1) The causes of high levels of bank failures in states with 10 or more failures since 2008.

(2) The procyclical impact of fair value accounting standards.

(3) The causes and potential solutions for the ''vicious cycle'' of loan write downs, raising capital, and failures.

(4) An analysis of the community impact of bank failures.

(5) The feasibility and overall impact of loss share agreements.

(b) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress on the study carried out pursuant to subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. WESTMORELAND) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND).

GENERAL LEAVE

Mr. WESTMORELAND. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

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

Mr. Speaker, the bill before the House today is one that will provide much needed transparency to the FDIC process of examining and resolving banks.

First, I would like to thank Chairman BACHUS and Subcommittee Chairman CAPITO, Ranking Member FRANK and Subcommittee Ranking Member MALONEY for their support of H.R. 2056.

I'd also like to thank my lead cosponsor, the gentleman from Georgia, my friend, Representative SCOTT, for his tireless support on this issue.

As I have said many times before, there is no greater threat to our communities than bank failures, especially in my State of Georgia.

Mr. Speaker, I want to take a minute to highlight bank failures by the numbers in my State of Georgia: 319 is the total number of failures in the U.S. since 2008; 67 of those, that's the total number of Georgia bank failures since 2008; 16, this is the number of banks in Georgia that failed in 2011; 11 banks have failed in my congressional district.

Mr. Speaker, I would like to get you to look at this chart, and you can see by this chart that these communities, these 10 States, have had the largest closing number. Their unemployment rate is some of the highest, the deficiency rates. And if you look at the percentages, if you look at Arizona, 30 percent of their banks have closed; Nevada, 41 percent of their banks have closed; and in my State of Georgia, 26 percent have closed. Sadly, there are some communities in my district that no longer are even served by a community bank.

And I have often referenced these, the 10 over 10, and these are the 10 States that have had more than 10 bank failures since 2008. As you can see these unlucky States are Georgia, Florida, Illinois, California, Minnesota, Washington, Michigan, Nevada, Missouri, and Arizona. In fact, six of these 10 States have had more than 10 percent of their banks fail in the past 3 years.

These States also share other commonalities. As I mentioned, each have a higher than average unemployment rate and serious delinquency rates as well as a high number of bank failures.

□ 1900

While I hope no more States are added to this list, many States are not far off. Colorado has had nine failures, including one on Friday. Kansas and Oregon have had seven failures.

Without a doubt, the FDIC is a wealth of information about the health of banks, if you have the time and resources to go through it. However, too much information without proper context can be detrimental. H.R. 2056 is designed to cut through all the information to analyze the underlying fundamentals that continue to cause bank failures across this country.

The bill directs the FDIC Inspector General, in consultation with the Treasury and Federal Reserve IGs, to study FDIC policies and practices with regard to loss share agreements, the fair application of regulatory capital standards, appraisals, FDIC procedures for loan modifications, and the FDIC's handling of consent orders and cease and desist orders.

Further, the GAO also has a study in the bill to pursue those questions the FDIC Inspector General is unable to fully explore, such as the causes of the high number of bank failures, procyclical impact of fair value accounting, analysis of the impact of failures on the community, and the overall effectiveness of loss share agreements for resolving banks.

I have welcomed the input from the FDIC IG as well as witnesses from the FDIC, the Office of the Comptroller of the Currency, the Independent Community Bankers Association, and the witnesses at the hearing 3 weeks ago. Overwhelmingly, these witnesses supported H.R. 2056. Likewise, the Financial Services Committee passed H.R. 2056 out of committee last week by voice vote.

Mr. Speaker, it is clear that Congress needs more information about the underlying causes of these bank failures.

I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As my distinguished colleague from Georgia, Congressman WESTMORELAND, pointed out, whom I am very pleased to serve as a cosponsor with on this bill, he very aptly described the very dire situation facing our State of Georgia.

Mr. Speaker, as I stand here, Georgia, since the 2008 financial difficulties started in this country, 67 banks have failed, which makes us the leader in the Nation in this area in our State. We have some very capable business people in Georgia and in Atlanta, very sterling leaders of the financial services industry worldwide based out of Atlanta. We're grappling with the recovery.

But there is no more important sector of our economy than our banking system. It is, indeed, the heart of our economic system. It pumps out the credit. It pumps out the capital that makes our economy go around. So it is very important that we really deal with an area and with information and with an effective study so that we can grasp the full meaning of what caused this to happen, what were the characteristics in Atlanta or in Georgia that caused this disproportionate number of bank failures. And, indeed, we could learn so much so that we can prevent this type of a collapse in our bank financial system from happening again and make a very valuable contribution.

So with that, Mr. Speaker, I want to take just a moment to explain what we are doing with this important bill, H.R. 2056, that we feel will make a very valuable contribution to preventing these kinds of collapses from happening again to the detriment of our economic system.

The purpose of this bill is, one, to determine the extent to which certain FDIC practices precipitated the bank failures. We need to find out if there's something that the FDIC was doing, that regulators were doing that we need to improve upon.

Two, we need to determine whether various FDIC policies and practices for resolving failed banks are appropriate. That's very important to know. If what we're doing is not appropriate, we can fix that.

And, three, we need to determine the extent to which the FDIC employees, themselves, in the field, the investigators, the bank examiners take actions that were consistent with FDIC policies and procedures that we developed here in Washington. In other words, Mr. Speaker, we need to take the time to look at this peculiar situation of this rash of bank failures in one basic geographic area of this country to see what really went wrong and if there were some things that we were doing here in Washington that we need to correct.

And, finally, we need to determine the extent to which the FDIC policies and procedures are applied consistently across all banks. This information will be very important.

The bill requires that the FDIC Inspector General, within 1 year of enactment of this bill, will conduct a study

on the impact of the failure of banks and report the results and any associated recommendations back to Congress.

This study would address, one, the effect of the FDIC's use of loss sharing agreements on relevant stakeholders, including banks that survive and borrowers of the failed IDI. Two, the significance that paper losses, including the extent to which they trigger IDI receiverships and the impact they have on raising more capital. Three, the success of field examiners in implementing the FDIC policies and procedures on commercial real estate workouts.

One of the things we find in our State of Georgia, one of the common characteristics that sort of held these banks separate was the overleverage, we shall say, of the portfolios in real estate and the housing bubble burst on us.

Four, the application and impact of consent orders and cease and desist orders, including whether such orders are used consistently across all types of banks, and also the application and impact of FDIC policies, particularly as they relate to a bank's ability to attract private capital. And then the FDIC's handling of potential investments by private equity companies in banks.

In H.R. 2056, as introduced, we received great bipartisan support and reception at a hearing that we recently had that my colleague from Georgia (Mr. WESTMORELAND) mentioned and the FDIC and the OCC are working with us on this bill. And the OCC has suggested that the FDIC Inspector General should consult with the OCC Inspectors General with respect to studied topics that pertain to banks that the OCC, which is the Office of the Comptroller of the Currency, directly supervisors and, of course, that same logic would argue for consultation with the Fed.

So subsequently, an amendment was adopted by voice vote in the full committee in the markup, requiring that the FDIC Inspector General consult with the Inspectors General of the Treasury, within which the OIC is housed, and the Fed. This amendment was passed by voice vote with strong bipartisan support to supplement the study factors regarding the loss sharing agreements. It added new study factors regarding appraisals and capital. It required the FDIC's Inspectors General to coordinate with the Treasury and the Fed's internal Inspectors General. And four, it added a new separate GAO study on bank failures to the report due 1 year after enactment. And I might add that both the FDIC as well as the OCC are supportive of this measure.

In conclusion, Mr. Speaker, this bill is very important for us not only in Georgia but across this country where we've had this rash of bank failures. It's important for us to learn and to know about the causes of the bank failures in the States that have been hardest hit, especially the issue of application and effect of consent orders and cease and desist orders, particularly where these orders have been enforced uniformly and fairly across all banks. This has been a concern from our banking community in Georgia.

□ 1910

While I know this bill alone will not solve our current banking crisis, I am confident it will provide Congress and regulators with valuable information that may prevent failures in the future and provide us with ways that the FDIC, that the OCC and the Fed, our banking regulators and examiners, can help our banks avoid bank failures.

If we're ever going to climb out of this terrible economic malaise that we're in and spark growth in our communities, it is the banks that must be stable. It is the banks that must be well-capitalized and able to lend to consumers and small businesses. And in particular, our small and community banks are the ones that will lead the way to our economic recovery, but only if they're able to work, hand-in-hand, with our Federal regulators and examiners to remain viable.

This bill is a small step, but it is a big step in the right direction in that respect, and I encourage all of my colleagues to support it.

I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, our hope is that this will shed some light on these bank failures. We hope it will also shed light on why so many business people have come to all of us in this body to find out why they cannot get loans to promote job growth, to help expand their businesses. We need those answers.

We also need to make sure that this study will shed some light on what effects TARP and Loss-Share Agreements have had on our community banks. We also hope that it will shed light on why immediate write-downs are being demanded on our community banks when the loans are performing. People are paying their interest. They're meeting their renewal requirements, yet regulators are insisting that these loans be marked down. This has caused what I call a paper loss for a lot of these bankers that are then being made to ask to raise capital when they're under cease and desist orders.

So all of this does not work together. And, in fact, a lot of things that we have done in this previous Congress has caused the snowball to roll faster downhill.

I hope they'll look at the market to see what has happened and what is the effect of banks that have gotten TARP money and have come in and ''fire sold'' properties that have caused real property values to go down, not just for the banks, but for the people that have bought in there.

We need to find out why Loss-Share Agreements promote not modifying loans, why they promote getting rid of some of these bad loans, why they promote a bank to be able to get rid of property when the government guarantees them 95 percent of their loss. What effect has that had on our community banks that didn't get the TARP, that have not been allowed to be in any of these Loss-Share Agreements?

These are answers that we're looking for.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and pass the bill, H.R. 2056, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WESTMORELAND. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2584, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore (Mr. WESTMORELAND). Pursuant to House Resolution 363 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. 2584.

□ 1915

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. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Monday,

July 25, 2011, the bill had been read through page 3, line 2.

The Clerk will read.

The Clerk read as follows:

In addition, $32,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from $6,500 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and in addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2012 so as to result in a final appropriation estimated at not more than $918,227,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

Page 65, line 19, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 65, line 21, after the dollar amount, insert ''(increased by $10,000,000)''.

Mr. CLARKE of Michigan (during the reading). Mr. Chair, I ask that the reading be suspended.

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

There was no objection.

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

(Mr. CLARKE of Michigan asked and was given permission to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Chair, this amendment would move $10 million from the Bureau of Land Management to the Environmental Protection Agency's geographic programs under the Environmental Programs and Management account.

Here's the bottom line, what this $10 million is all about. It's helping to save jobs connected to the $7 billion Great Lakes fishing industry. This industry, and the jobs connected to it, are at stake, are at risk because of the Asian carp. So it's my intention that the Environmental Protection Agency designate this additional $10 million to the Great Lakes Restoration Initiative to stop the Asian carp from migrating into the Great Lakes.

Unfortunately, just last week, and this is the urgency of this situation, why I'm offering this amendment. Just last week, the Army Corps of Engineers found Asian carp DNA in Lake Michigan. This is deeply disturbing. We have to do everything in our power to stop the Asian carp from migrating to the Great Lakes basin because of the $7 billion industry that's at stake.

These carp, they come and they eat all the food up in the ecosystem, and that leaves very little for the native fish. And the native fish is what people fish for in the Great Lakes.

So, again, I urge this body, for the sake of preserving the Great Lakes fishing industry, to allow this amendment. And again, it's my intention that the additional $10 million would go toward the Great Lakes Restoration Initiative, which right now is underfunded by $100 million. So it'll be some measurable improvement, and to have that money focus on preserving our Great Lakes fishing jobs by stopping the Asian carp.

I yield the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in support of this amendment and strong opposition to this bill. The Interior appropriations bill that is before us today is a radical assault on public health, on clean air and clean water, and on our environment.

This bill wouldn't create a single job. Instead of creating jobs and protecting the public health, this bill gives polluters and other special interests license to do just about anything that they want. This might be the single worst bill in this House for our public health and the environment since the days of Newt Gingrich and Tom DeLay.

□ 1920

In this bill, the House Republicans are undermining the Clean Water Act, creating loopholes in the Clean Air Act, and gutting the Endangered Species Act.

But that's not all. This legislation makes it harder for our States and cities to improve their crumbling water and wastewater systems through the State clean water and drinking water revolving funds.

The legislation blocks the Environmental Protection Agency from protecting us from mercury, soot, and power plant pollution. Under this bill, the EPA will hardly be allowed to do anything about dangerous pollution that threatens our public health.

The legislation blocks the new vehicle standards that will save consumers at the gas pump and would reduce the amount of oil that we import as a Nation. If that wasn't bad enough, the bill decides to prohibit the State of California from setting its own clean vehicle standards.

The legislation also includes an ''extinction rider,'' one of the most aggressive threats to the Endangered Species Act in my career here that would freeze all of the efforts to protect imperiled species across the country.

One of the most offensive aspects of this bill, out of a very long list, is the 80 percent cut to the Land and Water Conservation Fund. For nearly 50 years, the Land and Water Conservation Fund has taken oil and gas drilling fields, a finite resource, to invest them in a continuing protection of our resources on land, not taxpayer dollars—these are taken from the oil companies that drill in the offshore—and they use that money to preserve the national parks, the wildlife habitat, trails, and working ranches and forests.

With this cut, Republicans are breaking the decades-long promise that has been a bipartisan consensus across this country, the promise that we will use these oil and gas royalties to protect important American places for future generations.

Outside of the Republican Conference in the House of Representatives, I don't know anyone in this country who wants to end our commitment to use these fees on Big Oil to protect our parks and recreation areas. These are our public lands. These are the lands that America's families use every summer, use at different seasons and different parts of the country all of the time. These are the public spaces that make us the envy of the rest of the world. These are the public systems that countries from all over the world send people to understand how did we save them, how do we protect them, how do we manage them. We set the standard for the world. As it was said earlier, one of America's best ideas. But now all of that is threatened under the cut to these funds for the Land and Water Conservation Fund.

Mr. Chairman, these are a few of my reasons; but there are many, many more why I would strongly oppose this legislation and the very bad, bad ideas that it contains. I would hope that this Congress would reject this legislation out of hand.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chairman, I appreciate what the gentleman is trying to do. This amendment would limit the BLM from spending $10 million in offsetting collections for oil and gas fees and put the funding into the EPA's geographic programs. I understand what he's trying to do, and I'm sympathetic with what he's trying to do.

I'm not necessarily opposed to increasing this program, and we recognize the challenge of the Asian carp in the Great Lakes. We have many invasive species in Idaho, so I certainly understand where the gentleman is coming from and the challenges that they face.

With that said, we worked hard to balance funding in this bill. We already funded invasive species in the Great Lakes at $43 million, and the total for Great Lakes geographic programs is $250 million. It makes little sense to

take funds from offsetting collections for the cost to administer the oil and gas programs. In other words, these programs are paid for by the industry, not by the taxpayers.

So while I don't necessarily oppose what the gentleman is trying to do, it's the offset that the gentleman has created to put the $10 million in there. We've tried to create a balance between these different programs with limited funding. I think we've done a good job in the Great Lakes, the best we could in this bill; and I would oppose the amendment and ask my Members to oppose the amendment.

Mr. CLARKE of Michigan. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Michigan.

Mr. CLARKE of Michigan. Thank you, sir. I appreciate it.

I do have a newspaper article that does state that the oil and gas industry does hold around 7,200 drilling permits that haven't been used yet, but I do take the gentleman's point into consideration, if there is a way that we could work out something, because I'm not trying to undercut the drilling program at all here.

I did notice in fiscal year 2012 that there was a surplus in terms of what we funded, which was around $45 million; in terms of the collections that were received, there was around $27 million. So there was around an $18 million overfunding there. That's why I did ask for this offset, because I felt it would be responsible and would not undercut the drilling permit program here.

Mr. SIMPSON. Reclaiming my time, I appreciate what the gentleman is trying to do. As I said, we do have some concerns with the offsets, but I am more than willing once this bill goes to conference in whatever form, depending on the outcome of this amendment, obviously, to work with the gentleman to see what we can do with the geographical programs, not just the Great Lakes programs, but there are both Republicans and Democrats that care about the geographical programs.

We've tried to do the best we could there, but there are other geographical programs that the gentleman from Washington (Mr. DICKS) is concerned about and that the gentleman from Virginia (Mr. MORAN) is also concerned about. We will work with the gentleman in conference in trying to address the concerns expressed by the gentleman.

Mr. CLARKE of Michigan. I offer this amendment for what's at stake. The Great Lakes fishing industry is a $7 billion industry, and right now metro Detroit and the State of Michigan are in very hard-hit economic times by our industrial base being eviscerated. The one saving grace in our State and in that region is the fishing industry. That's the reason why I'm asking for this right now. It's emergency action. We found Asian carp DNA in Lake Michigan last week. I've got to do everything in my power as a Representative of not only Michigan but of that entire region to stop that carp from getting into the Great Lakes system, which would destroy our fishing industry. I urge your help.

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

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

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

Mr. CLARKE of Michigan. 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 Michigan will be postponed.

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

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

Mr. MARKEY. Mr. Chairman, in the underlying bill, the majority has underfunded the Interior Department agency charged with issuing new drilling permits and ensuring that offshore drilling is safe. The underlying bill would underfund the Bureau of Ocean Energy Management, Regulation and Enforcement—BOEMRE is what it's called—by nearly $35 million. This is the agency that is charged with the responsibility of ensuring that we drill safely off the coastline of the United States.

At our very recent hearing, the director of that agency, Michael Bromwich, said that underfunding this agency, as the majority, the Republicans, have done in this bill, would slow down new offshore drilling permits and make offshore drilling less safe. That is unacceptable.

Unfortunately, the rule the majority adopted has protected the underlying provision limiting the inspection fees paid by the oil and gas industry from a point of order, and now the Republicans will not allow the House to work its will on the amendment that I have drafted with the gentleman from New Jersey (Mr. HOLT) and the gentlelady from California (Mrs. CAPPS).

Our amendment would have fully funded this safety agency by increasing the inspection fees on the oil and gas industry. The top five oil and gas companies made $35 billion in profits just in the first 3 months of this year. This week, they will likely report similar profits for the second quarter. In fact, earlier today, BP reported quarterly profits of $5.6 billion. That's just for the last 3 months.

□ 1930

Yet the industry as a whole pays just $10 million a year in inspection fees for offshore drilling, and the Republicans are putting it offshore today from any consideration by the Members of this body.

So our amendment would have, if the Republicans had allowed us, implemented a key recommendation from the independent BP spill commission. The BP commission recommended increasing the $10 million per year that the oil and gas industry currently pays in inspection fees significantly, and that is what our amendment would have done.

And for my friends on both sides of the aisle who are concerned about reducing Federal spending, the increased funding for the safety agency from our amendment would have come from the oil and gas industry and not from taxpayers, but the majority won't even allow a vote on this amendment.

The oil and gas industry supports increased funding for BOEMRE. Just last November, the president and CEO of the American Petroleum Institute, Jack Gerard, said, ''We fully support Congress providing additional resources for the Bureau of Ocean Energy Management, Regulation and Enforcement. This agency needs the additional inspectors and the increased staff and training resources to allow more efficient review and approval of oil and natural gas permit applications and processing of environmental reviews.''

But what have the Republicans done in this bill? They have underfunded this agency. The oil industry agrees that there needs to be more funding to process permits and conduct inspections. The only question is whether a portion of that funding is going to come from a small increase in inspection fees, as the independent BP commission has recommended, or whether American taxpayers will have to pick up the entire tab. We are saying that they should pay the fee, the American Petroleum Institute should pay the fee. The oil industry should have to pick up the tab. And right now we do not have an ability to debate that on the House floor.

When people go to get their cars inspected to ensure they are safe and not a threat to the environment, they pay a small fee. But the oil and gas industry, which is recording the largest profits in the history of the world, doesn't have to pay a fee to get some of their rigs inspected to ensure that we don't have another Deepwater Horizon disaster.

The American people want these rigs inspected to make sure they are safe, not allow oil companies to be safe from paying more inspection fees. But when we are trying to cut the deficit, the Republican majority is giving another gift to the oil industry, straining our oil safety agency. More than 1 year after the BP spill, it is still business as usual.

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

Mrs. CAPPS. I move to strike the last word.

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

Mrs. CAPPS. Mr. Chairman, the legislation we are considering today undermines the ability of the Federal

Government to continue protecting our Nation's air, land, and waters.

I intended to offer an amendment, along with my colleague from Massachusetts (Mr. MARKEY) and my colleague from New Jersey (Mr. HOLT), to fully fund the Bureau of Ocean Energy Management, Regulation and Enforcement, fully fund the national agency in charge of regulating offshore oil and gas drilling. Unfortunately, due to changes by the Republican leadership to the House budget process, we weren't allowed to offer this amendment.

Mr. Chairman, it's been over a year since the Nation's worst offshore oil spill. And I think our constituents would be surprised to learn that rather than taking action to prevent another deadly spill, this House continues to talk about expanding offshore drilling while sidestepping environmental laws to do so. They would also be surprised to learn that the underlying bill blocks the bureau's ability to collect inspection fees, and, as a result, the agency would see a $35 million cut in their budget.

Mr. Chairman, in his fiscal year 2012 budget request, President Obama asked for a significant increase for the bureau over his 2010 budget. He asked for this new money to hire additional inspectors, to enhance environmental reviews, and to enforce strengthened regulations. If we recall a year ago and the events following the spill, we will understand why this is the case.

While this request was a significant increase over prior years, the administration proposed to offset nearly half of the request by increasing the inspection fees on offshore rigs. This was a key recommendation of the President's bipartisan, independent national oil spill commission.

In their final report, the commissioners recommended the industry fees should be increased to, and I quote from their report, ''provide adequate leasing capabilities and regulatory oversight for the increasingly complex energy-related activities being undertaken on the OCS.''

Our straightforward amendment adopts this key recommendation to provide the funding needed for government regulators to do their jobs, and it will ensure a safer and more environmentally responsible industry.

Mr. Chairman, knowing what we know now, if we continue to allow offshore drilling in U.S. waters, the government has a responsibility to ensure that they are protecting us against a repeat of last year's disaster. And if oil and gas corporations want the opportunity to drill, it's only fair for them to help cover the cost of ensuring it's done properly, that their workers are protected, and the surrounding ocean is safe. But, ultimately, Congress holds the purse strings, and we must require these corporations to step up so the bureau can ensure that the people, communities, economies, and environment in the gulf, Alaska, and off the southern California coast are sufficiently protected against a spill.

Whether or not we have an agency capable of properly regulating the oil and gas industry is dependent upon our decisions. Without these fees, taxpayers, rather than the industry, would have to shoulder the costs of these operations.

If we want to ensure safe and responsible energy development, we must put the lessons learned from the BP oil disaster to use.

I urge my colleagues to vote down this bill which blocks the bureau's ability to collect inspection fees. It's what is needed so we do not have to endure a repeat of the horrific disaster that is still inflicting pain and damage to the Gulf of Mexico and to those who make their living from it.

What a terrible legacy of this Congress that we have done so little following the gulf oil disaster. What a legacy should, God forbid, a future disaster take place and we would have remembered that on our watch we could have done something about it.

I yield back the balance of my time.

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

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

Mr. HOLT. As you heard, this appropriations bill provides several hundred million dollars to the Bureau of Ocean Energy Management, Regulation and Enforcement. Sounds like a lot of money, but it is far less than what is needed for the protection of the environment and of workers for offshore oil and other activities.

The Director of the bureau recently testified that these funds that are missing are needed and that their lack will have a direct and immediate impact on the ability of the agency to hire inspection and permitting personnel.

It's interesting that so eager is the majority to look after the interests of the oil industry that they ruled out of order our amendment which provides one way to make up for these lost funds, this amendment that I would have offered with Mr. MARKEY of Massachusetts and Mrs. CAPPS of California had the amendment been in order. So eager are they to look after the interests of the oil industry that they actually work against the oil industry.

□ 1940

So eager are they to look after the interests of the oil industry, that they actually work against the oil industry. The irony is pretty rich here. At a time when the majority is aggressively pushing their oil, oil, oil, drill, drill, drill agenda, they are slashing the very funds that are needed by the bureau to conduct the lease sales and issue the permits and inspect the offshore drilling facilities so the industry can move ahead safely and efficiently.

You know, at a time when we are about, according to the majority here, about to require seniors and the poor to pay more for their health care, and the majority is considering drastic cuts to the social safety net and considering trading away critical parts of Medicare and Medicaid, the majority is prepared to hand out yet another subsidy to the oil industry. They refuse to make in order the legislation that would take 0.02 percent, that is two-tenths of 1 percent, of the annual profits of the top five oil companies to replace the missing $35 million in inspection fees. That amount would fully fund the bureau and would ensure that the agency could effectively and efficiently issue the permits and conduct the safety inspections.

This is an industry that is making tens of billions of dollars each quarter. As we have heard, BP just today announced more than $5 billion in profit. That is a little bit below expectations, we read, $5 billion in the last 3 months.

So as a result, because this amendment is not being made in order, this bill, should it become law, would leave the agency that is responsible for the management, regulation, and enforcement of offshore drilling underfunded, understaffed, and it would leave the public and the workers at risk.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $3,576,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579(43 U.S.C. 1715, 1716, and 1748(d), respectively), including administrative expenses and acquisition of lands or waters, or interests therein, $4,880,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

AMENDMENT OFFERED BY MR. BASS OF NEW HAMPSHIRE

Mr. BASS of New Hampshire. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 6, insert after the dollar amount the following: ''(increased by $1,000,000)''.

Page 10, line 1, insert after the dollar amount the following: ''(increased by $4,000,000)''.

Page 15, line 19, insert after the dollar amount the following: ''(increased by $4,000,000)''.

Page 32, line 12, insert after the dollar amount the following: ''(reduced by $20,000,000)''.

Page 76, line 2, insert after the dollar amount the following: ''(increased by $7,000,000)''.

Page 78, line 1, insert after the dollar amount the following: ''(increased by $4,000,000)''.

Mr. BASS of New Hampshire (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

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

Mr. BASS of New Hampshire. I thank the Chairman for recognizing me and making it possible for me to offer this amendment at this point in the bill.

This amendment will restore $20 million to the Land and Water Conservation Fund. It is offset by a $20 million reduction from the Department of the Interior salaries and expenses. Now, the Department of the Interior salaries and expenses at present are about $250 million, so this would represent roughly a 10 percent reduction in the overhead for the agency. But what do you get for that? You get about an 8 percent increase in the Land and Water Conservation Fund funding.

Now, the Land and Water Conservation Fund, as has been mentioned by other speakers, was established 46 years ago in 1965. It was designed as a forward-looking program to preserve critical assets in America for all of us to enjoy.

When you travel around the world, you don't find countries like America that have large parts of our country preserved for public use. Most of the land in other countries around the world is owned privately or by the government and it is not accessible to the public. The LWCF, through its state-side program, its Forest Legacy Fund, has provided countless acres of protected land for public enjoyment.

Now, the fund has, for the last 25 or so years, received most of its funding from offshore oil royalties, and those royalties have averaged anywhere from $7 billion to $18 billion a year. And I have a little table here for the last few years that shows the total royalties and how little amount of money that the Land and Water Conservation Fund takes from these receipts. It is authorized at $900 million. It has been funded of late between $300 million and $500 million. But, my friends, this year it is funded at less than $70 million.

We Republicans have set as a goal in our principles to reduce the growth of government and to reduce programs to their January 1, 2008, level. What have we done in this appropriations bill? We have reduced this fund to its 1965 level.

I have here another little table that shows the historical funding for the Land and Water Conservation program. There is 1965. We will be lower than that if we don't pass this amendment.

I ask you, my friends, for the sake of the 900,000 Americans who visit these lands during the year, of the millions of dollars spent through the outdoor recreation industry, for those opportunities that we may never see again to make critical purchases and easement purchases of assets that are so important to the future of our country, to raise this appropriation from $68 million to $90 million is a small price to pay for what could be done with those funds.

We need to continue the program of land conservation, local recreation, and, yes, working forests. And a $68 million appropriation just plain doesn't do it.

So on behalf of my cosponsors, I urge you, Mr. Chairman, to support this amendment and make it a part of the underlying bill.

I yield back the balance of my time.

Mr. MURPHY of Connecticut. I move to strike the last word.

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

Mr. MURPHY of Connecticut. Mr. Chairman, I join my friend from New Hampshire as one of the cosponsors of this amendment, and I urge House passage.

Let me say at the outset that this is a terrible bill. This is the first time I have come to the House floor to speak on it. It goes without saying that the devastation that this underlying legislation would do to our, frankly, century-long history of environmental protection is almost indescribable. The League of Conservation Voters said simply this: that this bill is the biggest assault on the air we breathe, the water we drink, and the wildlife and wild places we hold dear to ever come before Congress.

It rolls back new vehicle emission standards. It guts the Clean Water Act. It defunds the Endangered Species Act. And in the middle of it all, it adds an 80 percent cut to the Land and Water Conservation Fund. As my friend, Representative BASS, rightly pointed out, it essentially reverses 50 years of investment in land conservation by returning this account back to the 1965 level.

It was a great Republican President, Teddy Roosevelt, who first had the wisdom to understand how integral the open spaces of this country are to what it means to be an American. There is something unique about this country. The views and the vistas are just one part of it. Our identity is wrapped up in the places that we have conserved, the places that we have conserved through the very rightful acts of investment by our Federal Government over the last 50 years, indeed, over the last 100 years. And it has been Republican and Democratic Presidents, Republican and Democratic Congresses that since that moment of awakening in this Nation have realized this is the right kind of investment for this Nation. It is the right kind of investment because not only does it preserve the character of our Nation, but it does so by leveraging private investment and State investment.

As Representative BASS noted, one of the most important pieces of LWCF is the Forest Legacy Program. That program has conserved 2 million acres around the country. In my State of Connecticut, it has helped conserve 8,000 acres, and it does it by partnering with State resources, with local resources, and with private resources; in my State, often through the generosity of land trusts. This is an incredibly wise investment, as it has been over the years.

And worst of all, this isn't even getting at the larger question of deficit reduction because this account has never been funded through deficits or borrowing. It has been funded through the money that comes from our offshore oil leases.

There are so many horrible cuts in this bill. There are so many reasons for those of us who believe in the concept of environmental protection made real by bipartisan support over the course of the last century to oppose this bill. But this, in my mind, is the worst of it. This is a sad day where we stand today. This is a small, small increase beyond what the Republicans have proposed to cut, but I think it is meaningful in the sense that it is an opportunity for this Congress to come together and say what dozens upon dozens of Congresses have said since 1965, that it is an American investment to spend Federal money toward the project of land conservation.

I yield back the balance of my time.

□ 1950

Mr. MORAN. Mr. Chairman, I claim time in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, I am a strong supporter of the Land and Water Conservation Fund. It's one of the great environmental success stories of the past 50 years. The $65.8 million that the bill contains for the Land and Water Conservation Fund is in fact, as has been stated, the lowest since the program was started back in 1965. This is a 78 percent cut from the current level of funding. But I have to oppose the Bass-Murphy amendment because it not only is too small but the offset used would in fact harm other important programs.

The $20 million for the Land and Water Conservation Fund that the Bass-Murphy amendment would restore is less than 10 percent of the $235 million cut from this year's level. But to fund this plus-up, the Bass amendment actually makes it worse by taking $20 million from the Office of the Secretary's account. Because what appears to be an increase in funding in the Secretary's office is actually the transfer of the revenue collection function from the Bureau of Ocean Energy Management, Regulation, and Enforcement. The Office of the Secretary took that in so that the Interior Department can do a better job in collecting the royalties and payments that are due the American people from Outer Continental Shelf drilling. But if you take this $20 million away, it jeopardizes those collections.

The problem is that the Land and Water Conservation Fund is in fact funded with Outer Continental Shelf royalties. But if you take away the ability to collect those royalties, not

only are you taking the $20 million from the ability of the Secretary of the Interior to manage the office, but you could very well be costing the government much more than $20 million because they won't have the ability to collect those royalties that in fact pay for the Land and Water Conservation Fund.

Now, we couldn't agree more that it never should have been cut by 78 percent. It should be restored. We have said that in our statement. We support amendments to restore it, but certainly not to take it from the ability of the Secretary of the Interior to collect the very revenues that the government needs and that the American people are owed.

So that's why, regrettably, I have to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. REICHERT. Mr. Chair, the Land and Water Conservation Fund has helped ensure the permanent protection and maintenance of critical lands in our national forests, parks, wildlife refuges, and historic sites. Equally important, it has provided matching funds to support countless state parks and recreation projects in thousands of communities in every state in the nation.

The Land and Water Conservation Fund not only helps provide outdoor recreation access so that parents can teach their children about active, healthy lifestyles, it also provides an economic boost. In Washington state alone, the 2.7 million people who enjoy hunting, fishing, and wildlife watching contribute $3 billion to the local economy.

I've joined bipartisan efforts to protect this important fund because, in the Pacific Northwest, we take special pride in our natural resources. I'm proud to, again, follow in the footsteps of so many who have worked together to protect the outdoors and our environment. I urge my colleagues to support the Bass amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 6, after the dollar amount, insert ''(decreased by $4,880,000)''.

Page 10, line 1, after the dollar amount, insert ''(decreased by $15,047,000)''.

Page 15, line 19, after the dollar amount, insert ''(decreased by $18,294,000)''.

Page 78, line 1, after the dollar amount, insert ''(decreased by $12,500,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $50,721,000)''.

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

Mr. LAMBORN. Mr. Chairman, I am offering this amendment on behalf of and in cooperation with Representative PAUL BROUN of Georgia, who could not be here tonight. What this amendment does is it would zero out all of the land acquisition programs within the Interior, Environment, and Related Agencies appropriations bill, thus placing more than $50 million in the Spending Reduction Account in order to reduce our national debt.

The Federal Government already owns more than 650 million acres of land, or about 30 percent of the total land area of the United States. We can't even take good care of the lands that the Federal Government already owns. An example of this is that the Park Service has a current backlog of several billions of dollars of repairs and maintenance in our beautiful national parks. At a time when we are facing an unprecedented fiscal crisis, the Federal Government needs to focus its energy on taking better care of the land it already has rather than purchasing additional acres. Our Federal agencies have enough on their plate, and if we zero out these land acquisition programs, we can save a significant amount of money.

Mr. Chair, we cannot spend our way out of the debt dilemma. I urge my colleagues to support this amendment and to send more than $50 million toward paying down our national debt.

I yield back the balance of my time.

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

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

Mr. MORAN. Mr. Chairman, I wish that our friends who just spoke on an amendment to add $20 million were still around, because their points are well taken. We've already cut 78 percent from this program.

The gentleman from Colorado wants to eliminate it entirely. The Land and Water Conservation Fund is one of the premier environmental programs in this country. Most Americans have no idea how important it has been to their quality of life and to the ecology of this great country. But by wiping out these funds entirely, the amendment would force land management agencies to cease all work on congressionally approved projects that are now under way using previous year appropriations.

This mean-spirited amendment will hurt willing sellers—landowners who are willing to sell—because it's going to prevent agencies from finishing the commitments that are already in place. Among the willing sellers who would be unfairly thrown to the curb are owners who are partway through contracted sales and are counting on Land and Water Conservation funds to complete those sales, those contracts that they have already been working on. Many landowners, who range from elderly widowers and family trusts to ranchers and forest owners, have pressing financial needs that now depend on the completion of what are ongoing Land and Water Conservation projects. The amendment would also frustrate land exchanges that are currently in process. So it's not just the sale of land, it's exchanges of land that this amendment would prohibit. Many of them have been years in the making. And so it's very important for local and private economic development and for public land management.

Under this amendment, staff would not even be in place to accept and process donations of important natural historic and other properties. Donations to the public, you wouldn't even have staff to accept those donations. Without staff, right-of-way work to provide or maintain access to key public needs also would be impossible. The public, the American taxpayer, would be unable to secure critically needed routes for fuels and wildfire management or for watershed management or for access for sportsmen and other recreational use. I can't imagine that the sportsmen in this country could ever want to have this kind of prohibition in place that might prevent them from even getting access to important recreational areas for fishing and hunting and so on.

The amendment would exacerbate an already draconian cut—78 percent cut—to the Land and Water Conservation Fund, a program that is already paid for using a very small percentage of oil drilling receipts. I would hope that my colleagues and anybody that might be listening to this debate would understand that Land and Water Conservation Fund moneys are not taxpayer dollars. They come from the receipts from oil and gas drilling—drilling that is on publicly owned land.

□ 2000

Those royalties come into the government, and that's what we use to fund the Land and Water Conservation Fund, but this would eliminate that program. This amendment represents a complete elimination of a bipartisan program that has existed for 45 years. This proposal prevents revenues deposited in the Land and Water Conservation account from being used for their authorized purposes. These funds were a promise made to the American people in 1964. This Congress should not be breaking that longstanding commitment. I, obviously, oppose the amendment.

I yield back the balance of my time.

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

The Acting CHAIR (Mr. HURT). The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. First, let me apologize to the gentleman from Virginia for the last amendment.

We both had some concerns, that he expressed very well, about taking $20 million out of the Secretary's office and the impact that that could have. As we discussed during his debate, I think both of us are concerned about the underfunding of the Land and Water Conservation Fund and would like to see that fund increased. During his debate in opposition to the amendment, we decided to accept the $20 million in the amendment from the gentleman from New Hampshire and the

gentleman from Connecticut's amendment.

So I apologize for the confusion in the middle of all that. The gentleman's issues that he raised about the Secretary's budget and the impact that could have are real. We will have to address those in conference, and I want to work with you to do that.

Let me rise in opposition to this amendment. I have concerns that this is eliminating all of the funds, especially since we just increased them by $20 million. When we had this limited allocation, we had to make some tough decisions. The Secretary wanted it fully funded at $900 million as did the Obama administration. We simply did not have that kind of money, and to put more money into it, given our allocation, we would have had to take the money out of some other programs that are very important to other people. What we did do is put enough money in it to keep the programs and the purchases and the deals that had been made with citizens to acquire land that were already in progress so that those could be completed. We didn't put additional money in there.

I happen to be a fan of the Land and Water Conservation Fund. I think it has done some great things. I've seen it do things in Idaho and I've seen it do things in other States, things that are very important. Westerners, though, have a different view of the Land and Water Conservation Fund, and let me tell you where it comes from.

It's that most of the money that's put into the Land and Water Conservation Fund, at least a large percentage of it, is used to buy land in States in the West. Those are States that are already highly leveraged by the Federal Government. In Idaho, 64 percent of the land is owned by the Federal Government. So a lot of westerners say, Listen, if you want to put money in the Land and Water Conservation Fund, if you want to buy the whole east coast, we don't care; but what we want in Idaho and what we want in Western States is some private land to be able to pay the taxes to support our education system and other services that are necessary.

I have one county in Idaho that is 96 percent Federal land—96 percent Federal land. It's bigger than the State of Rhode Island. That means 4 percent of the property is paying property taxes to deliver the services to these people. Several years ago, a mountain climber, not from Idaho but from somewhere else, came out and was climbing the mountains of Mount Borah. He died. It took their entire search and rescue budget for the year for that county to retrieve that one body off Mount Borah. That means everybody else who recreated in that county did not have that backup, did not have that search and rescue available, because they had no funds, because they had no private land to pay the taxes to fund those services.

That's the problem that westerners who are in States that are highly owned by the Federal Government have with the Land and Water Conservation Fund, but I'll be the first to admit that it does some wonderful things. If you float down the South Fork of the Snake River, you will see one of the most beautiful canyons and one of the best fishing rivers in the country; and if the gentleman from Washington wants to come out, I'll float him down it. It is an incredibly beautiful place, and it has been done through the Land and Water Conservation Fund.

So I believe in the importance of this program. I apologize to the gentleman from Virginia as to our previous confusion on that; but I oppose this amendment, and I would encourage Members to oppose it.

I yield back the balance of my time.

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

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

Mr. GARAMENDI. I was just listening to the debate here, saying: What are they thinking? What is the rationale? What is the purpose for the legislation that we have before us, more pointedly, the amendment that was just offered?

This is an incredible country. This is a country that very recently took great pride in cleaning its rivers, in protecting its citizens from toxins and pollutants and chemicals and poisons. This is a country that took great pride in creating the first-ever in this world national park and then expanded it over time to create the most awesome National Park System in the entire world. This is a country that took great pride in the Snake River and the use of the Land and Water Conservation Fund.

An argument was made a moment ago that there is not enough money. Yet not more than a month ago, an effort to increase the royalties from our oil that is pumped from our land, the land of the people and of the United States—and in fact even to get a royalty—was rejected by our Republican colleagues. So money was available if we simply had gone for the royalties that should be there under any case. This legislation, however, goes far beyond that, and over time will destroy the pride that we have taken in creating our national parks, in setting aside for future generations the great vistas of America, protecting our air, our land and our water.

You look at this bill. You look at the details of this bill, and you go, Oh, my. How could they? How could they put in legislation that would block the effort of the EPA to eliminate mercury poison in our air and water? How could they allow a bill that would create more soot in our atmosphere, put 34,000 lives at risk, and exempt the oil companies from air pollution standards in offshore drilling, which in California is a big deal because the air blows, the wind blows onto the land? How could they threaten the health of millions of Americans by jeopardizing the EPA's critical air, land and water regulations? Then our children. They block the EPA from limiting dangerous air pollution. How could they put together a bill that potentially could contaminate 117 million Americans' water?

How could you do that? Have you no pride in this country? Do you not care about the basic things that we have done to create a country that cares about clean water? You talk about jobs. Yet, in this bill, you eliminate the funding for the Clean Water Act, which is really building sanitation facilities in our community.

I remember in the 1960s the great pride that the 500 people in my community of Mokelumne Hill took when they got that money from the Federal Government and actually built the first sanitation system in that small town. How could you deny Americans the opportunity for that—and the drinking water and the jobs that go with it?

That's what this bill does. Take pride in what you're doing, gentlemen, because at the end of the day, the American public will not take pride in what you're doing to this piece of legislation.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. TIPTON

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent to waive the reading.

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

There was no objection.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, after the dollar amount, insert ''(increased by $2,500,000)''.

Page 65, line 19, after the dollar amount, insert ''(decreased by $5,000,000)''.

Page 78, line 1, after the dollar amount, insert ''(increased by $2,500,000)''.

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

Mr. TIPTON. My amendment is going to apply funds directed towards much needed conservation programs which are used to be able to provide access for the American people to our public lands and to help support jobs in the recreational and sportsmen industry.

Our public lands are a treasured resource for all Americans to be able to use and enjoy responsibly. I support a balanced approach to public lands use, respecting the environment that we all deeply value while making the best use of our natural resources on public lands. Recreation, preservation, access,

and job creation are all important aspects of the multiple-use management for which these lands are truly intended.

This funding would be used for projects that clearly and specifically improve access for hunting, fishing and other forms of outdoor recreation on these Federal public lands. Of the directed funds, $5 million would be redirected to make public lands public and provide much needed support for recreational access.

I yield back the balance of my time.

□ 2010

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $112,043,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that subsection, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and the performance of other authorized functions related to such resources, $1,099,055,000, to remain available until September 30, 2013 except as otherwise provided herein: *Provided*, That none of the funds shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii) of such section): *Provided further*, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary of the Interior be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate: *Provided further*, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

AMENDMENT OFFERED BY MR. DICKS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Under the heading ''UNITED STATES FISH AND WILDLIFE SERVICE-RESOURCE MANAGEMENT'', strike the first proviso (Page 8, line 19, to page 9, line 1), relating to implementation of subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act.

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

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

Mr. DICKS. I rise to offer an amendment that would strip a dangerous rider from this bill, a rider that would seriously compromise the effectiveness of the Endangered Species Act. This is a bipartisan amendment, I might add.

I'm offering it with the support of Congressman THOMPSON and Congressman FITZPATRICK and Congresswoman HANABUSA.

The fiscal year 2012 Interior and Environment bill passed by the full committee a few weeks ago contains a direct attack on the ESA. I offered an amendment at that time to strike the provision, but the full committee rejected it.

The provision would block the Fish and Wildlife Service from listing candidate species as either threatened or endangered as well as the designation of the critical habitat necessary for species recovery. These listing activities are preliminary steps that the Fish and Wildlife Service must take in order to begin the recovery process. After those steps are taken, then the hard work begins. Without these important preliminary steps of listing and critical habitat designation, it would be impossible to develop a scientifically valid and legally defensible recovery plan for declining species.

This funding limitation aimed at the heart of the ESA is simply postponing the day of reckoning. It is important to note that the bill does provide funding for the Fish and Wildlife Service to downgrade the protections offered to species under the ESA. After all, the goal of the ESA is to eventually delist recovered species. Delisting is the reward after all the hard work recovering these species. But we can't get to the

point of delisting species without listing them first.

My amendment would remove these restrictions on listing and up-listing and the designation of critical habitat.

Many critics of the ESA argue the law simply does not work. I would argue that the recovery leading to the delisting of the bald eagle and the American alligator under the ESA is a strong success. In the last few months, the gray wolf in the northern Rockies has been delisted in two States and the Fish and Wildlife Service recently announced the intention to delist the gray wolf in the western Great Lakes.

Other animals that are still listed under the ESA but have made tremendous recoveries include the whooping crane, the black footed ferret, and the California condor. In the Pacific Northwest, I'm glad to report that we are seeing signs of healthy recovery for the ESA-listed salmon, although it will be awhile before delisting could occur.

Clearly these examples show us the success of the ESA, a law, by the way, that the American people overwhelmingly support.

As for species listed under the ESA, they still are struggling. It is naive to think that a quick turnaround is easy when it took decades, if not centuries, for a species to decline. Also, it takes more time to recover long-lived species.

Here is a situation that the Fish and Wildlife Service faces in the administration of the ESA.

Currently, there are about 260 species that have been identified as potential candidates for ESA protection. Of that total, there are just under 30 species that are poised for listing in the near future. The spending provisions in this bill would block further activity to protect these declining species. And remember, if you delay listing too long, a species will go extinct, thus making a recovery impossible. And that is why some people call this the ''extinction rider.''

The Endangered Species Act is one of the most effective environmental laws ever written. Recovering species is hard, often long, work; but it is a responsibility that cannot be dismissed like this Interior appropriation bill attempts to do.

I know that many of my colleagues would like to drastically reform the ESA, but it would be a sounder path to do such a reform through the authorization process rather than accomplishing the goal with a few lines in the appropriation bill. And I see that the distinguished chairman of the Natural Resources Committee is here, and he has pledged to get to work on this important endeavor.

In closing, I will point out that this amendment is supported by former directors of the Fish and Wildlife Service who served under Presidents Nixon, Ford, Carter, the first President Bush, and Bill Clinton. It is also supported by several hook-and-bullet groups including the Izaak Walton League and Trout Unlimited.

I urge support for this amendment.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word in opposition.

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

Mr. SIMPSON. I rise in opposition to the amendment by my good friend from Washington (Mr. DICKS).

I respect where my friend is trying to go; but not only does this amendment not get us there, it's downright dangerous. Let me explain why.

Since the Clinton administration and response to lawsuits and court orders that were crippling the agency's budget, there has been a statutory cap on how much the agency is permitted to spend on ESA listings. There's been a statutory cap in place since the Clinton administration. A cap on critical habitat spending was added in 2002.

The Obama administration requested new caps for petitions and foreign species listed in 2012.

In short, support for ESA funding caps has had bipartisan support in Congress and in the White House and was in place when the gentleman from Washington wrote the Interior bill and when the gentleman from Virginia wrote the Interior bill. Those spending caps were in place.

This amendment proposes to do away with funding caps altogether and gives the green light to those who have made a living suing the Fish and Wildlife Service. As a result, the litigants will act, the courts will all act, and the Fish and Wildlife Service's entire operating budget will be at risk of being raided in order to fund court-ordered mandates to list species and designate critical habitat.

□ 2020

This service will have no choice but to raid other funds from its resource management account, which is already decreased by $146 million, or 12 percent, in this budget. Having said that, the heart of the issue isn't about funding. It's about the fact that the Endangered Species Act is broken and is badly in need of review, revision, and reauthorization by the Natural Resources Committee. As I have said before, there's been about 2,000 species listed and 21 recovered.

Unfortunately, the Endangered Species Act has become not so much about saving species as it has been about controlling land and water. I'll give you an example. We all talk about the fuzzy and warm animals that we all like and all want to save. Nobody talks about the slickspot peppergrass, endangered. Nobody really cares about the slickspot peppergrass, except that it's listed. And you know what it does? It prevents cattle grazing on public lands and is used to prevent cattle grazing on public lands and move cattle producers off of public lands. That's the only reason that the slickspot peppergrass is really listed. That's unfortunate.

When you start using what was an act that was bipartisan and almost had unanimous agreement in the House and Senate, was a good Act—the intent of the Endangered Species Act is right, and we need to do it. We need to protect species that are endangered. Unfortunately, that's not what it's being used for today, and you can't get the stakeholders to the table to do a reauthorization bill because there are groups that like it the way it is. They want to control land and water by using the Endangered Species Act. How do we get the message out to them that we need to do a reauthorization? The only way I can think of is to say, You know what? This has been unauthorized for 20 years.

Now, you talk about policy riders in this bill that you don't like. This is a policy rider that you're attempting to add. It's an unauthorized program. Just because we have continued to fund it for 20 years, that's not the answer; that's the problem. And we need stakeholders to come to the table, sit down with the Natural Resources Committee and write a reauthorization. That's what this is all about. It is a shot across the bow.

I believe there are 56 or 58 programs in this bill that the authorization has expired. Somehow we need to send a message that we have a process around here. It's authorization, then appropriation. Not authorization, expired appropriation, and appropriation and appropriation and appropriation. It's the only way those things keep going on. We are trying to send a message.

You will find that I am supportive of reauthorization of the Endangered Species Act, and I am supportive of the Endangered Species Act as it was originally intended. But I would urge my colleagues to vote against this dangerous amendment which would undermine the Fish and Wildlife Service's budget because it would lift the caps that have been in place since the Clinton administration, and Fish and Wildlife Service would have no other alternative but to raid their accounts in order to fund court orders, suits, and other things that would come along.

I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

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

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

Mr. MORAN. I was going to wait until other speakers spoke, but I felt it appropriate to engage in a discussion here with the chairman and to remind him that this bill includes funding for a multitude of expired authorizations.

The Bureau of Land Management isn't authorized. But you are funding the Bureau of Land Management because you like the Bureau of Land Management. The grazing program isn't authorized. Oil and gas isn't authorized.

Mr. SIMPSON. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Idaho.

Mr. SIMPSON. The gentleman brings up the point I tried to make. This is a shot across the bow. All of these programs need to be reauthorized. We had to start somewhere.

Mr. DICKS. Can you start with another bow?

Mr. MORAN. Well, that's it.

Reclaiming my time, the shot across the bow goes right into the heart of the Endangered Species Act. So you are picking winners and losers. You could have picked any number of programs, but you like those. In fact, some of them you've increased—funding for grazing subsidies, funding for oil and gas subsidies. But the Endangered Species Act, the poor species who are in danger of extinction who can't speak up for themselves, they get targeted. They're the ones you are going to make an example of.

You know, not allowing listings of the designation of even the critical habitat that will protect endangered species doesn't change the fact that so many plant and animal species are at risk of extinction. There are 260 species that are in danger of extinction, but we're not going to protect them.

The lack of critical habitat designations not only hurts those species at risk, but it leaves in limbo landowners and businesses that need decisions made in order to make plans. We hear so much about uncertainty and how bad uncertainty is. This creates uncertainty.

The twist of irony: The bill allows funding to be used to delist species or reclassify them from endangered to threatened, to delist them or down-list them, but no funds can be used for listings or to reclassify them from threatened to endangered. Even if they become endangered, we can't classify them as endangered. We can only down-list them. It's a one-way street, a one-way street to less protection.

I too would like to see the Endangered Species Act authorized. Maybe we'll hear from the chairman of the authorizing committee why it's not being reauthorized. But this is not the way to deauthorize it. The fact is that this is legislating on an appropriations bill, basically. I thought we were not supposed to be doing that. But we make these poor endangered species that are at risk of extinction bear the cost of Congress' failure to reauthorize the Endangered Species Act.

Of course I support the Dicks amendment. Not only do we have 260 species at risk of extinction, but we don't even know the entire scope of the species whose very existence is at risk, and we don't know either the role they play in the ecology of our planet. There are so many species that we're only now learning—for example, there are many that catch insects or mosquitoes or whatever—that maintain the population of other species.

I do believe that every species has some role to play in the sustainability and the ecology of this planet. We don't know necessarily what that role is, but I do think we have some idea that they're there for a purpose. And while they're there for a purpose, it seems to me we have a purpose, a responsibility for enabling that species to be sustained on this fragile planet. And to say that we can't outperform our responsibility, we can't act responsibly toward these species, is irresponsible. It really is an embarrassment to this Congress.

So I very strongly support the Dicks amendment. I would hope that we would give species a break. Get this language out of this bill.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I move to strike the last word.

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

Mr. HASTINGS of Washington. Mr. Chairman, let me make one point: This debate is not about the Endangered Species Act; it is not about the Endangered Species Act.

I have to rise in opposition to the amendment offered by my good friend from Washington State. I think that Chairman SIMPSON has brought to the House floor a bill that prioritizes funding to ensure that the core responsibilities and environmental protections are met in a broader sense.

When it comes to the Endangered Species Act, this bill focuses on funding the actual recovery of species. It does this by, one, continuing funds for recovery activities and doing that despite the fact that this bill, the ESA, has not been reauthorized for 23 years—not 20 years; 23 years—and, two, by limiting funds for lawsuit-driven new listings and habitat designations.

This bill sends a clear message, as the gentleman from Idaho said, that the Endangered Species Act needs to be updated and improved. It needs to be reauthorized. As I mentioned, it's been 23 years since this bill was reauthorized by Congress. A person can be born and graduate from college in the amount of time that has passed since Congress last acted to make serious responsible improvements to this law.

□ 2030

Now, the gentleman from Washington acknowledged me on the floor earlier, and I will tell him, as the chairman of the Natural Resources Committee, which has jurisdiction on the Endangered Species Act, I can inform the House that this committee will be conducting robust oversight of the need to update this law in the coming months. The current law is failing to truly recover species while it frequently hamstrings jobs and economic prosperity, like the gentleman from Idaho mentioned. And we will also examine legislative priorities.

In my view—and this is important about this debate—in my view, the real obstacle to improving ESA is the fact that a number of groups are heavily invested in litigation mindset, a litigation mindset that prefers lawsuits against the government over improving the act and improving the recovery of species. These groups have filed lawsuits by the one hundreds against Fish and Wildlife and the National Marine Fisheries.

This bill, under Chairman SIMPSON's leadership, effectively halts these lawsuits. By limiting any spending on new listings or habit designations, this bill will allow the biologists to get back to work recovering species, rather than responding to court cases. Both funding and personnel will be able to focus on the real work of bringing species back from the brink.

By striking this provision, the Dicks amendment would reopen the litigation process. The same activist groups, Mr. Chairman, that filed these lawsuits endorse this amendment. As we speak, they are waging an expensive paid advertising campaign on behalf of this amendment. Because they profit from these lawsuits, to me, it appears they are more concerned about the ability to go to court, get a settlement and get paid than they are about recovering species.

So I urge my colleagues to oppose the amendment. This bill strikes the right balance by directing funding to actual recovery of species. And it strikes the right balance by bringing a halt to litigation over new listings and habitat designations.

This bill will create an opportunity where Congress can do its job to update and modernize the ESA. It's time that we take a thoughtful analysis of the inadequacies of this current law, inadequacies that allow the ESA to be abused through lawsuits, rather than serving as a true conduit for species recovery.

Let me go on to say that, as the chairman, I think, said very well in his remarks, there is no incentive for the stakeholders to come and try to work out the differences or update this law if Congress keeps kicking the can ahead. That's what the issue is all about.

I can't imagine, for example, that people really believe that this bill should be in place, yet, when there is a major construction project here in the Washington, DC, area, like the Woodrow Wilson bridge, they waive the act. Does that make sense? Of course it doesn't make sense.

And we don't get an opportunity, those of us that are impacted by this act, get a chance to waive it. So it just seems to me that there has to be an update of this. The act has not been updated for 23 years. It's time to do it. And as the chairman of the committee that has jurisdiction on that, I'm glad to work with the chairman of the Appropriations Committee on this. In fact, I'll work with anybody on this because I too believe that the species are very important, as the gentleman from Virginia said. But let's do it in a way that protects species and does not harm those people that make a living from the land and/or the water.

I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FITZPATRICK) having assumed the chair, Mr. HURT, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies 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. 2587, PROTECTING JOBS FROM GOVERNMENT INTERFERENCE ACT

Mr. SCOTT of South Carolina, from the Committee on Rules, submitted a privileged report (Rept. No. 112–183) on the resolution (H. Res. 372) providing for consideration of the bill (H.R. 2587) to prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 363 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. 2584.

□ 2037

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. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. HURT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Washington (Mr. DICKS) was pending, and the bill had been read through page 9, line 12.

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

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, I rise to support the amendment introduced by my friend and colleague, Ranking Member DICKS, and in opposition to the broader FY 2012 Interior appropriations bill. This bipartisan amendment, I believe, is critical to restoring the longtime commitment to protecting our most threatened species from extinction.

The gentleman from Virginia is absolutely correct that so many of these species our planet actually depends on, and it is a symbiotic relationship that protects our environment.

The language in the underlying bill to prevent any funds from being used to list new species under the Endangered Species Act, I believe, is shortsighted and only serves to punish a successful program for preserving critical habitats. And this language is just one example of the extremely harmful policies included in this bill.

On the broader bill itself, and how it fails to help our economy and create jobs, I want to mention that in my home State of Rhode Island, our unemployment rate right now continues to be the third-highest in the Nation, at 10.8 percent. Right now we need investment in our infrastructure and in our resources to create jobs and modernize our communities.

New England is home to some of the oldest infrastructure in the Nation, and it is estimated that our drinking water infrastructure needs will cost over $400 million over the next 20 years, and that our State has $1.16 billion in unmet wastewater needs. But instead of addressing these needs by investing in our communities and creating new jobs, this bill slashes both the Clean Water and Drinking Water State Revolving Funds by 55 and 14 percent, respectively, below last year's levels.

In this time of complex and contentious debates about our debt and future fiscal security, I constantly hear my colleagues talk about the burden our actions will place on the next generation. Yet this bill would repeal and block implementation of two of the most important laws that keep our environment safe, the Clean Water and Clean Air Act.

Now, what chance are we giving our children to grow up and flourish if we can't protect the rivers and bays that they swim in and the water that they drink?

I'm also very disappointed that this bill blocks the EPA from finalizing a rule reducing emissions of mercury from power plants. Now, last week, Members were down here on the floor speaking about the tiny amount of mercury in light bulbs. Yet, today these same Members are blocking a rule that would keep our fisheries healthy and safe for consumption, in addition to preventing 17,000 premature deaths each year.

I don't understand how my colleagues on the other side of the aisle can be opposed to a small amount of mercury last week, yet today seemingly have no problem, no problem with much larger quantities of the same substance, but it being allowed to endanger public health.

Now, lastly, I urge my colleagues to fight against the nearly 80 percent cut in the Land and Water Conservation Fund, the lowest amount in its 45-year history. As many of us are well aware, hunting, fishing, camping, and other outdoor recreation activities are a great benefit to our economy, bringing in a total of $730 billion each year and supporting 6.5 million jobs.

□ 2040

These numbers bear out when you look at my home State of Rhode Island. Each year, 163,000 sportsmen and 436,000 wildlife watchers combine to spend $381 million on wildlife-associated recreation in Rhode Island. We have incredible national wildlife refuges, which have been protected with LWCF funding, and which offer families in my district an opportunity to enjoy beautiful parks, trails, and open spaces at no cost during these tough economic times.

Mr. Chairman, I don't believe that this bill reflects our values or our shared desire to preserve our beautiful Nation. I believe we can and we ought to do better for our constituents and for our children. I urge my colleagues to reject this bill and to bring a bill to the floor that preserves our environment, creates new jobs, and protects our commitment to future generations.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. I just want to commend the gentleman for his statement. It's an outstanding statement. You covered this very comprehensively, especially the part about infrastructure. There was a $688 billion wastewater backlog during the Bush administration. We should be putting people to work on those kinds of projects. The gentleman is absolutely right, and I appreciate him being here late in the evening to support my amendment.

Mr. LANGEVIN. I thank the ranking member. I want to commend the gentleman for sponsoring this amendment and for his work on the broader bill. This is the right thing to do, to defeat the broader bill here and bring a bill to the floor that really reflects our values.

Again, I thank the gentleman from Washington State for offering this 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, as has been spoken earlier, the Endangered Species Act is broken. What began as a tool to help scientists protect vulnerable populations of endangered animals and plants has metastasized into an economic straitjacket from which there is no relief.

To illustrate my point, I would like to share the stories of two species that make their home in west Texas: the Concho water snake and the dune sagebrush lizard.

The Concho water snake was first listed as threatened on September 3, 1986. Since that time, the citizens of

Texas have spent millions of dollars complying with Federal mandates, performing surveys, and generally advancing knowledge of the snake's biology far beyond that which existed when the snake was first listed in 1986. Today, there is little question that the snake's population is stable and exists in far greater numbers than during the original listing.

Because of this research, the service proposed delisting the snake on July 8, 2008. This delisting should be a victory for the service and the supporters of the Endangered Species Act. Instead, it has collapsed into a maddening, saddening caricature of endless government bureaucracy.

During a federally mandated 10-year study of the snake, researchers caught and released 9,000 individual snakes. The data collected was the basis for the Texas Parks and Wildlife Commission's decision to remove the snake from their threatened species list in August 2000. At that time, Fish and Wildlife declined to delist the species, instead requesting an additional population viability study to be conducted, with, of course, updated data.

Eight years later, in July of '08, the service finally issued a formal delisting proposal after what must have been an exhaustive, thorough, and detailed review of all of the best available science. Unfortunately, as of today, the service still has not completed action on its own proposal. Today, to the best of my knowledge, the final delisting rule is hung up somewhere with the lawyers in the solicitor's office of Fish and Wildlife.

It is inexcusable that this snake persists on the endangered species list. Its continued inclusion on the list represents a significant commitment of Federal, State, and local tax dollars. At a time when our financial commitments are under a strain at every level of government, dollars are wasted because of the failure of Fish and Wildlife to make a final decision on their own recommendation.

But beyond the dollars wasted while protecting a species that the service supports delisting, I'm more concerned about the long-term impact this nondecision has on the public's trust in our Federal Government. By proposing and then failing to delist a species, the service is undermining the very reputation it relies on when it hands down drastic and painful mandates sometimes needed to protect a species on the brink of extinction. The dunes sagebrush lizard is just one such species whose protection will require the service to demand significant and costly compliance measures from the landowners and communities where this lizard exists.

Unfortunately, it's also a species that has a paltry amount of science behind the support of its listing. In Texas, there are but a handful of places that anyone has looked for the lizard, and the service is unable to answer basic questions as to how many lizards exist today or how many are needed to support a viable population of these lizards.

This might not stir up much trouble, except that the dune sagebrush lizard lives above one of the most productive oil and gas producing basins in the lower 48. Its inclusion on the endangered species list would dramatically curtail oil and gas exploration across this vast patch of the Permian Basin until the Fish and Wildlife Service decides on how best to proceed several years from now.

The oil produced on this land provides the livelihood for hundreds of thousands of Texas families, millions of dollars of support for Texas university and public school students and, most important, is used as energy by millions of Americans. The Fish and Wildlife Service has proposed closing this land to development based on too little science and too little concern for the economic consequences.

I believe that the interminable delay in delisting the Concho water snake and the paltry science behind listing of the dune sagebrush lizard is damaging the service's credibility as an honest steward of the powers its agents are entrusted with. Fair or not, the Endangered Species Act as implemented by Fish and Wildlife is viewed in my district as little more than a cudgel to beat up disfavored industries, in large part because the science is often shoddy, species are rarely delisted, and the mandates continue in perpetuity. I support the underlying legislation today because I believe it is the best short-term chance to correct the imbalance in the implementation of the Endangered Species Act.

The underlying legislation will allow the Fish and Wildlife Service one full year to clear out its backlog of Concho water snakes across this Nation. Free from new listing requirements, the service can focus on the recoveries of the species that are under its care and better managing the charges it already has. I hope that the service takes this year off to pay particular attention to the dune sagebrush lizard and work to understand this animal better before it moves to close down thousands of well sites across west Texas while the resulting energy prices are crushing our constituents.

Mr. Chairman, I oppose the gentleman's amendment because the amendment locks in the failed status quo for another year and offers communities around this country like mine no relief from the arbitrary mandates in the Endangered Species Act.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from the Northern Mariana Islands is recognized for 5 minutes.

Mr. SABLAN. Mr. Chairman, I rise to express deep concern over the allocations in H.R. 2584, the Interior and Environment appropriations bill for 2012.

To begin, the bill cuts $1.7 million for technical assistance and maintenance assistance in the United States territories. These small amounts of money pay big dividends in the islands. The Northern Marianas was just awarded $1.2 million in technical assistance funding to develop geothermal resources to generate electricity. We pay up to 40 cents per kilowatt-hour now because we have to buy expensive foreign oil to power our generators. Technical assistance funds are helping to develop our own domestic energy resources; and cutting these funds sends us in the wrong direction, back into the arms of foreign oil interests.

I do appreciate the small increases in the bill to fund water and sewer projects in the Northern Mariana Islands and the other territories. I am disappointed, however, that the bill targets the Environmental Protection Agency for overall cuts in the funding that provides Federal assistance to ensure clean air and water for all Americans.

As the ranking member of the Fisheries, Wildlife, Oceans and Insular Affairs Subcommittee, which has jurisdiction over the U.S. Fish and Wildlife Service, I am also troubled over the allocations in this bill which would be devastating for the environment and for the preservation of America's natural heritage. H.R. 2584 provides inadequate funding for the Fish and Wildlife Service at levels 21 percent below fiscal year 2011 and 30 percent below the President's fiscal year 2012 request.

The bill cuts provide a meager $22 million in funding for the State and tribal wildlife grants program, 64 percent below fiscal year 2011, and 77 percent below the fiscal year 2012 President's request. This is a program that makes small investments now to avoid large expenses later. It provides money to States and tribes to take voluntary conservation actions to stabilize declining fish and wildlife populations now, and this helps avoid endangered species listings later. In my district, these grants help implement our wildlife action plan, conserving wildlife and, I might add, creating jobs.

The bill also cuts the Fish and Wildlife Service's cooperative landscape conservation and adaptive science program 35 percent below the fiscal year 2011 levels and 47 percent below the fiscal year 2012 President's budget. This program supports the work of Federal, State, tribal, and local partners to develop strategies to address climate impacts on wildlife on local and regional scales.

□ 2050

The Northern Mariana Islands and other insular areas are on the front line of climate change. We face the impacts of sea level rise, ocean acidification, and increasing typhoon intensity. We need this program to develop science-based tools and solutions to conserve natural resources and help us adapt to the many negative effects coming at us as the Earth grows hotter. H.R. 2584 also cuts funding for the

National Wildlife Refuge System to 7 percent below fiscal year 2011 and 9 percent below the 2012 request.

The National Wildlife Refuge System is the world's finest network of protected lands and waters. We have refuges in every State and in nearly every territory, including the Northern Mariana Islands. These refuges conserve our fish and wildlife resources, but they also have a huge economic benefit. Millions of people visit refuges each year to hunt, fish, and observe wildlife. The refuge system generates $1.7 billion in sales for local communities and creates nearly 27,000 jobs annually. Every dollar spent in the refuge system by the Federal Government returns about $4 to local communities, and we can assume that every dollar we cut means $4 less for our local communities.

I have introduced legislation, H.R. 2236, that would generate funds for the refuges separate from the appropriations through the sale of semipostal stamps to address operations and maintenance backlog, but this is no substitute for money being cut in H.R. 2584.

Also cut is the Land and Water Conservation Fund, which is used to acquire lands and conservation easements from willing sellers and landowners to provide operational efficiencies and connectivity within the refuges.

At a Fisheries, Wildlife, Oceans and Insular Affairs Subcommittee hearing this year, we heard from stakeholders as diverse as Defenders of Wildlife and the National Rifle Association who recognize the importance of the Land and Water Conservation Fund, which, I might add, is generated by offshore oil and gas drilling revenues. H.R. 2584 provides only $15 million to this program, 73 percent below fiscal year 2011 levels and 89 percent below the fiscal year 2012 President's request.

I strongly oppose H.R. 2584, which rolls back necessary funding to support hunters, fishermen, recreationists, and local communities who depend on the environment for their livelihoods and which undermines ongoing conservation, public health, and environmental protection for all Americans.

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

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

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

Mr. FITZPATRICK. Mr. Chairman, I rise today in support of this amendment, which I have cosponsored, that would remove a rider from this bill that would seriously compromise the effectiveness of the landmark Endangered Species Act, which was signed into law almost 40 years ago in 1973.

The extinction rider in this bill is a sweeping action that will prevent the Fish and Wildlife Service from spending any money on listing new plants and animals under the Endangered Species Act, designating critical habitat, or upgrading species from threatened to endangered. At the same time, the bill maintains funding for delisting species, creating an incomplete and lopsided endangered species policy.

Mr. Chairman, my constituents in Bucks County, Pennsylvania, and the American people support the important mission of the ESA, and it's not hard to see why. Preserving animals and plants brings countless benefits to people, and a loss of a species can have dangerous and expensive consequences in the future. For example, the U.S. Geological Survey recently estimated that the loss of bats in North America would cost agricultural producers nearly $4 billion per year, including those in my district. We also never know which species of plants and animals may be important in developing lifesaving medicines in the future.

But the ESA's primary success to date has been to prevent the extinction of hundreds of species, including the American alligator, grizzly bear, and gray wolf. Indeed, less than two dozen species have gone extinct under the act, and most of these species were already doomed to extinction by the time they were listed.

Perhaps the most iconic among these species saved by the act is our national symbol, the bald eagle. On June 20, 1782, our Founding Fathers adopted the bald eagle as our national emblem. On the backs of many of our coins we see an eagle with outspread wings. On the Great Seal of the United States, on the seal of this very House of Representatives, and in many places which are exponents of our Nation's authority, we see the same emblem.

Living as it does on the tops of lofty mountains and in river valleys as close as the Potomac, the eagle represents freedom. However, by the mid-20th century, the bald eagle was severely threatened and reduced to just 400 nesting pairs. Bald eagles were declared an endangered species in 1967 in the lower 48 States under a less cohesive, less effective act. Then the ESA was signed into law. As a result of this, on July 4, 1976, the U.S. Fish and Wildlife Service officially listed the bald eagle as a national endangered species. And thanks to the Endangered Species Act, the Fish and Wildlife Service upgraded the bald eagle to threatened status in the lower 48 States in 1995 and officially removed it from the nationwide list in 2007. Today, after decades of conservation effort, the Interior Department reports that there are some 10,000 nesting pairs for us and for future generations to cherish. Because, in large part, of the ESA, my children have had the chance to see a bald eagle in its natural habitat.

This amendment will remove the funding restriction on the listing and limit the funding to what has been spent on these activities in recent years. Additionally, the overall funding amount for the ESA and related programs of $138 million is significantly less than in past years, including in fiscal year 2008.

Mr. Chairman, decisions about wildlife management should be made by scientists, not by politicians. Preventing listing is not the answer. We must allow the U.S. Fish and Wildlife Service to do their job and protect species while making improvements to increase the efficiency of this crucial program.

As I close, I implore my colleagues to imagine if the U.S. Fish and Wildlife Service had been restricted from listing the American bald eagle. This majestic creature, without corrective measures, would have been lost only to books and to our national memory.

We have a responsibility to prevent the extinction of fish, plants, and wildlife because once they're gone, they're gone forever and we can't bring them back.

I urge support for this amendment.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. I just want to commend the gentleman for an incredibly comprehensive, thoughtful, and credible presentation.

You mentioned the bald eagle. Just a few weeks ago, my grandchildren were out at Hood Canal, where I live, and on the beach three bald eagles came down and landed. It was one of the most remarkable things I have ever seen. And I just want to thank the gentleman for his support, his cosponsorship of this amendment. And I appreciate your credibility and your forthrightness.

Mr. HASTINGS of Washington. Will the gentleman yield?

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

Mr. HASTINGS of Washington. I just want to say, because the gentleman made a very good remark, but since we're talking about bald eagles, in our State they're around, and I would invite the gentleman to come to where I live in the desert in central Washington where every fall and winter we see bald eagles. They are truly a majestic bird.

But the point is, again—and I really thank the gentleman for yielding—this debate is not about the Endangered Species Act. This debate here is about trying to get people together so we can make the Endangered Species Act work in a way that will be beneficial to everybody, so that we can repeat the successes that we have had, albeit the successes are only 20 species; but, nevertheless, we ought to be working that way rather than restricting and having restrictions as the current act is.

Mr. FITZPATRICK. I appreciate the gentleman's remarks. I appreciate the invitation. And the way to amend the act is in regular order, not in appropriation.

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

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr.

FITZPATRICK was allowed to proceed for 30 additional seconds.)

Mr. FITZPATRICK. I appreciate the invitation, but the way to amend the act is in regular order in the committee, not necessarily through the appropriations process.

Mr. HASTINGS of Washington. Will the gentleman yield?

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

Mr. HASTINGS of Washington. As I mentioned in my remarks when I spoke, that certainly is the intent of the committee that I chair that has jurisdiction.

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

□ 2100

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

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

Mr. THOMPSON of California. Mr. Chairman, the amendment before us today corrects a terrible flaw in the underlying bill, a provision that prohibits the endangered species from being listed as endangered. This provision is so bad that it would be funny but for the dangerous effect it would have on imperiled species on the brink of extinction and struggling to survive.

The previous speaker was eloquent in his discussion about the bald eagle. Let's think about what would have happened had this measure been law 44 years ago. The American bald eagle, our national bird and symbol, would be gone. In the 1960s, there were less than 450 nesting pairs of bald eagles. But thanks to the Endangered Species Act, this national symbol was removed from the endangered species list in 2007. And now there are nearly 10,000 nesting pair of bald eagles.

Maybe some of my colleagues side with those who wanted our national bird to be a turkey. But I think I speak for most Americans when I say that I am proud that we saved this national treasure, the American bald eagle, from extinction.

Had this rider been the law of the land in 1979, the American alligator would most likely be gone. But because of the ESA protections, the American alligator population has grown to more than 2 million and continues to thrive, helping local economies throughout the southeast.

The Aleutian goose is another example of the success of the Endangered Species Act. Back in 1967, there were no more than a few hundred of these birds. But thanks to the ESA, the Aleutian goose was fully recovered and successfully delisted in 2001, with a population of more than 100,000 birds in 2008. So successful was the ESA recovery effort that the Aleutian goose is not only thriving, but also being hunted in my district. Just this past hunting season alone, 1,700 acres of land were made available to hunters by the California Department of Fish and Game, not only pleasing the hunters, but helping the local economy as well.

Other animals that have made a tremendous recovery while listed under the Endangered Species Act include the California condor, the black-footed ferret, and the whooping crane. And of great importance to my district, we are seeing signs of healthy recovery for ESA-listed salmon. This impacts other fishing States as well.

Ironically, this deeply flawed provision does allow funding for the Fish and Wildlife Service to delist recovered species under the act. However, you can't remove protections for recovered species unless they are listed as endangered in the first place and a successful recovery plan is implemented. This measure puts the cart before the horse.

Our bipartisan amendment, which is supported by more than 60 organizations, would strike this extreme provision. It is our responsibility to be good stewards of this Earth and prevent the extinction of wildlife, plants, and fish. The sad truth is that once we lose a species, we will never get it back. That's why we need to allow for science-based policies and recovery plans for imperiled species instead of allowing politics to drive listing decisions and activities.

I recognize that some of my colleagues have strong objections to the Endangered Species Act. But placing a spending rider on this year's Interior appropriation bill is not the answer. If real reform is needed, then let's have an honest debate in the authorizing committee to look at what is working and what's not working under the Endangered Species Act. And let's fix it.

That's a far wiser course than including an extreme policy change that goes back on America's promise to protect our most vulnerable animals and plants and would not be supported by the American public.

I ask that we support the Dicks amendment, this bipartisan amendment, and make sure that we take this extreme policy out of the underlying bill.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentleman's closing remarks when he said this is not the proper venue to address the Endangered Species Act. That has been my argument, too. I think it should be done in the authorizing committee.

But the fact of the matter is there is no incentive for the stakeholders to sit down if we continue to kick the ball ahead and not seriously look at the Endangered Species Act.

As the chairman said very well in his remarks, this is simply a shot across the bow, not only on this, but on other authorized programs. So we are not picking on these.

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

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. THOMPSON of California was allowed to proceed for 1 additional minute.)

Mr. THOMPSON of California. I thank the gentleman.

This is a shot. It is a shot at the endangered species. You and I both know how important this is in regard to the salmon in our district, something that is very, very important, something that is important to our economy and something that is important to the ecology of not only our State but the ecology of the Nation. We need to work together, and I can suggest that we remove this and get to working together.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman.

Mr. HASTINGS of Washington. We share that concern about the salmon. I would point out to the gentleman that the salmon runs in the Snake River and the tributaries are coming back in greater number, which would suggest that the species is being recovered. And yet we are waiting for a judge to make a decision.

Mr. THOMPSON of California. Remember, you are very well aware of the salmon issue and how there have been a number of attempts over the matter of water that, if they had been successful, had it not been for the Endangered Species Act, there wouldn't be any fish, because without water, as you know, there are no fish.

Mr. HASTINGS of Washington. If the gentleman will continue to yield, I can't argue with the gentleman. I'm simply saying we need to look at this. It has been 23 years.

The Acting CHAIR. The time of the gentleman from California has again expired.

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. THOMPSON of California was allowed to proceed for 30 additional seconds.)

Mr. THOMPSON of California. I thank the gentleman.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman.

Mr. HASTINGS of Washington. The argument is not about the Endangered Species Act. The argument is about the serious business of sitting down and reauthorizing an act that has not been reauthorized since the 1980s.

Mr. THOMPSON of California. I suggest we do it in the authorizing bill.

Mr. HASTINGS of Washington. I totally agree with you, and I said that in the opening remarks. The gentleman from Washington suggested that, and I totally agree with him.

Mr. THOMPSON of California. I yield back the balance of my time.

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

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

Mr. DENT. I rise tonight in support of the Dicks-Fitzpatrick amendment. I voted for this same language in the Appropriations Committee markup a few

weeks ago, and we have all heard some pretty compelling arguments here tonight about some challenges with the Endangered Species Act. And as has been previously stated by Mr. THOMPSON and others here tonight, I agree with those who said that the proper venue for this discussion is in the authorizing committee. I have great confidence in Chairman HASTINGS, that he would take a thoughtful and sincere look at the act to make reforms that I think many people would agree are needed. But again, I don't think this is the right place to do it.

Again, I support the underlying bill. I think overall this legislation, this Interior bill, while it is not everything to everybody, and certainly the funding levels might not be where some people would like, Chairman SIMPSON has done a commendable job putting a bill together.

But I think this language in the underlying bill should be stricken as proposed by Mr. DICKS and Mr. FITZPATRICK, and so I urge my colleagues to support the amendment.

I yield back the balance of my time.

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

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

Mr. KIND. Mr. Chairman, as one of the former cochairs of the Congressional Sportsmen Caucus, and very active in that organization, I rise in support of the Dicks amendment and in opposition to the underlying bill.

It is unfortunate that Ranking Member DICKS has to offer an amendment in order to strip out a policy rider of this magnitude in an appropriation bill. We just had a short discussion about how this would be more appropriate in the authorizing committee for a further vetting of this issue. And I think there are some legitimate issues that we need to get into, but not in the appropriation bill. This is one of many policy riders that have been jammed into this appropriation bill, from the assault on the Clean Air and Clean Water Acts to allowing mining near the Grand Canyon, one of the great natural treasures we have as a Nation, and on and on and on. And this extension rider that was included in the base bill would prevent the Fish and Wildlife Service from spending money, any money, on the listing of new animals or plants under the Endangered Species Act.

So to claim that this doesn't directly affect and attack the Endangered Species Act tonight is mind-boggling to me.

And yet in my home district in western Wisconsin, a very beautiful national wildlife refuge, the Necedah Wildlife Refuge, with three endangered species located there—from the gray wolf to the cardinal blue butterfly to the whooping crane—because of the protection that they have had, they are now increasing in population. The wolf to the extent that they are on the verge of being delisted in Wisconsin, another success story. And the whooping crane is making a resurgence, all because of the protections afforded under the Endangered Species Act.

And now to claim in this bill that we are going to prevent additional funding in order to locate those species, whether animal or plant or fish, from falling under the protection, this is not the appropriate vehicle. But there is even more in this legislation that's disconcerting. The deep cuts to longstanding conservation, the Land and Water Conservation Program that has traditionally enjoyed bipartisan support, is deeply disturbing—an 80 percent proposed cut to the Land and Water Conservation Fund.

□ 2110

And I'm glad that the committee earlier this night adopted the Bass amendment to at least restore $20 million to the Land and Water Conservation Fund. But why are we cutting anything from that vital program? This isn't even funded by the taxpayers.

This comes from oil royalties from a grand bargain that we struck with oil and gas companies so they can explore and extract these natural resources from our public lands. They agreed that for the right of doing that, they would contribute to the Land and Water Conservation Fund, funds that would be used then for the enhancement of conservation programs and the protection and preservation of public lands in this country. And to come with a bill now to cut 80 percent of that out of oil royalties does not make sense. Or, the 7.5 percent under the Wildlife Refuge System.

I know Chairman DICKS has been a champion of the refuge system for many years. It's a system that affects virtually every congressional district. It brings countless revenue into our districts, plus jobs. And with the huge backlog of maintenance and operation, another 7.5 percent cut will put them in the hole.

A $7 million cut from the National Park System budget, a 21 percent cut in the Fish and Wildlife Service, a 64 percent cut in the State Wildlife Grants Program, yet back home some of the greatest conversationists that I know are my hunting and fishing buddies, because they get it. They understand if we just go and use the resources and deplete it, from the wildlife to the fish to the waterfowl, that there's not going to be that recreational enjoyment that so many of us get in the outdoor recreation community.

That's why it was no surprise that earlier this month over 640 outdoor recreation entities and preservation entities signed a letter to the chairman and the leadership and to everyone in our office decrying the spending cuts in these programs that we have before us this evening, because they know that these programs aren't something you can just turn off like a spigot. These programs require the continuity of funding and the continuity of assistance in order to make the progress that's necessary.

And so these draconian cuts that are being proposed right now are going to set back the cause of conservation, whether it's wildlife or land in the country, for many, many years, and that's unfortunate. Because these same people also understand the economic impact that these programs have.

Outdoor recreation contributes over $730 billion annually to the U.S. economy. It supports over 6½ million jobs. One out of every 20 private sector jobs are affiliated with outdoor recreational opportunity, 8 percent of consumer spending. In my own State of Wisconsin, hunting and fishing alone supports over 57,000 jobs and $400 million in State revenue.

So if we're really serious about addressing the soft economy we have now and doing what we can to get the economy on track, creating good-paying jobs, this is the wrong place we should be looking in the budget for drastic cutbacks.

I've been one of the leaders in this place for significant farm bill reform to get at the outdated agriculture subsidies.

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

(By unanimous consent, Mr. KIND was allowed to proceed for 1 additional minute.)

Mr. KIND. For years, I have been leading the effort for farm bill reform to end these taxpayer subsidies going to a few but large agribusinesses that distort the market, distort trade policies. It's not helping our family farmers. Finally discussion is starting to take place seriously to actually scrub those programs. Yet when I've led this cause in the past, I remember not too long ago a Member in this body accused me of being the Osama bin Laden of agriculture policy. Yet today, if we had taken actions 10 years ago when many of us were acting on it, maybe we wouldn't be finding ourselves in this huge fiscal hole that we have today.

So not only the policy riders but the spending cuts that are being proposed are the wrong direction for our Nation to go. It will jeopardize these vital programs—programs, again, that have enjoyed wide bipartisan support. We ought not be balancing the budget on their backs.

Over the last 30 years, funding for conservation programs has gone from 1.7 percent of Federal funding to less than .6 percent. They get it at the altar of fiscal responsibility. We can't go any deeper.

I encourage Members to support the Dicks amendment and oppose the underlying bill. We have to do a better job.

I yield back the balance of my time.

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

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

Mr. PEARCE. Thank you, Mr. Chairman.

I reluctantly rise to oppose the gentleman from Washington's amendment and support the underlying bill. A lot of compelling arguments have been made tonight to support the Endangered Species Act without interruption. They talk about the bald eagle and the compelling story about seeing those magnificent birds, and those are visual images that we all like.

But there's a side to the Endangered Species Act that is not being told. That's the side where one group just this year filed 1,000 petitions at one time to list new species. They know that their lawyers get reimbursed from the Federal Government every time they bring suit, and so they're happy to bring these actions which are destroying jobs in the West.

For instance, in the Second District of New Mexico, a suggested listing was given this year on the sand dune lizard, a small brown lizard that I've seen in the sand hills since I was going up there. They were plentiful then; they're about the same number now, but they have been listed as endangered.

And people didn't think much of it. And then they began to read the reports that anything that disturbs the surface of the ground would represent a potential threat to the habitat of the lizard and would thereby be prohibited.

Disturb the ground, they ask. What does that mean? Well, that means oil and gas activity. That means that $2.8 billion investment for nuclear enrichment that is taking place in southern Lea County, just taking place now, creating jobs for the first time in the nuclear industry that has been dormant for 30 years, would be shut down because they disturb the ground.

It would stop the high line wires from being put up and the electric utility crews from driving to the homesteads miles and miles away from the nearest town because they would disturb the ground. They could not even check the power lines to make sure electricity is going to these remote areas.

This is the Endangered Species Act that we're seeing.

People would come to me in disbelief and say, Mr. PEARCE, it is not true? They couldn't kill our jobs with a lizard, could they? What about us as humans? What do they say?

I said, Take a look at the San Joaquin Valley. Twenty-seven thousand farmers put out of work with a 2-inch Delta smelt that we could have kept alive in holding ponds and bred by the millions and put into the rivers and go ahead and use the rivers for irrigation. But instead, a judge found that we had to shut down the entire agricultural product.

We began to import vegetables from areas that spray contaminants that we are not allowed to use in this Nation, a less safe food supply. We kill 27,000 jobs. We caused jobs to be created somewhere else, less safe food supply, all for a 2-inch minnow that could have been kept alive in some other fashion.

We also have a Lesser prairie-chicken that threatens the oil and gas jobs in our area. They're saying that the bird might not fly under or over those lines, so we can't put up electric lines across. Then, bury the lines, people say. Well, then the lizard wouldn't go across the area that's been disturbed by burying the lines.

It's easy to see why people are saying that the Endangered Species Act is not functioning properly and we've got to stop it. We are spending $3.5 trillion a year in our government and we're bringing in $2.2 trillion. Part of the problem is we've killed enough of our jobs, we've killed enough of our economy that we're in severe debt and deficit crisis.

Now, one of the problems is we've systematically eliminated the timber industry because of a spotted owl. We eliminated those 27,000 farmer jobs in the San Joaquin Valley. We've got the salmon swimming upstream, and now it's threatening that we've got to tear down all the hydroelectric dams. And the list goes on and on.

It is time for us to say that we can preserve the species and create jobs at the same time. That's not an unreasonable request. But to those lawyers making $350 a hour, they don't care if it's reasonable or not. To the Fish and Wildlife Service, they arrogantly told the people in New Mexico, No, we didn't do an economic study to see the cost on the jobs. We're not required to. These are things that are making people say enough is enough.

It's in my district that 900 people showed up to protest at one of the hearings on the listing of the lizard; 900 people coming out, and the Fish and Wildlife Service came to me in nervousness before the meeting and said, Would you speak to those who couldn't get into the meeting? They're agitated. I said, People do get agitated when you start killing their careers, when you start taking the jobs away from them.

There's a side to the Endangered Species Act that is being dealt with here tonight. I support the underlying bill and oppose the amendment.

I yield back the balance of my time.

□ 2120

Mrs. CAPPS. I move to strike the last word.

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

Mrs. CAPPS. Mr. Chairman, I am in favor of Mr. DICKS' amendment to remove this destructive and shortsighted anti-wildlife rider from the underlying bill.

The rider would gut the Endangered Species Act, as we've been discussing—a law that has worked for 40 years to successfully conserve our Nation's plants and animals. It would do this by blocking the Fish and Wildlife Service from new listings and bar the designation of critical habitat for currently listed species.

As has been said on both sides of the aisle this evening, this provision creates a one-way path to weakening wildlife protections by allowing the service to delist and downgrade a species' status from endangered to threatened but not to list new species. Unless a species is listed, it receives no protection under the ESA. Currently, the service has identified over 260 species that warrant protection but cannot be listed due to a lack of Federal resources. That's 260 species of plants and animals found across the Nation that are in dire need of assistance and are at risk of disappearing forever.

Mr. Chairman, America's native plants and animals are already in serious trouble—under constant threat from toxic pesticides, air and water pollution, habitat destruction, and climate change; but this shortsighted and irresponsible rider may prove to be the most immediate and serious threat of all, sending countless species into extinction and destroying America's great conservation legacy.

It is our responsibility here to protect and conserve our Nation's most precious resources for future generations, and of course, that's why the Endangered Species Act was written. It codifies our commitment to good stewardship, and it preserves what we hold dear for the benefit of our children and our grandchildren. Since its initiation, we've witnessed incredible comebacks. Animals that were once on the verge of disappearing forever are thriving once again.

Because of the Endangered Species Act and other successful partnerships, bald eagles have returned, not only to Washington State, but to the Channel Islands off the coast of my congressional district. Just a few years ago, a pair of nesting bald eagles produced the first wild-born chicks in 50 years on Santa Cruz Island.

Also on the Central Coast, we've seen California condors and peregrine falcons soaring through our skies once again. The Guadalupe fur seal, which was hunted to near extinction, can now be seen swimming off the Channel Islands. There are similar success stories for the southern sea otter and the blue whale, both found in the Central Coast waters of California; and the return of Island Foxes, whose population dropped down to less than 100, is now back above 1,200.

Mr. Chairman, of course there are so many examples across the country—Florida panthers, gray wolves, grizzly bears—and hundreds more species that have not gone extinct after receiving protection under the act. These species can't wait any longer, and we can't let them disappear forever on our watch.

I strongly urge my colleagues to support Mr. DICKS' amendment to strike this irresponsible provision in the bill. We can and must do better. Our children and our grandchildren are depending upon us.

I yield back the balance of my time.

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 rise to support Mr. DICKS' idea but not the process he is using to get there.

It is one of the amazing things as you look about the debate on this particular amendment. It's like ships passing in the night—getting close but never actually touching because everyone who has spoken so far is saying the same thing: that we want to have an Endangered Species Act that works. This needs to be fixed or amended and changed in some way to make it work better, to involve the entire process so that everyone is working towards the same goal; but for some reason, it flat out is not happening, and it's not happening because we have violated the process.

Everyone has said this is not the right place to try and fix the Endangered Species Act. That's also true, but it's the only process that's allowed because we have violated our own intent. Appropriators are supposed to appropriate funds to programs. Authorizers are supposed to create the programs and then every so often reauthorize those programs to make changes based on the need or to make sure that we are moving in the proper direction.

Let me introduce you, or at least remind you, of John Gochnauer—one of my favorite baseball players at the turn of the century with the Cleveland Indians. He was good enough to play regular shortstop for Cleveland, although the first year he played he committed 48 errors, and his batting average was 187. He was still good enough to stay around for the next year when, this time, his errors were just slightly under 100—he had a hard time hitting the first baseman when he threw—and his batting average was, once again, 187.

I say that specifically because the most inept player ever to put on spikes and play Major League Baseball had a batting average of 187. The Endangered Species Act has listed over 2,000 species and saved 21 for a batting average of 10 if you round up. It's actually .009. That clearly indicates we can do better, and we need to do better.

So the question has to simply be why aren't we doing better? Why can't we fix this problem and have a better success rate?

The answer is very simple:

For 23 years, we have put riders on this particular appropriations act to fully fund the old program, which has prohibited the authorizing committee to ever get people together to make the program better.

Chairman HASTINGS has simply said his goal is to provide a process that improves the system—and there is room for improvement of the system—but to do that, you've got to get the players to sit down in the authorizing committees where this is supposed to be worked out. The Endangered Species Act needs to be expanded, needs to be fixed, needs to zero in to create people working together for a common goal.

I am actually grateful for Representative DICKS and Representative SIMPSON and what they have done in this bill. This amendment in the underlying bill does not destroy the Endangered Species Act. It doesn't even cut the funding for those species that are already being worked on. All it does is provide a change in the process to insist that people have to do what we should have been doing for the last 23 years—going to the authorizing committee and fixing the act, not just kicking the can down the road by funding it year, after year, after year, after year, while only 21 species have recovered over the 2,000 that could have and should have been.

I'm sorry. That's what everyone is saying. We all want species to be preserved and recovered, but we all are failing in the process, and after 23 years, we should have learned what we have been doing in the past doesn't work. Maybe if we went back to the way the system was intended to be and was designed to function, we could actually move forward in this entire issue, which, oddly enough, is what everyone is saying.

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

Mr. DICKS. I move to strike the requisite number of words.

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

There was no objection.

Mr. DICKS. I will do this very briefly.

As I recall, from 1995 to 2007, the other side—the majority party today—was the majority party then, and I don't remember any great effort on the Endangered Species Act. I welcome it. I welcome that any act can be made better. Now you guys are in charge again, and you have another opportunity. I believe Mr. BISHOP has been on the committee for quite a long time. I'm going to go look in his reform bill in the RECORD to see what has been happening here.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington State, from the Natural Resources Committee.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

I appreciate the gentleman's remarks. I would remind him, from the time that we did get control of Congress in 1995 until your side gained control after the 2006 election, that was the issue that the then-chairman—the last chairman of the Natural Resources Committee, Richard Pombo from California—was working on. As a matter of fact, I think it was in 2005 that we did pass ES reform out of this House.

□ 2130

It did not go anyplace in the other body. So history tends to repeat itself.

Mr. DICKS. Former Senator Kempthorne worked on it.

Mr. HASTINGS of Washington. He did, as did Senator CRAPO from Idaho.

Here is the problem: The problem is that through all of the efforts of Chairman Pombo of trying to get this enacted and he couldn't get it through the Senate, then you know what the Appropriations Committee did?

Mr. DICKS. Reclaiming my time, because I can't go on forever, I just would say nobody is stopping you. Hold your hearings. Have your meetings. Bring up the witnesses, but don't stop listing 260 candidate species until you get the job done.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. HASTINGS of Washington. I've been chairman now for a little over 6 months. I have every intention to do that, and I want to work with the gentleman on this.

Mr. DICKS. I want to be involved in this.

Mr. SIMPSON. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Idaho, my good friend and the chairman and former ranking member, one of the best ranking members I've ever had.

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. BISHOP had it exactly right. We all want the same thing. We want the Endangered Species Act, but we want the Endangered Species Act to work. And as you mentioned, Senator Kempthorne worked on it very hard, got it through the Senate when he was a Senator before he became Governor of Idaho. And it was some Republicans frankly in the House that stopped it because they didn't think it went far enough.

Unfortunately, if we just continue to do what we've done in the past, we're going to get exactly what we've gotten in the past, and that is no incentive for people to sit down and say we've got to work on this and we've got to get it done. And that's all we're trying to do.

Mr. MORAN. Will the gentleman yield?

Mr. DICKS. I yield to the ranking member.

Mr. MORAN. I do think it might be instructive that Mr. Pombo is no longer among our ranks and the principle reason is the Endangered Species Act authorization that he attempted to write which was so destructive of the original intent of the Endangered Species Act of 1965, and it was a Republican Senate that defeated it.

Mr. HASTINGS of Washington. Will the gentleman yield?

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

Mr. HASTINGS of Washington. I just want to respond to my friend from Virginia.

The bill passed, if my memory serves me correctly, with bipartisan support.

But, yes, of course there are political risks in doing whatever we're doing in

this body; and we all face that. After all, this is the people's government. But the point is it needs—and we've been saying over and over, the ESA needs to be updated.

It's been 23 years, for goodness sake.

Mr. DICKS. No one is objecting. I agree. We should look at how to improve the ESA. I don't like to hear these examples of where the process has not been able to be worked out. I have had to go through this as you have in the Pacific Northwest with the spotted owl, the marbled murrelet, salmon, et cetera. Now, those are starting to recover. We're making some progress, but I still believe we can make this act better.

I just think by taking out the ability to list and to have critical habitat, we're risking some of these species that are close to extinction.

And remember this: it's also about biodiversity, the web of life. We don't know how all of these things relate and whether something can be created, a medicine that could save lives in the future. And that's why trying to protect these species is an important thing.

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

(On request of Mr. SIMPSON, and by unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. It's important for civilization, for humanity. We're creatures here, too. We depend on a lot of other animals in order to survive. And so this goes beyond just a legislative ''it's difficult.'' This is down and dirty. This is very important. This is very important to survival.

Mr. SIMPSON. Will the gentleman yield?

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

Mr. SIMPSON. I don't disagree with anything the gentleman just said. It's also important to remember that this amendment would take the caps off that have been in place since President Clinton and would undermine the Fish and Wildlife Service's budget to a great degree because it would then be controlled by the courts and by lawsuits. That's not where we want to go.

Mr. DICKS. We'll fix it in conference. I yield back the balance of my time.

Ms. HIRONO. Mr. Chair, I rise in support of the Dicks-Fitzpatrick-Thompson-Hanabusa amendment to delete the Extinction Rider that was improperly added to this legislation. This rider, which has no place in an appropriation bill, prevents the Fish and Wildlife Service from spending any money on listing new plants and animals under the Endangered Species Act, designating critical habitat, or upgrading species from threatened to endangered.

This is a big deal to me because Hawaii happens to have the highest number of endangered species of any state in the nation. This is due, in large part, to the unique species that evolved in Hawaii because of its location 2,400 miles from the nearest land mass. In fact, Hawaii's 33 endangered bird species represent 42 percent of the U.S. bird species listed as endangered. All of these live in my district. For example, we have a beautiful endangered forest bird called the Hawaii 'Akepa. Thanks to the Endangered Species Act, the populations of this bird are currently stable on Hawaii Island, although it is very rare on the island of Maui. The 'Akepa and the other 32 Hawaiian bird species listed as endangered are threatened by loss of habitat, a warming climate, and the onslaught of introduced species.

In fact, 69 of the 265 candidate species for addition to the Endangered Species Act—26 percent—are found in Hawaii. Most, like the 'Akepa, are found nowhere else in the world.

Another example of an Endangered Species Act success is the threatened Hawaiian green sea turtle—or honu as we call it in Hawaii. In the 1970s, before being listed, the Hawaiian green sea turtle was in steep decline because it was regularly hunted and eaten. Since being protected by the Endangered Species Act, the numbers of green sea turtles have increased dramatically—by 53 percent over the past 25 years! Despite this success, the honu remains vulnerable because its primary nesting habitat in the Northwestern Hawaiian Islands could be lost to sea level rise caused by climate change.

As members of Congress, we have a special responsibility to protect and be stewards of the land, the water, the air, and the species with which we share this world. There is no recovery from extinction. Each time we lose a unique creature or plant that evolved over thousands or millions of years, we make the world a poorer place and rob future generations.

Ms. SLAUGHTER. Mr. Chair, I rise today to defend our democracy from the egregious attacks on our legislative process that are abundant in the underlying legislation. The FY 2012 Interior Appropriations bill is rife with policy riders that legislate on an appropriations bill, which is in violation of Rules of the House. As a long serving Member of the House Rules Committee, I have seen a fair share of policy riders attached to legislation, but never in the history of my time here in the House have I seen such blatant disregard for the House rules and departure from regular legislative order.

There are dozens of these anti-environment policy riders—or should I say these pro-industry earmarks that are included in the underlying legislation. There is an entire stand-alone bill included in this must-pass legislation—an entire bill that couldn't muster enough support to be passed into law on its own virtues—that is standing in our way from funding the government in the upcoming fiscal year.

Last Thursday in the Rules Committee I offered a motion to amend the rule to strike the waiver that protects these offensive riders from points of order. If the Majority had voted in support of regular order and adopted my amendment, the Members of this House would have had the opportunity to raise points of order against these assaults on our environment here on the floor and strike them from the bill. Predictably, though, my motion failed on a party-line vote.

If the Majority had followed regular and adopted my amendment to the rule in Committee, Members of the House could have been able to strike riders that:

Put more toxic mercury, arsenic, and lead into our air and puts our children's health at risk; Allow more soot pollution in our air;

Block EPA from moving forward with carbon pollution standards for new vehicles after 2016;

Put as many as 34,000 lives at risk;

Threaten the health of millions of Americans;

Threaten the health of America's children, elderly citizens and other vulnerable populations;

Block EPA from limiting dangerous air pollution from livestock production and manure management;

Ban EPA from doing its job to enforce the Clean Air Act in Texas;

Exempt oil companies from complying with Clean Air Act standards;

Put the drinking water of 117 million Americans at risk;

Prevent EPA from protecting communities' clean water supplies;

Allow unregulated discharge of pesticides directly into waterways;

Threaten the health and environment of communities across Appalachia by blocking a number of protections against the destruction and pollution from mountaintop removal coal mining;

Put thousands of people living near coal ash pools at risk of toxic disasters;

Put Americans' drinking water and waterways at risk of sewage and urban runoff pollution;

Block EPA from moving forward with new rules to minimize the adverse environmental impacts of power plant cooling water intake structures;

Block protections for more than 1 million acres of land around the Grand Canyon;

Put public lands at risk of destruction;

Put the Delaware Water Gap and parts of the Appalachian Trail at risk of development; and

Put endangered species at risk of harmful pesticides.

So here we are tonight, fighting for our fellow citizens' right to clean air and clean drinking water with one of the few tools we have left as the minority in the House—our voices and the privilege to represent our constituents on the House floor. We are fighting to uphold decades of successful, bipartisan environmental laws that have protected our environment and improved our public health.

Each policy rider goes against our nation's values and our belief that we solve our toughest problems through shared sacrifice and working together. When these policy riders are all combined, they place a suffocating burden on the American people while rewarding special interests and the lobbyists who walk these halls.

Under this bill, the nation's clean air protections would be devastated, leaving our children exposed to life-threatening pollution. This bill would cause hundreds of thousands more Americans to suffer from the dangerous and deadly impacts of air pollution. The bill's policy riders prevent the EPA from doing its job to protect public health and won't cut one dime from the deficit.

The EPA has been actively engaged in helping clean up the air in Tonawanda, New York, which I proudly represent, and I stand by the agency's ability to continue doing the good work to improve the quality of life for

those residents. Rolling back the Clean Air Act, as is proposed under this legislation, will lead to more air pollution, more hospital visits and more deaths. We must support the Clean Air Act so that all Americans can breathe easier.

I will mention one more of these abhorrent policy riders that should be struck from the bill. There is a rider in this legislation that will effectively open up a million acres of national forest and other public land around Grand Canyon National Park to new uranium mining claims. Democrats have concerns about maintaining the integrity of the Grand Canyon and the effect of uranium mining on water quality, not to mention the spectacle of auctioning off a national treasure with the proceeds going to mostly foreign-owned entities, including Russia's state atomic energy corporation and South Korea's state-owned utility. America is not for sale, Mr. Chair, even if Republicans would like us to believe otherwise.

Mr. Chair, I stand firmly in opposition to the Majority's daily attempts to whittle away at the rules of the House. I urge my colleagues to oppose the Majority's protection of policy riders that endanger our public health and environment in favor of private interests, and to oppose the underlying legislation.

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

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 Washington will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein, $11,804,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $15,047,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding 16 U.S.C. 4601–9, not more than $4,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $120,000 for administrative expenses.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1534 et seq.), $2,854,000, to remain available until expended, to be derived from the Cooperative Endangered Species Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,980,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $20,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GRIFFIN OF ARKANSAS

Mr. GRIFFIN of Arkansas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, line 21, insert after the dollar amount the following: ''(increased by $3,000,000)''.

Page 65, line 19, insert after the dollar amount the following: ''(reduced by $3,000,000)''.

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

Mr. GRIFFIN from Arkansas. Mr. Chairman, I rise to offer an amendment which will leverage our limited resources for wetlands and wildlife conservation.

My amendment would transfer $3 million to the North American Wetlands Conservation Fund, or NAWCA, by reducing the EPA's operations and administration budget by the same amount.

The EPA has been overfunded in recent years, and I appreciate Subcommittee Chairman SIMPSON's efforts to bring the agency's budget back down to size.

This amendment makes a reasonable reduction to the EPA's administrative budget in favor of wetland conservation.

Since this organization was established in 1989, more than 1,800 projects have led to the conservation of over 24 million acres of wetlands across North America. Each of these projects is funded through a public/private partnership. And for every dollar of the organization's money that is spent in my home State of Arkansas, private sources and foundations have given $4 in matching funds.

In Arkansas alone, 12 of these projects are either completed or currently under way. And these projects have conserved over 64,000 acres of wetlands.

Make no mistake, this success story is not limited to Arkansas. Wetlands, wildlife, and outdoorsmen in every single State in the country have seen the benefits of this conservation effort.

Arkansas sits in the cradle of the Mississippi flyway, a migration route used by waterfowl as they fly to the southern United States each autumn. Migratory waterfowl and other birds often settle in the wetlands along the White River and Arkansas River, and the health of these habitats is closely tied to the health of the wildlife which inhabit them.

This amendment would improve the condition of our Nation's wetlands and wildlife. This is important to sportsmen, conservationists, and anyone who enjoys the American outdoors.

I urge my colleagues to support this commonsense conservation amendment.

I yield back the balance of my time.

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

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

Mr. MORAN. Mr. Chairman, I have the voting record from February 16. I know the gentleman will recall H.R. 1 and the debate that ensued.

In H.R. 1, the North American Wetlands Conservation Fund was zeroed out, and so I had an amendment to restore $50 million to the North American Wetlands Conservation Program. What I find curious—confusing—is that the very gentleman that now wants to put money into the program voted ''no'' against putting the $50 million into the North American Wetlands Conservation Program back in the spring.

Now, I do think it's an important program. I would like to see it continued. But I do have a problem with the fact that what we're doing when we want something to be funded, we take it out of the management of agencies—$3 million, $5 million, $6 billion—and when these amendments pass, you have a very damaging cumulative effect upon the ability of the agency to banish these programs. If this were to pass, we're now at $8 million that has been taken out of the management of EPA.

So I would have to oppose the amendment. And I'm not sure how strongly the gentleman feels about it since he voted against restoring the money in February, as did a great many Members of the body, unfortunately, because it is a good program.

I yield back the balance of my time.

□ 2140

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

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

Mr. SIMPSON. Mr. Chairman, I am prepared to accept the amendment. While the gentleman from Virginia offered an amendment on H.R. 1, which was several months ago, it was $50 million. We didn't have that kind of money. Because of the bipartisan support for this program, we did fund it to keep it alive at $20 million. And I have no problem putting the additional funding in, if the gentleman requests, depending on where he takes it from. So I support the gentleman's amendment and would hope that my friend from Virginia would think twice and support this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the

Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $7,875,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $22,000,000, to remain available until expended: *Provided*, That of the amount provided herein, $2,000,000 is for a competitive grant program for federally recognized Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $2,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this heading shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this heading for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,240,152,000, of which $9,832,000 for planning and interagency coordination in support of Everglades restoration and $97,883,000 for maintenance, repair, or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments shall remain available until September 30, 2013.

AMENDMENT OFFERED BY MR. TONKO

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 7, after the first dollar amount, insert ''(decreased by $8,408,000)''.

Page 14, line 19, after the dollar amount, insert ''(increased by $8,408,000)''.

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

Mr. TONKO. Mr. Chair, I rise today to offer an amendment to H.R. 2584, the Interior, Environment, and Related Agencies Appropriations Act for fiscal year 2012. The amendment is bipartisan and is supported by the Congressional National Heritage Caucus and the 49 National Heritage Areas across our country.

The amendment is straightforward and modest. The amendment restores the National Heritage Area program within the National Park Service to the fiscal year 2010 funding levels. This amount is constant with the amount approved by Congress for the past several years. To pay for this increase, the amendment shifts $8,408,000 away from the Office of the National Parks Service account.

From Alaska to Florida, the National Heritage Areas are the most effective public-private partnerships for resource conservation and heritage tourism supported by the Federal Government. While each of the 49 National Heritage Areas currently in existence are authorized to receive $1 million in annual support through the Department of Interior, the National Heritage Area program has only been funded between $15 million and $18 million over the past 5 years by Congress, despite their success in revitalizing communities and conserving naturally significant resources with only modest Federal support.

These public-private partnerships are perhaps the most cost-effective and efficient programs within the Department of Interior. Matching every dollar of Federal support with $5.50 of other public and private funding, National Heritage Areas are clearly a high-yield investment of Federal resources.

To be clear, that investment results in over $100 million of economic activity. During a time when our economy is so fragile, we must support these programs that have a proven record of economic benefit. National Heritage Areas have such a proven record of fostering job creation and advancing economic, cultural, historic, environmental, and community development. In addition to creating jobs, National Heritage Areas generate valuable revenue for local governments and sustain communities through revitalization and heritage tourism.

More specifically, in my district, a recent study released last year by my local heritage area, the Erie Canalway Heritage Corridor, found that visitors to heritage sites in the eastern part of the corridor—found that nearly 1 million people visit heritage sites each year, generating some $38 million sales in local businesses, supporting 507 local jobs.

We must preserve sites that are historically significant. Doing so will increase community spirit as well as generate much-needed tourism dollars. A recent United States Cultural and Heritage Tourism Marketing Council and United States Department of Commerce study revealed that cultural heritage travelers contribute more than $192 billion annually to our United States economy. I would point out also that this tool, this opportunity for heritage areas enables given regions to have a stronger sense of marketing tools. They are able to promote a stronger sense of place and a much more dynamic bit of destination. That is a tool in the economic recovery toolkit that is tremendously valuable and important to these given host regions.

I want to thank Representative DENT of Pennsylvania for offering this amendment with me today. He is the cochair of the National Heritage Area Caucus in the House, and he and his staff have been a pleasure to work with on this amendment. I also need to thank the ranking member on the committee, Mr. DICKS, and our ranker of the subcommittee, Representative MORAN. They have been invaluable in their support in my effort for this amendment.

Understanding today's difficult budgetary climate, I want to remind everyone that this amount is equal to the total appropriation for the program in the previous fiscal year and reflects the minimum level of support National Heritage Areas need to remain successful. I hope my colleagues will consider joining Mr. DENT and myself in supporting this modest funding level for a vitally important program.

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

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

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

Mr. DENT. Mr. Chairman, I do rise in support of the Tonko amendment. Mr. TONKO and I have offered this amendment for consideration by the House.

We are the cochairs of the Heritage Corridor Caucus. I represent the areas of the Delaware-Lehigh Heritage Corridor as well as the Schuylkill Valley Corridor in eastern Pennsylvania, and we have seen a great deal of positive activity as a result of these heritage areas. Specifically, as Mr. TONKO conveyed, a great deal of tourism activity, recreational opportunities, as well as economic development occurs as a result of this. Also, significant community development activities have been the result of our efforts and investment in these heritage areas.

Obviously money is very tight, and this program is taking about a 50 percent reduction under the underlying bill. The amendment before us will simply restore about $8.4 million to the heritage area, to the heritage partnership program; and we'll be taking that money, substituting it from the National Park Service, where we believe they have sufficient funds to operate.

I support the underlying legislation. I know Chairman SIMPSON has put a lot of effort into this. I think he has really done a great deal, given the numbers he has had to work with. So I do support the underlying bill. But I think that this amendment strikes a proper balance and preserves and protects these heritage areas that are making a real impact across the country.

I guess there are 49 of these heritage areas currently in existence, and most of them, I believe, are receiving under $1 million of support through the Interior Department. So I just think this is a program that is worthy of our support. We're just simply, in these tough economic times, trying to bring this program back to neutral. I know the administration did not, in their budget proposal, cut this program as well. But I think this might be one way this amendment could help us bring this program back to a level that will be sufficient in supporting these heritage areas.

Again, as was stated by Mr. TONKO, these communities are benefiting. We are seeing so much tourist activity. We are seeing increased recreational opportunities. I know in my community, we are all of a sudden doing things on our rivers and discovering our rivers and the natural beauty of them that many of us had not really noticed before, and it's really as a result of this. Again, it brought the rivers back to life, economic life, community life, and it has become really, once again, the center of our existence. And a lot of this would not have been possible but for the efforts of these heritage areas. So, again, I rise in support of the Tonko-Dent amendment and would urge the House to adopt this.

I yield back the balance of my time.

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

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

Mr. MORAN. Mr. Chairman, I want our side to go on record in support of what Mr. TONKO and Mr. DENT are proposing. We have worked with them on this amendment.

This is the kind of program that really ought to have unanimous support in the House. I mean, we're talking about very small amounts of money that are distributed throughout the country; oftentimes $150,000; sometimes it gets up to $700,000. But they are relatively small amounts of money.

□ 2150

And what they do is to bring local community leaders together. Local communities love it and, of course, it draws tourism. It gets into the newspaper, oftentimes into metropolitan newspapers suggesting this is a terrific day trip for families to go on. They follow the Heritage Trail.

It has that kind of national recognition and credibility that only the Federal Government oftentimes can provide to a National Heritage Area, because many people claim it. But when the National Heritage Program identifies it as one of the true assets of our country and places that should be protected and preserved and explained to the public, then more people come. And it generates jobs; it generates economic activity.

Mr. WOLF just put in an authorization. He probably won't get the full amount of money that's authorized, but it will get some for the Civil War Battlefield Crossroads Trail, and that's drawing people up with the sesquicentennial of the Civil War.

All over the country. The Hudson River, there was a gentleman on the other side that opposed it when Mr. HINCHEY put it in, had it designated. And then when he saw how successful it was, he said, Let's get my part of the Hudson River included.

This is a really good program. It was funded at about $17 million, 50 percent cut though. What are we doing? Talk about being penny-wise and pound-foolish, really. A 50 percent cut in it. It hurts the economies of any number of areas around the country.

So we think that this is a very reasonable amendment, and we congratulate the caucus for coming forward and suggesting that the money be restored, and we hope that it will be.

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

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

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

Mr. SIMPSON. First, let me thank the gentleman from Pennsylvania and the gentleman from New York for their amendment. I'm sympathetic to what they're trying to do and the work that they do in the National Heritage Caucus, and it's important work. But I rise in reluctant opposition to the amendment.

While I'm sympathetic to the intent of the amendment and the increased funding for the National Heritage Areas, I'm concerned that the offset would take funds away from the account providing funds for operations of our national parks across the country.

One of our goals in this bill was to provide sufficient funding for park operations so that every Park Service unit in the country would be open for business next year, without the threat of layoffs or furloughs for full-time or seasonal employees. My fear is that reducing this account by $8.8 million would undermine the operation of our national parks.

Let me also point out that, while the amount in the bill is reduced from the fiscal year 2011 enacted level, the National Heritage Areas are funded in the bill at the amount requested by the President's budget. These National Heritage Areas are supposed to become self-sufficient, and the problem is we're going to see that when that doesn't happen, the funding request from the President is going to not be in their budget and, consequently, there's not going to be any money for these National Heritage Areas requested by the administration.

We funded this at the President's level. I appreciate what the gentlemen are trying to do. I support the National Heritage Areas program, but I, because of the offset, reluctantly oppose this amendment.

I yield back the balance of my time.

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

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

Mr. TONKO. 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 New York will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. AMASH

Mr. AMASH. 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:

Page 14, line 7, after the first dollar amount, insert ''(decreased by $2,206,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $2,206,000)''.

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

Mr. AMASH. Mr. Chairman, did you know the Federal Government subsidizes the Goo Goo Dolls, Lynyrd Skynyrd, and the Gipsy Kings? What about the Culture Shock East Coast Dance Concert?

Well, it does.

My amendment to H.R. 2584 will reduce the deficit, save taxpayer dollars, and stop subsidies to bands, including the Beach Boys. This amendment will reduce the deficit by $2.2 million by transferring funding from the National Capital Area Performing Arts program to the spending reduction account.

The National Capital Area Performing Arts program provides free

concerts and subsidized performances in and around Washington, DC, by paying for ushers, performers, lighting and other performance-related costs. The program funds venues like Carter Barron Amphitheater in DC. Even the National Park Service, which administers the program, has recommended its elimination, saying it distracts the Park Service from performing its core functions.

My amendment is simple. It will transfer all of the program's $2.2 million in funding to the spending reduction account. I like the Beach Boys as much as the next person, but that doesn't mean we should force taxpayers to subsidize my ticket if I go to their concert.

Don't break taxpayers' trust. I urge my colleagues to support this commonsense amendment to prevent the wasteful spending of taxpayer dollars on niche entertainment programs in the Washington, DC, area.

I yield back the balance of my time.

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

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

Mr. MORAN. First of all, I'm not sure why you want the Beach Boys to be the issue here. We were just discussing Mr. WATT's tenure as Secretary of the Interior. That was not so successful when he came after the Beach Boys.

But be that as it may, what we're really talking about here are a number of nonprofit organizations, and these are national memorials. Ford's Theater, Wolf Trap. I guess because the Beach Boys performed at Wolf Trap they are an issue. Actually, I would recommend to the gentleman that he watch them perform. I guess it's more my age than yours that can relate to them, but it was a pretty good performance. But I digress.

We're talking about Ford's Theater, Wolf Trap, Carter Barron, all part of the National Park System. The Kennedy Center is a national memorial. These are performing arts right here on the Capitol grounds as well.

Now we're talking about nationally significant sites, and the performances that occur, in fact, are part of the mission of these sites. They were authorized for members of the public, the taxpaying public, to come to a nonprofit venue and, in fact, be entertained. The national parks do that. They entertain the public that pays for them, sometimes by seeing iconic sites, sometimes by hiking and camping, sometimes it's by performances. So the National Park Service is in keeping with its mission to interpret the purpose of these national sites.

These performances are seen by citizens, in fact, all over the country. Many people who visit our Nation's Capitol attend these performances as part of their trip to the District of Columbia. And the crowds that fill the West Lawn of the Capitol on Memorial Day and the Fourth of July are testament to the public's support for this program.

In fact, if you were there on Memorial Day or the Fourth of July and turned to see the crowd, there are people as far as the eye can see, people representative of this vast, diverse country, and every single one of them had a smile on their face. Every single one of them was delighted, overjoyed that they were able to participate and appreciate and enjoy the performance that was put on on the Fourth of July and Memorial Day. That's part of our Nation's heritage. It's a proud part.

This amendment would do real harm to programs enjoyed by millions of Americans.

I would also suggest that this line item has already suffered a virtually devastating cut. It was funded at about $10 million. It's been cut to about $2 million. I mean, it's just barely hanging on. And now this amendment would eliminate it?

□ 2200

I mean, think about this. I know that some of the Members, at least as many Members of the majority side as the minority side, were there for the Memorial Day concert. I saw them. I was sitting with them. The chairman of the full Appropriations Committee, the chairmen of the subcommittees, the leadership of the House and Senate were all there honoring our troops.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. Colin Powell was there to thank all of the troops that had served in Iraq and Afghanistan, and many of the wounded warriors were there as well.

Mr. MORAN. Not only were they there but Team 6 that had just dealt with Osama bin Laden in a fairly definitive manner, SEAL Team 6 was there. We couldn't identify them, but we all applauded for them, and they couldn't have been more overjoyed.

The gentleman makes a very good point. Colin Powell was basically the master of ceremonies.

Now, this is what we want to eliminate? This is what is such a threat to our budget as taking so much money? It's not taking that much money, and whatever money it's taking, it's giving back far more in return.

Mr. DICKS. I thank the gentleman for yielding and I hope we can defeat this unneeded amendment.

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

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

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

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment, and I agree with the words that were spoken by the gentlemen from Virginia and from Washington.

In these tough economic times, it is important that we keep some things that are very important, I think, to the American people. If you look at the programs that have been put on by the Capitol concerts on the Fourth of July and on Memorial Day and what they've done for our troops and for really the spirit of America, I think is vitally important. They do things at Ford's Theater and other places around this country.

We have to remember: this is our Nation's Capital. The things they do here are important. They're important for our country, not just for this small piece of land we call Washington, DC. So I hope that Members on both sides of the aisle would recognize the importance of these programs and the work they do and the importance that they have for the American people and would reject this amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $49,363,000.

AMENDMENT OFFERED BY MS. NORTON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 19, after the dollar amount, insert ''(decreased by $300,000)(increased by $300,000)''.

The Acting CHAIR. The gentlewoman from the District of Columbia is recognized for 5 minutes.

Ms. NORTON. Mr. Chairman, my amendment would designate $300,000 from the National Recreation and Preservation Account for a National Park Service study of whether applying the same rules and regulations to all parks maximizes the highest and best use of individual parks, for the system as a whole, and for Americans who use our parks.

This is but a study, and it would require the National Park Service to look at how NPS, cities, counties and States, as well as other countries, manage their diverse parks and to suggest, from the available best practices, appropriate ways to help NPS meet the needs of individual communities within the basic uniformity necessary to operate a national system of parks. Today, the NPS applies the same rules and regulations to all its parks, regardless

of location, from the almost 1200-square-mile Yosemite National Park to small urban parks on street corners.

I support a unified national park system, but NPS should develop flexible standards that take into account the unique circumstances and population of individual parks and changing conditions throughout the country in keeping with congressional recognition of both conservation and recreation as primary reasons for our parks. The neighborhood parks in the District of Columbia, for example, serve a very different function from Yellowstone. Dupont Circle Park is a central urban community meeting place in the District, not a place for enjoying the greenery of nature, as much as we love our parks for that purpose. On any given day, you will find people playing chess, sunbathing, playing Frisbee or passing out fliers.

Madam Chair, I have come to the floor because I have tried, unsuccessfully, to get the Park Service to make small adaptations perfectly compatible with their mission to allow for the people in the parks in my own district, and I am certain that other Members have found similar roadblocks. For example, the Park Service won't allow bike share stations on or near Federal parks, and they are not permitting the three golf courses in the District of Columbia to be run as a public-private partnership. Both of these examples have run into the same one-size-fits-all concession concerns.

Yet the National Park Service could negotiate concession agreements that accommodate bike share in the future; and an inflexibility in Park Service insistence on concession contracts that do not allow capital investment resulting in an astonishing deterioration of invaluable capital-intensive golf courses in the District could give way to other approaches, such as public-private partnerships operating under long-term leases that would allow private funding to assist the Park Service with upgrading and maintaining these public assets with Congress, which the taxpayers can't possibly by themselves maintain.

Inflexible, one-size-fits-all policies keep Americans from using our parks for compatible purposes, such as bike stations, or, worse, condemn unique iconic resources to inevitable decline.

Madam Chairman, my amendment is of the lowest possible cost. It is for a study to tell us what to do, to tell the Park Service what to do, to allow people throughout this country who live in very different locations and have to use our parks in very different ways just how this must be done compatible with a uniform National Park Service.

I ask that my amendment be approved.

I yield back the balance of my time.

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

The Acting CHAIR (Ms. FOXX). The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Madam Chairman, I think we have a problem in the amendment, itself, because it would specifically designate a study that might be interpreted as some type of earmark, which I don't think it really is.

I like what the gentlelady is trying to do. I think it's important. I think we ought to have a consideration by the Park Service of whether they are sufficiently flexible in dealing with local communities.

□ 2210

There was a recent article written in The Washington Post talking about some of the opportunities that exist to bring the community into local parks, urban parks, where far more people could be involved, people could participate, people could enhance the enjoyment of things that take place. For example, if there is a large soccer event at a park that is controlled by the National Park Service, you could bring the whole community in to watch it on a large screen.

There is no question but that we could find ways to discourage automobiles and encourage bikes—have bike sharing, for example, on The National Mall so that people could rent bikes and bike around The Mall. It wouldn't cause any environmental damage; in fact, it would preserve some of the lawn on our National Mall. Some people would enjoy it more and they would get a little exercise. Just all kinds of ideas that might be proposed by communities.

I remember being out in Washington State, San Juan Island. This was a little place. It's a national park because there was a bizarre military conflict that occurred out there. I won't go into the whole military conflict, but the people there love the bunny rabbits that are there. Well, the Park Service decided that they're really not a native species, there are too many of them, so the Park Service decided they're going to use the method they use at other places. First of all, they thought they would gas them, which the community was shocked by. Then they decided, well, we'll shoot them and so on, reduce the population. You know, if they had just sat down with members of the community, they could have figured out how to keep these bunnies that the community wanted, avoid a whole lot of negative attitude with regard to the Park Service, and in fact enhance the enjoyment of this little national park at San Juan.

I'm sure there are examples all over the country, in fact, all over the world, because the National Park Service has any number of parks outside the physical boundaries of our North American continent. We've got the Virgin Islands and so on.

I don't know what the local neighborhoods might suggest, but I do know that they have a lot of good ideas, ideas that the National Park Service ought to consider thoughtfully. And some will be rejected, but some might well be accepted. But the process of that kind of community input, it seems to me, would generate even more support for the National Park Service.

It's a great institution. Our parks are iconic assets to our Nation. But I do think that the local community could enjoy them more and appreciate the National Park Service's role more if we had the kind of dialogue with the Park Service that Ms. NORTON is suggesting.

I don't see any harm in having that kind of study. I think we ought to be able to work with the gentlelady, maybe put together some report language, at least a letter to the head of the National Park Service suggesting that this is an area that the Congress itself, in a bipartisan way, thinks ought to be explored.

Mr. SIMPSON. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Idaho.

Mr. SIMPSON. I would say that I think the gentleman has stated the case as it is. It is an earmark, and that's a whole other story we can talk about.

But I agree with what the gentlelady is trying to do here. And I will tell you that both the ranking member and I will work with the gentlelady from the District of Columbia to try to resolve this in conference so that we can do what you're trying to accomplish here because I think it is important.

Mr. MORAN. The gentlelady is smiling, so I will accept her concurrence. We will move forward in that fashion if the gentlelady wouldn't mind withdrawing her amendment.

I yield back the balance of my time.

Ms. NORTON. I appreciate the remarks of the chairman and the ranking member. In light of those remarks and their generosity, I do withdraw my amendment and will work with them to try to implement it in other ways.

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

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $49,500,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2013.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), $152,121,000, to remain available until expended.

AMENDMENT OFFERED BY MR. CARTER

Mr. CARTER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 8, after the dollar amount, insert ''(decreased by $1,000,000) (increased by $1,000,000)''.

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

Mr. CARTER. Madam Chairman, this is an amendment that was put together to ensure that the Interior Department prioritize its efforts to construct a joint law enforcement center in national parks and recreation areas along the southern border of the United States with available funds.

National Park lands on our southern border have experienced a gigantic increase in the amount of illegal activity that has crossed into our park lands. The reason for this is very similar to grabbing a bean bag and squeezing it; it always bulges out at some point. As we start tightening our southern border with a lot of the efforts that have been bipartisan efforts by this Congress, it causes the people who are wanting to have illegal activity to move farther and farther out into the rural areas and into the unoccupied areas, and they're moving into our national parks.

Joint law enforcement centers will be available to serve the National Park Service law enforcement agency, the United States Customs and Border Patrol, possibly even the Coast Guard when they're on the river at that border, and other Federal, State, or local law enforcement agencies as may be needed.

This is something that has been discussed; it has been agreed upon; it has been approved. Additional rangers and Border Patrol officers have been added to our border and been assigned and are being compensated for working down there, but they lack serious facilities within which to be able to operate.

One example is when we sent a group down to take a look at what other needs might be on our southern border, we ran across eight Border Patrol officers that were working in a temporary facility that was 288 square feet. This is absolutely inadequate. And if they were working in conjunction with the Park Service, there was no place for the Park Service to even stand in the building.

The purpose of this amendment is to dedicate $1 million to the National Park Service construction funds for FY 2012 to jump-start the interagency project already agreed upon between the Departments of Interior and Homeland Security. We are confident that with this shot in the arm we will be able to get these centers, as they may be available, constructed.

And it's not just a place for these folks to work; but if you take a look at most of our southern border from all the way across, you will see that, if there is no place to hold prisoners when they're captured doing illegal activities, then you have to transport them. In many instances, this transportation is 150 miles to a place where they can be secured. And these would also allow at least for temporary detention so that we wouldn't have Border Patrol officers running back and forth 150 miles every time there's a detention needed.

This is a facility that really will aid what we've already provided, which is personnel to help defend our southern border. It is budget neutral, and I would respectfully request that this be adopted.

Mr. SIMPSON. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Idaho.

Mr. SIMPSON. We are prepared on this side to accept the gentleman's amendment.

Mr. CARTER. Thank you, Mr. Chairman.

I yield back the balance of my time.

□ 2220

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

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

Mr. MORAN. I am not necessarily rising to oppose this, but to point out some deficiencies in the amendment itself. The claim is that the purpose of the amendment is to ensure that the National Park Service prioritizes its construction of law enforcement centers on national park lands, on the southern border in coordination with the Department of Homeland Security.

First of all, there is some feeling that national parks not have basically prison sites on them because what happens is that when people are rounded up by the Border Patrol, they are taken to these law enforcement centers and detained until they—I don't know whether they are adjudicated or not, but then eventually they are moved to another place. But they are temporarily detained at these law enforcement centers, and there is some feeling that national parks are not an appropriate location for that purpose.

But the very wording of the amendment doesn't really do that. It increases money, then it decreases the same amount of money. If it did it, it would be an earmark. And, of course, we don't do earmarks in this bill.

So as I say, I don't rise in opposition because I'm not sure what the amendment does, but I think it is helpful to be informed as to what it doesn't do.

Mr. CARTER. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman.

It is my understanding that this joint agreement, as we saw the acceleration of park rangers, and you're right, quite honestly, I don't think anywhere on the southern border people want illegal activity to be going on on our recreational areas, wherever they might be located. And nobody is trying to warehouse prisoners in a national park.

It is hard to envision this facility, but it would be a facility, I would assume, sort of like some of the facilities you see in other locations where people are operating out of it, but they have a temporary detention holding cell.

This would be strictly—and maybe I can explain it by pointing out one of the problems we have on the border with the transportation of our prisoners. And, in fact, one of the things that we used our National Guard for when we did have to transfer prisoners when they were working on the border, there always has to be someone having this prisoner in custody. Whatever the accused crime is, they have to be in custody.

When we had limited resources, we bumped them up. But they take a trained border patrolman whose duty it is to protect our border, if he's the only person available, and he has to transport that prisoner because there's no facility to temporarily hold him in. And when I say ''temporarily,'' it could be hours or maybe even minutes until someone can come along to help transport. If he's alone, then he has to transport him 150 miles. That's 3 hours that officer is off his post to make the transport.

So that's a little, tiny part for the purpose of this facility. This facility is really for a working space for those resources that we have already beefed up and put down on the border, and both Interior and Homeland have made agreements and really it is kind of just a kick to get them started. I believe we will see funding come from both sources to finish the project.

Mr. MORAN. Reclaiming my time, I understand that the gentleman wants to make that point. I understand the challenges that are faced in the area that he represents.

I was similarly confused, though, when there was a substantial amendment to strip funding for environmental mitigation between the Homeland Security and Interior Departments that the gentleman previously suggested and, I think, was successful in doing. So I don't know, it's not an area that I'm particularly familiar with. I am becoming more familiar with it; but, again, I'm not sure that this amendment does anything other than draw attention to the issue.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MICA

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

Mr. DICKS. Madam Chair, we don't have a copy of the gentleman's amendment, and it is usually the protocol to give one to the minority.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 8, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 65, line 19, after the dollar amount, insert ''(decreased by $2,000,000)''.

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

Mr. MICA. Thank you, Madam Chair, and I am sorry the minority didn't have a copy of this fine amendment. It was modified slightly from the original

submission to comply with the requirements of the Parliamentarian to be in order.

Let me say at this late hour I won't take too much time. I am from the authorizing side, and it's always good to come here and hear the difficulties that the appropriators have in trying to make choices, and tonight is about making choices.

I do have to compliment Mr. SIMPSON, the chair of the subcommittee; Mr. HASTINGS, the chair of the full committee; and the ranking members, Mr. MORAN and Mr. DICKS, for their efforts, being up late at night and making these difficult choices in some very tough economic times.

Normally, I wouldn't come here and tell you what to do; but, again, coming from a State that has some 11 parks and preserves and national monuments, I have a great interest in some of these accounts.

Now, we all have to set priorities; and as I said, these are difficult times. The Department of the Interior, I noticed, had, I guess, in 2010 just under $11 billion that's being cut to $9.8 billion, a 7 percent reduction. People ask me about transportation projects. Whether it is FAA, on transportation, I'm reducing some of the accounts by 30 percent in authorization, so I know the difficulty you're facing.

Now, I also looked at some of the other accounts here. EPA, I think folks would be shocked to find EPA has $7.1 billion in this bill. That's quite a bit to operate that agency. Well, the National Park Service has $2.5 billion. I think if you ask people on the street where would you put the dollars, I think they would like to see something very tangible. They appreciate their national parks. And, again, you have difficult priorities.

My amendment is simple. It takes $2 million out of EPA's account for management programs, and it transfers it to the National Park Construction Account.

Now, this is not going to resolve a $10 billion backlog in maintenance and construction projects. I can give you examples. Just a few miles from here, Harpers Ferry, they have a $59 million deferred maintenance account pending. Florida, with its 11 parks and preserves and national monuments, has a $4 million backlog. And, again, my amendment won't solve even Florida's problem.

□ 2230

Even closer to home in my district—and I want to thank again the chairman of the committee and the chairman of the subcommittee and staff for working with me—we are attempting, after authorization in 2004, to finally finish a visitors center. I want to make certain that the Castillo San Marco Visitor Center and the backlog of some of Florida's 11 parks and national monuments, their maintenance and some of their construction costs, that we have those funds available. So that's why I offered this amendment.

Again, I know you have difficult choices. This won't resolve the pending needs either in the State of Florida or nationally. That being said, and also stating my position and intent, and knowing that the committee and I know Mr. SIMPSON is anxious to work with me and is committed to work with me, Mr. HASTINGS and staff, and in the interest of time and also not pressing the issue beyond my ability to retain my friendship and strong working relationship, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2012 by 16 U.S.C. 460l–10a is hereby rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $18,294,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $2,794,000 is for the State assistance program and of which $2,000,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under section 204 of title 23, United States Code. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,053,552,000, to remain available until September 30, 2013, of which $65,561,000 shall be available only for cooperation with States or municipalities for water resources investigations: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey (USGS) such sums as are necessary shall be available for reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the USGS duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for minerals leasing and environmental studies and regulation of industry operations, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; for energy-related or other authorized marine-related purposes on the Outer Continental Shelf; and for matching grants or cooperative agreements, $138,605,000, to remain available until September 30, 2013; and an amount not to exceed $160,163,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, and from cost recovery fees: *Provided*, That notwithstanding 31 U.S.C. 3302, in fiscal year 2012, such amounts as are assessed under 31 U.S.C. 9701 shall be collected and credited to this account and

shall be available until expended for necessary expenses: *Provided further*, That to the extent $160,163,000 in addition to receipts are not realized from the sources of receipts stated above, the amount needed to reach $160,163,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That for fiscal year 2012 and each fiscal year thereafter, the term ''qualified Outer Continental Shelf revenues'', as defined in section 102(9)(A) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. note), shall include only the portion of rental revenues that would have been collected at the rental rates in effect before August 5, 1993: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

For an additional amount, $10,000,000, to remain available until expended: *Provided*, That section 115 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88; 123 Stat. 2928) shall apply for fiscal year 2012, and in such application ''2012'' shall be substituted for ''2010'': *Provided further*, That such amount shall be derived from receipts resulting from such application: *Provided further*, That to the extent that such amount is not received by the United States as a result of such application, the amount needed to reach $10,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,923,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $123,050,000, to remain available until September 30, 2013: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: *Provided further*, That, in fiscal year 2012, up to $40,000 collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $123,010,000: *Provided further*, That, in subsequent fiscal years, all amounts collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $27,443,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $2,333,690,000, to remain available until September 30, 2013, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; and of which not to exceed $74,911,000 shall be for welfare assistance payments, except that, in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster; and of which, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $228,000,000 shall be available for payments for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau of Indian Affairs prior to or during fiscal year 2012, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed $584,369,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2012, and shall remain available until September 30, 2013; and of which not to exceed $48,049,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $46,373,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2011 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for administrative cost grants shall be available for the transitional costs of initial administrative cost grants to grantees that assume operation on or after July 1, 2011, of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2013, may be transferred during fiscal year 2014 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2014: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $154,992,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of such title; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian

land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 108–447, and 111–11, and for implementation of other land and water rights settlements, $32,855,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $8,114,000, of which not to exceed $964,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $85,242,280.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the Revolving Fund for Loans Liquidating Account, Indian Loan Guaranty and Insurance Fund Liquidating Account, Indian Guaranteed Loan Financing Account, Indian Direct Loan Financing Account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995, except that any school or school program that was closed and removed from the Bureau school system between 1951 and 1972, and its respective tribe's relationship with the Federal Government was terminated, shall be reinstated to the Bureau system and supported at a level based on its grade structure and average student enrollment for the 2009–2010, 2010–2011 and 2011–2012 school years. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, lines 2 through 10, strike ''Funds made available'' and all that follows through ''that period, but'' and insert ''A charter school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)) may operate''.

Mr. DICKS. Madam Chair, I reserve a point of order.

The Acting CHAIR. The gentleman's point of order is reserved.

The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Madam Chair, I rise in support of my amendment. As currently written, the Department of Interior appropriations bill states that education ''funds made available under this Act may not be used to establish a charter school at a Bureau-funded school.'' My amendment would allow money appropriated under this bill to be used for charter schools. Now, the bill grandfathers in charter schools funded prior to 1999, but bars no new charter schools. The committee report is silent on this.

As of the 2005 census, children made up 1.4 million of the total of American Indian and Alaskan Native populations. They, and their parents, deserve educational choices. Charter schools are semi-independent schools usually within a State's public education system that are designed and operated by educators, parents, community leaders, educational entrepreneurs, and others. As of 2006, a total of 40 States and the District of Columbia have passed charter school laws allowing this type of school to be part of their system. I see no reason to deny this opportunity to American Indians.

I believe administrators of such schools may worry about administrative issues in terms of accounting for students who transfer between a charter school and a noncharter school and the moneys that are appropriated. This is sometimes referred to as the ''ownership'' of the student. But such administrative concerns should not be a basis to completely abandon this option. Competent administrators at the BIA, the tribes, and the State educational associations can work out the transitional issues.

Further, to the extent someone does not like charter schools, so be it. Don't send your child to one. But we in Congress should not be picking winners and losers. Charter schools should be an available choice to those tribes that want them. If a tribe chooses not to offer a charter school approach, that is its decision. But another tribe may do so on its own. There's no reason in this appropriation bill to foreclose this option. We should not impose our personal likes and dislikes on others.

It is my further belief that allowing the tribes the maximum ability to choose the best educational program is consistent with self-determination. Having the right to decide local school decisions is a part of self-determination, and I don't see why we in Congress should deny that right. A key part of self-determination is choosing the manner in which the tribes educate their children. As far back as 1970, President Nixon addressed this issue that was then emerging, and stated: ''It is long past time that the Indian policies of the Federal Government begin to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.''

□ 2240

Indeed, that is what Congress did when it passed the Indian Self-Determination and Education Assistance Act of 1975. Allowing the tribes to choose a charter school option makes sense from a self-determination perspective.

Finally, according to the Center for Education Reform, there are over 5,000 charter schools nationwide. There are examples of charter schools with spectacular successes and results. I'm sure there are some charter schools that have failed in their mission. The point here, however, is about choice and allowing the tribes to decide what educational opportunities they want to create.

It is well-known that charter schools are schools of choice. Unlike traditional public schools, students may choose to attend charter schools, and if those students determine that the school is not serving their needs, they may choose to leave. It is true that many charter schools typically have longer schooldays, longer school years and higher academic and behavioral expectations for their students. For those

concerned about the current public educational system, these trends should be encouraged, but let's allow the tribes to make that choice.

It is Congress' duty to describe and allow such choices as part of its oversight and application of our treaties with which American Indian tribal relations are governed. I ask for support of this amendment and support for Indian self-determination and school choice.

I yield back the balance of my time.

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

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

Mr. SIMPSON. Madam Chair, we don't have any problem with this amendment. This is kind of new territory in our bill, but I appreciate the gentleman from Arizona's work on this and his interest in providing quality education for our Native American brothers and sisters all across this country. It's a deep concern that I share also, and I look forward to working with him to make sure that this does what is intended and that it provides what is necessary for our Indian population so that they have the advantages that all of us have. I thank the gentleman for offering the amendment.

I yield back the balance of my time.

The Acting CHAIR. Does the gentleman from Washington wish to continue to reserve his point of order?

Mr. DICKS. I withdraw my point of order, but would like to ask a question of the gentleman from Arizona.

The Acting CHAIR. The gentleman from Washington withdraws his point of order.

Mr. DICKS. I move to strike the requisite number of words.

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

Mr. DICKS. In your amendment, it says:

funds made available and all that follows through that period—but—and insert a charter school as that term is defined in section 1141 of the Education Amendments of 1978.

Would you tell us what that definition is, please.

Mr. GOSAR. We were looking that up, my colleague from Washington. We don't have that on the laptop at this point of inquiry.

Mr. DICKS. So you have no idea what this amendment means?

Mr. GOSAR. It allows the option for choice of charter schools as defined as ''charters schools.''

Mr. DICKS. How do you know that if you don't know what the language is?

Mr. GOSAR. They were grandfathered in up to 1999, but no provisions were given for that detail past 1999.

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law, $250,151,000 to remain available until September 30, 2013; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,112,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $36,000,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That, for fiscal year 2012, up to $400,000 of the payments authorized by the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided further*, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: *Provided further*, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That, notwithstanding the provisions of section 35(b) of the Mineral Leasing Act, as amended (30 U.S.C. 191(b)), the Secretary shall deduct 2 percent from the amount payable to each State in fiscal year 2012 and deposit the amount deducted to miscellaneous receipts of the Treasury.

AMENDMENT OFFERED BY MR. DOLD

Mr. DOLD. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 12, after the dollar amount, insert ''(reduced by $24,700,000)''.

Page 65, line 19, after the dollar amount, insert ''(increased by $24,700,000)''.

Page 65, line 21, after the dollar amount, insert ''(increased by $24,700,000)''.

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

Mr. DOLD. Mr. Chairman, I rise today to restore funding to the Great Lakes Restoration Initiative. This important initiative received steep cuts in this year's Interior bill. My amendment would simply restore half of the funding that was cut.

This amendment is part of a two-step process to restore funding to the Great Lakes Restoration Initiative. This amendment transfers funds from the Departmental Offices account to the Environmental Programs and Management, and it would be accompanied by a subsequent amendment to increase this funding to the Great Lakes Restoration Initiative.

I do appreciate the support that the Appropriations Committee has shown the Great Lakes Restoration Initiative in the past, and I am thankful that it does remain a priority within the Geographic Programs account. However, I do believe it is vitally important to restore some funding so that we can continue to protect the Great Lakes.

The Great Lakes are truly a shared national treasure. As the largest group of freshwater lakes on Earth, they hold 95 percent of the United States surface freshwater and are a source of clean drinking water to over 30 million people. From the beautiful beaches and wide open waters to the bluffs and dunes, the Great Lakes provide a wide array of recreational opportunities and are an important part of the physical landscape and cultural heritage of North America. Furthermore, the Great Lakes provide transportation for raw materials and finished goods, all of which create jobs and contribute to a stronger economy.

The Great Lakes Restoration Initiative is an important part of restoring the health and vitality of our Great Lakes. Certainly, in my district—the 10th District of Illinois—we want to make sure that the Great Lakes are taken care of and protected for future generations. However, the ecosystem is showing signs of serious stress, and action is now required to restore, rehabilitate and make our Great Lakes better. As a scoutmaster, I teach the Boy Scouts the principles of leaving areas better than when we found them.

The Great Lakes Restoration Initiative is an important avenue by which to clean up our lakes and restore them to their natural beauty so that they can remain the crown jewel for generations to come; but in order to preserve our Great Lakes, we need the Great Lakes Restoration Initiative to help tackle the challenges facing this natural treasure.

First, toxic substances are polluting the water, and this initiative helps with cleanup and pollution prevention. Also, invasive species are causing severe ecological stress on the lakes, and the initiative institutes a zero tolerance policy so that species such as the Asian carp cannot become fully established in the Great Lakes. Third, we must ensure that the pollution does not impair water quality. Finally, the Great Lakes Restoration Initiative works to restore degraded wetlands and wildlife habitats.

Earlier this year, I, along with Congressman LIPINSKI, introduced the Great Lakes Water Protection Act, which would protect Lake Michigan and the rest of the Great Lakes from wastewater discharges by prohibiting

publicly owned treatment works from intentionally diverting wastewater systems to bypass any portion of the treatment facility.

This is just one more step my colleagues and I in the Great Lakes region are taking to fight for the protection of our lakes. Yet, despite all of these concerns, the current recommendation for this critical initiative is just over half of what it received in fiscal year 2010, and is $49.4 million below the fiscal year 2011 enacted level.

I do appreciate the hard work that the Appropriations Committee has been tasked with, and I fully support the committee's efforts to be fiscally responsible—to rein in Federal spending and to make sure that we are funding our Nation's priorities. That is why my amendment only seeks to restore half of the roughly $50 million cut that the Great Lakes Restoration Initiative received in this year's Interior bill.

I do believe that the Great Lakes are at risk, and we must restore funding so that the Great Lakes Restoration Initiative can work to protect our natural resources for our children and our grandchildren for decades to come.

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

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

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

Mr. SIMPSON. I thank the gentleman for offering his amendment.

We had to make some tough decisions with this bill. Some of them were with the money that we spent in the Geographic Programs. I believe every geographic program had reduced funding in this bill. Last year, they were funded at $300 million. I think the President requested $350 million for the Great Lakes geographic program, and we funded it at $250 million.

While I appreciate what the gentleman is trying to do with his amendment—and I thank him for offering it—the fact is we just don't have that kind of money. The offset of this is $24 million out of the Secretary's account, and we earlier took $20 million out of it. I don't believe the Secretary is sleeping very well tonight.

□ 2250

Pretty soon he won't have any money left in his office, as a matter of fact. So that is a problem.

It's not what the gentleman is trying to do. I fully support what the gentleman is trying to do. It's the offset and trying to get the $20 million out of the Secretary's account which causes the problem for me. And I would hope that my colleagues would reject this amendment as we work on trying to make sure that we, in conference, can do what's necessary to fund those programs that do protect the Great Lakes, the Puget Sound, the Chesapeake Bay, Long Island Sound, San Francisco Bay, some of the other great water bodies in this country.

I appreciate the gentleman's amendment, but I have to rise in opposition to it.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 44 OFFERED BY MR. REED

Mr. REED. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 12, insert after the dollar amount the following: ''(reduced by $8,291,000)''.

Page 76, line 2, insert after the dollar amount the following: ''(increased by $8,291,000)''.

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

Mr. REED. I offer this amendment with my colleague from Oklahoma (Mr. BOREN).

This a bipartisan amendment to this appropriations bill with the intent to return funding for the Forest Health Management Account, under State and private forestry.

What we're intending to do with our proposed amendment is to move money from the D.C. bureaucracy, and I anticipate there will be a concern raised about the offset of the line that we're using to cover this increase in the Forest Health Management account from the Secretary's account.

But I firmly do believe that our taxpayer dollars are better spent not on the bureaucracy of the Secretary's office here in Washington, D.C., but more importantly on the front lines and into the States that can benefit from these programs.

This program that we're trying to take care of with this amendment is to restore the funding for the purposes of weeding out invasive species which threaten many industries and our environment across the Nation.

Essentially, invasive species threaten natural habitats, economies, and environments in every State and essentially every district that we represent. The work done by the Forest Service in education, outreach, and on-the-ground action is imperative to the prevention and early detection of nonnative invasive species.

By way of just one example that we deal with in our district, in the New York 29th Congressional District is the emerald ash borer beetle which can kill an ash tree within 5 years, decimating forests across the States and across our district. This pest and other insects have caused disruption on local economies and on job producers nationwide. Research estimates that we have reviewed at our office indicate that replacement and treatment of affected ash trees could total $10 billion over the next decade should this pest continue to spread.

This is just one pest of many that the U.S. Forest Service is seeking to maintain and address so that Federal and State funds are not diverted from other meaningful initiatives.

Working with individual States on invasive species control, the Forest Health Management programs are part of a collaborative effort to protect forest and grasslands where their efforts can be most effective—in the field on the front line rather than here behind a desk in Washington, D.C.

The benefit of placing Federal funds into action on the front lines, therefore, far outweighs the use of those funds to bloat the Federal bureaucracy. And, therefore, I ask my colleagues to support the amendment and join in this bipartisan effort, with all due respect to the chairman of the appropriations process that is making some very difficult decisions in this day and age.

But I just want to highlight this issue, and I do truly believe that through a bipartisan issue we can get money from D.C. into the fields and deal with the issue of invasive species that threaten economies and industry across the Nation.

I yield back the balance of my time.

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

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

Mr. SIMPSON. I appreciate the gentleman from New York's observation that we are working with some very difficult numbers, and he's absolutely right. And this is an account, frankly, that I think is important. The invasive species and trying to control invasive species across this country is of high importance. It's as of high importance in Idaho as it is in New York and other places across the country. But as the gentleman noted, the concern is the offset.

While we actually treated this account better than most other accounts within this budget, we actually only reduced it by 2½ percent. Some other accounts, EPA's account is down 18 percent, and some other things. Most accounts received substantially less funding. And where you're taking this money from, as I said on the last amendment, the Office of the Secretary is funded in this bill $33½ million below the budget's request. That was before we took out another $20 million in an earlier amendment to put it into the Land and Water Conservation Fund. So now we're doing $53½ million. We add this to it and we are going to be down $62 million.

Sometimes these, what appear to be small amounts, add up. If we're going to have a Secretary's office that actually functions, we have to keep enough resources there so that he can do his job.

And while I appreciate what the gentleman is trying to do, I sympathize

with what he's trying to do and support the effort of what he's trying to do. The fact that the offset affects an account that we have substantially reduced already is a problem, so I would oppose the amendment.

I yield back the balance of my time.

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

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

Mr. MORAN. I rise to agree with the chairman of the appropriations subcommittee just as I did with the last amendment.

The idea of a bloated bureaucracy, when you've taken $53 million out of the Secretary's office, it seems to me, is misplaced where we're talking about giving the Office of the Secretary of the Interior far more responsibility. And now, at every opportunity, we seem to be cutting the resources that are necessary to fulfill those responsibilities. Already tonight we've taken $20 million from the Office of the Secretary's account.

So just as I did with the prior amendment, I would also agree with the chairman's comments and associate myself with them. So I won't take any more of the body's time.

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. REED).

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

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

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

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 12, after the dollar amount, insert ''(decreased by $420,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $420,000)''.

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

Mr. SCALISE. Madam Chair, the amendment that I bring would take $420,000 from the Secretary of the Interior's account and move it into the spending reduction account to reduce the Nation's deficit.

And the reason that we're doing this is that, over the last year since the Deepwater Horizon exploded, the administration came out with a policy not long after that imposed a moratorium on drilling, a moratorium that was found by Federal courts to be outside of the law. The administration unfortunately went forward with that moratorium, costing thousands of American jobs, hurting America's energy security.

But even after the lifting of the moratorium, they still maintain what they call a permitorium, a refusal to issue permits to explore in the Gulf of Mexico for American energy. Not only does it cost our Nation tens of thousands of jobs, but it also costs us energy security where now we're even more dependent on Middle Eastern countries for oil. It's led to higher prices of gasoline at the pumps. It's had devastating impacts. Yet there's been no accountability to the administration for their policies that have led to this destruction of our economic well-being and our energy security as it relates to American energy, and especially as it relates to jobs in the Gulf of Mexico.

□ 2300

Now, if you really want to get down to the details of this amendment, one of the things we've said for a long time is, a lot of these companies, these big employers that have been out there for a long time exploring safely for American energy, they want to continue to be able to explore for American energy; and they want to go back to work; but they haven't been allowed to because of administration policies.

But what's more absurd is that while the administration has had this permitorium, where they won't let people go back to work, they have also allowed the clock to continue ticking on the permits and on the leases. And you've got a finite amount of time for a lease; you've got a 10-year period of time. And if the administration is saying you can't properly develop your lease—now it would be one thing if they said, we're going to stop the clock while we, as an administration, go forward with this radical policy. But all outside experts have said is that it has nothing to do with safety, and it is hurting not only American energy production but American jobs.

But what the administration said is they're going to continue to let the clock run. It's like if you are playing a basketball game and the referee is holding the ball, and the clock's still running. You are sitting there saying, look, I just want the ball. I want to be able to go out and play by the rules, and the referee is holding the ball while the clock continues to run. That's just not fair. And yet the administration continues to do this.

This House, Madam Chair, passed legislation, H.R. 1229. It's called the Putting the Gulf of Mexico Back to Work Act. This legislation that we passed here in this House with a bipartisan vote, sent it over to the Senate—they still haven't taken action in the Senate—but what this legislation did, among other things, is it addressed that problem and said, If this administration is going to tell responsible companies who are trying to go back to work, who are trying to do the right thing—if the administration is going to tell them that they're not allowed to play by their own rules, then the clock stops while the administration denies them the ability to be permitted.

So the legislation that we passed addressed this. But the Senate, for whatever reason, refuses to take that up; again, costing our country thousands of good, high-paying jobs and hurting America's energy security, making us more dependent on Middle Eastern oil.

What we're saying with this amendment is: if this administration wants to continue going forward with that radical policy, which a majority of the President's own hand-picked scientists in his report right after the explosion of the Horizon said is irresponsible to do, that would actually reduce safety by denying permits, by having this moratorium, and now permitorium, then there has to be accountability. We have to hold this administration accountable for their actions.

And the $420,000 number in this bill that we're setting aside and putting into the deficit reduction account was gathered by looking at the number of leases that expire at the end of this year. There are 350 leases that will expire at the end of this year, not through any fault of those companies that are out there trying to explore for American energy, but because the administration won't let them play by the rules.

So if they're going to be irresponsible with their policies, there has to be a price to pay. There has to be accountability that the American people say, You're not going to use taxpayer money to deny American jobs, to deny American energy, and make our country more dependent on Middle Eastern oil and make our country continue to have to pay these higher prices at the pump.

It's their policies that have done it, and it's clear, and everybody understands that. People in the Gulf of Mexico recognize that. But there has been no accountability by this Congress, and so that's what this legislation is intended to do. This amendment will address that problem. I urge its adoption.

I yield back the balance of my time.

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

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

Mr. SIMPSON. Madam Chairman, I reluctantly rise in opposition to the amendment. I understand what the gentleman is saying. I agree with what he's saying. I think the Members have a concern that we are not allowing these oil companies to go out after the permits, and we're trying to send a message to the Secretary. I understand that, and I don't have a problem with sending a message.

The problem is—and this is a little bit of inside baseball, I guess, to talk about it this way—the problem is that under the rules we have, you can reduce an account by a certain amount and put that money in the budget reserve account which then reduces the allocation that the committee has to spend. He takes the $420,000, I think it is, out of the Office of the Secretary and reduces our allocation by that much.

And as Members have heard that have listened to this debate, there are both Republicans and Democrats that are concerned about some of the funding allocations in this bill of the various accounts. People want to put more money into the Land and Water Conservation Fund. People want to put more money, as the last amendment did, into the invasive species program, taking care of invasive species. If you go throughout, there are Members on both sides of the aisle that believe that various accounts are funded at too low of a level. So to take this money and put it into the budget reserve account and take it out of the Interior appropriations bill means that that is money that could go into another account.

Now, this bill comes to the floor under the budget resolution that was passed by the House under the 302(a) and the 302(b) cap, the allocation that was given to this committee. It's a tough allocation, but we've made those tough decisions, and I don't like to see money to send a message to the Secretary, money taken out of his account and put into the budget reserve account when there are other accounts within the appropriation that could obviously use the funds.

So if we weren't putting it into the budget reserve account, I don't have a problem with the message you are trying to send. I appreciate what the gentleman is trying to do, but I would reluctantly have to oppose the amendment.

I yield back the balance of my time.

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

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

Mr. MORAN. I agree with the chairman of the committee again that this amendment should be opposed. But I would also mention that I don't know how fast the administration could issue drilling permits in the Gulf of Mexico that would be fast enough. It's as though Deepwater Horizon never happened. When it did happen, people died. The ecology of the gulf area was severely and adversely affected. The economy was devastated. And we did a complete investigation and found that it was largely because the Minerals Management Service was not doing its job, that they were issuing permits too quickly without adequate review. Sometimes they were just letting permit forms be filled out by the oil companies themselves. Sometimes they had already made arrangements to go to work for the oil companies.

But for whatever reason, the fact is that they weren't doing their job. They were letting down the American public. They were letting down the workers on the drilling rigs. And they certainly contributed to a despoiling of the environment, the ecology of the gulf. So this Congress, both sides having been severely critical of the Minerals Management Service, reorganized it and instructed it to be very careful, at least much more careful than they had been in the past in terms of issuing drilling permits. That's what they're doing.

Now, there have been any number of drilling permits issued. They're being issued so fast, we don't have an exact number right now; but we know a lot have been issued. Again, I doubt that whatever the number was that it would be enough for Members that represent areas in the gulf to benefit from more drilling activity. But the American public—this is a democracy, the majority of the American public, whatever State they're in—wants the Secretary of the Interior to have a process that reflects integrity, that reflects caution, that puts the safety of workers and the protection of the environment first.

So the Secretary is doing his job. We support the job he's doing. We know he's issuing a lot of permits, and we agree with the chairman that this amendment should be defeated.

I yield back the balance of my time.

Mr. SCALISE. Madam Chair, I ask unanimous consent to modify the amendment with the modification I have placed at the desk.

□ 2310

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. SCALISE:

Strike the second instruction

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

There was no objection.

The Acting CHAIR. Is there any further debate on the amendment?

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

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

Mr. MORAN. Madam Chairwoman, this is a distinction without a difference. The money still goes away. The argument that was made by the chairman of the committee still stands, as far as I can see. And so even though the amendment may be worded a little differently, the reality is that the money is lost. And we don't see that this would be a constructive amendment anyway, so we would oppose it.

Mr. SCALISE. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Louisiana.

Mr. SCALISE. What the amendment, as it's now revised, would do is it would still reduce the $420,000. It wouldn't go to the Spending Reduction Account; it would stay within the department, and I think that addresses one of the concerns that the chairman had.

But it would still make it clear that there's going to have to be accountability for those people who have played by the rules who are being penalized today. There's got to be some accountability and, in this case, there would be the ability for us to not only send a message but a message attached to a spending reduction in the Secretary's department, that he can't just deny people the ability to go back to work who are playing by the rules.

Mr. MORAN. Reclaiming my time, I don't know this business about playing by the rules and punishing people who don't. It seems to me that the Interior Department is trying to play by the rules that the Congress instructed it to play by.

But, notwithstanding that, when you remove $420,000 from the bill, don't know where it goes, I think you lose it. So I don't think that this makes a difference.

What you're saying is that you're not going to put the $420,000 into this reduction account. What's the term of it? The Spending Reduction Account. That does away with the money.

But now what you're doing is basically taking it out of the bill, letting it fly away to who knows where, but the reality is it no longer exists. So it's coming out of the bill. And we don't think that's a good idea. We agree with the chairman that this amendment should be defeated.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE), as modified.

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

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

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

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 12, after the dollar amount, insert ''(decreased by $5,500,000)''.

Page 65, line 19, after the dollar amount, insert ''(increased by $5,000,000)''.

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

Ms. JACKSON LEE of Texas. Madam Chair, we are in some tough times, but I believe it's important to have a structure in this government that provides oversight over the environment of this country. And however one may quarrel with regulations that may seem a little steep, the work of the Environmental Protection Agency is important. And as we stand here today, this legislation cuts the budget of the Environmental Protection Agency by 18 percent, in addition to a 16 percent cut in funding for

FY 2011. Thirty-four percent. This is unacceptable.

In order to protect the environment without harming industry, we must reach a compromise, instead of haphazardly slashing the EPA budget. These cuts purposely limit the EPA's ability to ensure that all Americans have access to drinking water that does not contain harmful pathogens and toxins that expose Americans to serious risk such as typhoid, hepatitis, cancer, and organ damage.

The assault on public health does not stop with the quality of our drinking water. This bill also takes drastic steps to weaken the Clean Air Act. A rider is attached that will prevent the EPA from implementing the Cross State Air Pollution Rule, a regulation that was implemented to protect the public from dangerous air pollution and prevent up to 34,000 premature deaths, 15,000 heart attacks, and 400,000 cases of aggregated asthma.

I've never seen an EPA director work as hard as Administrator Lisa Jackson. Although we have had some outstanding administrators, she has worked to work with Members across the aisle.

But these cuts reduce funding for the very programs that keep Americans, our constituents safe. And I cannot speak for my colleagues on the other side of the aisle, but I cannot afford to have these cuts impact the people of Houston and around the Nation.

Since 1999, Houston has exchanged titles with Los Angeles for the poorest air quality in the Nation. And so it is important that we find a way to increase the funding for the EPA. And as this bill makes its way through the floor, I am continuing to work to do so. And I start first with this effort. And I ask my colleagues to support this amendment.

Let me explain to you about the Old Acres Home Citizens Council. This is a historic African American community located in Houston, Texas. The Council partnered with the University of Texas to conduct a study to assess the community's health risk. It was determined that a local landfill could be the cause for the community's health-related problems, enormous cancer in that area.

As a result of the study, the Council was awarded a $20,000 grant from the EPA Justice Small Grants Program, under the Comprehensive Environmental Response Compensation Liability Act, commonly known as the Superfund, which, obviously, it was in some years past to conduct tests to detect, assess, and evaluate the risk to human health from hazardous substances. The goal of these Small Grants Program evaluation projects was to investigate whether there were hazardous substances in the runoff from the adjacent landfill. This community needed those resources. The Council used the EPA grant funds to hire an EPA-approved environmental consultant to take soil and water samples from the backyards. The results of the sample analysis revealed high concentrations of toxic substances, many of which are harmful to humans.

Since 2002, the residents of Old Acres homes have observed water and substances seeping from the landfill into their back yards. This runoff collects into pools of standing water. Due to poor drainage, these standing pools became engorged and then flood, thereby increasing exposure of residences to potentially hazardous substances from the landfill.

This was the work of the EPA. It educated a poor community of seniors and others about the conditions of their neighborhood. This funding that takes away from EPA also takes away from the Clean Water State Revolving Fund and, of course, impacts communities like that of the Acres Home Community in the 18th Congressional District.

□ 2320

My friends, we cannot gamble with the safety of the American public, the cleanliness of air and water, the quality of the environment for future generations. We need to restore this funding, and I have made this effort to do so. I will continue to do so.

Since the debt limit was put in place, we have always paid America's bills. We fight today to raise the debt ceiling, but at the same time we're cutting away at America's safety and America's need for environmental protection. I ask my colleagues to support this amendment because it is the right thing to do. It is the right thing to do for Acres Home Community in Houston, Texas.

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

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

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

Mr. SIMPSON. Madam Chairwoman, this is the same debate over again. We're taking money from the Office of the Secretary, which is down some $30-odd million, $33 million, I think it was, from the budget request of this year; then we've taken $20 million out of that already to put into the Land and Water Conservation Fund. This would take more money out of the Office of the Secretary.

It seems like every time somebody has an amendment that they want to offer to fund some program that they believe is important—and oftentimes they are important—the savings account that you get it from is the Office of the Secretary. Not only in this bill, but in other bills. We take it out of administration. That's always the easiest thing to do, but the fact is that the Office of the Secretary has taken a pretty good hit in this bill both during the markup and here on debate on the floor, and so I'm afraid I have to oppose this amendment because I think it hits an account that is already substantially lower than what was requested.

I would oppose the amendment.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. First of all, I didn't thank both you and the ranking member for a very tough task, and I think my overall intent was the need for increasing the funding in EPA.

As we make our way through this process, does the gentleman see, in the consultation with the other body, any opportunity to restore any of these funds to the EPA?

Mr. SIMPSON. I would have to say I don't know. I don't know what the Senate is doing, what their allocation is going to be. They have not passed a budget, so they have no 302(b) over there to work with. But certainly we realize that the EPA has taken the largest hit within this budget. A lot of that was due to the fact that they had the largest increases over the last couple of years. But certainly we will be looking at all of these accounts when we go into conference with the body across the Rotunda trying to come to a compromise that can pass both the House and the Senate.

Ms. JACKSON LEE of Texas. If the gentleman will yield again, I am going to continue to work on this issue. I know that we're going to take a vote on this. I, as they say, will come back again on the floor, because I think this is a very important issue.

I thank the gentleman for yielding to allow me to again express how important it is that the EPA be funded more fully than it has been.

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

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $82,558,000, of which: (1) $73,296,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,262,000 shall be available until September 30, 2013 for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used

by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,307,000, to remain available until expended, as provided for in sections 221(a)(2) of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $64,946,000.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 24, after the dollar amount, insert ''(decreased by $4,367,000)''.

Page 88, line 9, after the dollar amount, insert ''(increased by $4,367,000)''.

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

Mr. GOSAR. Thank you, Madam Chair.

As someone who has practiced chairside dentistry for 25 years, I know firsthand the profound value of oral health, particularly for children. Oral health care access early in life is shown to be a critical aspect of primary preventative care. This is especially true in the Native American community, which I am proud to serve as a Representative of Arizona, which has 21 federally recognized tribes.

For this reason, my amendment would transfer $4,367,000 from the Office of the Department of the Interior Solicitor General to the Indian Health Service. The committee report recommends $4,367,000 less than the President's request for dental health within IHS, and while the bill does not name dental health specifically, I would like to make it clear on this floor tonight that this reallocation of funds is explicitly intended to fund dental health programs within IHS at the level recommended by the administration.

The United States Government took on long ago a number of treaty obligations to our Native people, and health care was among them. In particular, I cannot state strongly enough how imperative it is that the Indian tribes have this effort in the area of oral health fully funded.

Believe it or not, the incidence of early childhood caries, or commonly understood tooth decay, occurs among the Native American and Native Alaskan populations at 300 percent the rate of the United States average. This is unacceptable; and, again, as someone who has practiced dentistry as long as I have, I can tell you that this epidemic will have dire consequences for these children throughout their lives.

Worse still, the severity of decay is substantially higher in these children compared to the population as a whole. Preschool Native children average more than five decayed teeth compared to one decayed tooth among U.S. preschool children of all races. In many Native communities, between 25 and 50 percent of preschool children have such extensive tooth decay that they require full mouth restoration under general anesthesia, compared to less than 1 percent for non-Native children.

We have an obligation to improve this sad state of affairs, and so I offer this amendment and encourage my colleagues on both sides of the aisle to support it for the sake of these Native children to whom we have an obligation.

I yield back the balance of my time.

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

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

Mr. SIMPSON. Madam Chairwoman, you're going to hear from the entire Dental Caucus tonight. Congressman GOSAR from Arizona and myself are the two dentists that are in Congress, so it might not surprise you that I support the gentleman's amendment. I appreciate his sincere efforts to address the obligations, both trust obligations and treaty obligations, and moral obligations, that we have with our Indian brothers and sisters across this country.

One of the things I'm proudest of in this bill, as I said in my opening statement during general debate, was to be able to carry on the work that had been done by Chairman DICKS when he was chairman of the committee, Chairman MORAN when he was chairman of the committee, and now that I'm chairman of the committee, to meet those trust obligations that we have with our Indian brothers and sisters across this country.

One of the areas in this bill, one of the two areas, that actually got increased funding was Indian health services because we do have an obligation to meet these things. Dental decay is the most prevalent disease in the United States; and as the gentleman from Arizona said, it's 300 percent more likely in Native Americans than it is in the general population. That's unacceptable. We have to do something about it. It means that we have to meet the contract obligations that we have had.

There's a saying that's been said around the country that if you live in Indian Country, you need to get sick before June, because the contract support costs run out about that time. One thing we've made a concerted effort to do on a bipartisan basis is try to fund 100 percent of the contract support costs for Native Americans. We haven't reached that goal yet. I think in this bill we're about at 93 or 94 percent, something like that. The contract support in the BIA that does the police work and those types of things are fully funded. We are going to continue to work to make sure that we meet those obligations that I think we all as Americans have.

I appreciate the amendment offered by the gentleman from Arizona, and I truly appreciate his support for our Indian brothers and sisters.

I yield back the balance of my time.

□ 2330

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

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

Mr. MORAN. As I have said publicly and privately to the chairman of the Interior Appropriations Subcommittee, I congratulate him for taking the initiative and showing the commitment to the Indian Health Service by increasing it by $369 million this year. And dental health specifically is up by $13.8 million. That's above the existing level this year, and this year is above last year. Granted, the need is very substantial, and so I am very supportive.

The problem is that, with this amendment that adds another $4.3 million for the express purpose of increasing dental health further, it's the offset. The cut is to the solicitor of the Department that serves as the chief legal officer, and it's the solicitor that provides legal services to Native Americans on behalf of the Department. So you're taking the chief legal officer for the Native Americans of this country and making a substantial cut to the resources available for that position. It's kind of robbing Peter to pay Paul.

There are very substantial and serious legal issues that need to be dealt with on behalf of Indians throughout the country, and there are very difficult health issues that certainly need to be addressed. So I did not rise in opposition to the amendment, but I do think that taking the money from the solicitor is an unfortunate place to be finding a cut of $4.3 million.

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

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

The amendment was agreed to.

Mr. SIMPSON. Madam Chairman, I ask unanimous consent that the remainder of the bill through page 56, line 22 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of that portion of the bill is as follows:

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $48,493,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $152,319,000, to remain available until expended, of which not to exceed $31,171,000, from this or any other Act, shall be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Salaries and Expenses'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2012, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $574,072,000, to remain available until expended, of which not to exceed $6,137,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations: *Provided further*, That, before obligating any of the funds provided herein for wildland fire suppression, the Secretary of the Interior shall obligate all unobligated balances previously made available under this heading that, when appropriated, were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 and notify the Committees on Appropriations of the House of Representatives and the Senate in writing of the imminent need to begin obligating funds provided herein for wildland fire suppression: *Provided further*, That the Secretary of the Interior may transfer not more than $50,000,000 of the funds provided herein to the Secretary of Agriculture if the Secretaries determine that the transfer will enhance the efficiency or effectiveness of Federal wildland fire suppression activities.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $92,000,000, to remain available until expended: *Provided*, That such amounts are available only for transfer to the ''Wildland Fire Management'' account and only following a declaration by the Secretary that either (1) a wildland fire suppression event meets certain previously-established risk-based written criteria for significant complexity, severity, or threat posed by the fire or (2) funds in the ''Wildland Fire Management'' account will be exhausted within 30 days.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental

Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,149,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,763,000, to remain available until expended.

WORKING CAPITAL FUND

For the acquisition of a departmental financial and business management system, information technology improvements of general benefit to the Department, and consolidation of facilities and operations throughout the Department, $57,019,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' and ''FLAME Wildfire Suppression Reserve Fund'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2012. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

TWIN CITIES RESEARCH CENTER

SEC. 106. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by section 701 of Public Law 100–696 (16 U.S.C. 460zz).

PAYMENT OF FEES

SEC. 107. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Salazar to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Salazar.

EVERGLADES ECOSYSTEM RESTORATION

SEC. 108. This and any subsequent fiscal year, the National Park Service is authorized to implement modifications to the Tamiami Trail as described in, and in accordance with, the preferred alternative identified in the final environmental impact statement noticed in the Federal Register on December 14, 2010, (75 Fed. Reg. 77896), relating to restoration efforts of the Everglades ecosystem.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 109. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

INDIAN PROBATE JUDGES

SEC. 110. In fiscal year 2012 and each fiscal year thereafter, for the purpose of adjudicating Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 111. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may establish accounts and transfer funds among and between the offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.

AUTHORIZED USE OF INDIAN EDUCATION FUNDS

SEC. 112. Beginning July 1, 2008, any funds (including investments and interest earned, except for construction funds) held by a Public Law 100–297 grant or a Public Law 93–638 contract school shall, upon retrocession to or re-assumption by the Bureau of Indian Education, remain available to the Bureau of Indian Education for a period of 5 years from the date of retrocession or re-assumption for the benefit of the programs approved for the school on October 1, 1995.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 113. (a) Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c) (except that the 5 year term restriction in subsection (d) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

(b) During fiscal year 2012 and subsequent fiscal years, in carrying out work involving cooperation with any State or political subdivision thereof, the Bureau of Land Management may record obligations against accounts receivable from any such entities.

BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS

SEC. 114. (a)(1) Nothwithstanding section 586(c) of title 40, United States Code, the head of a Bureau-operated school is authorized to enter into agreements with public and private persons and entities that provide for such persons and entities to rent or lease the land or facilities of the school in exchange for a consideration (in the form of funds) that benefits the school, as determined by the head of the school when such rent or lease does not interfere with school operations.

(2) Funds received under paragraph (1) shall be retained by the school and used for school purposes otherwise authorized by law. Any funds received under paragraph (1) are hereby made available until expended for such purposes, notwithstanding section 3302 of title 31, United States Code.

(3) Nothing in this section shall be construed to allow for the diminishment of, or otherwise affect, the appropriation of funds to the budget accounts for the operation and maintenance of Bureau-operated schools. No funds shall be withheld from the distribution to the budget of any Bureau-operated school due to the receipt by the school of a benefit in accordance with this section.

(b) Notwithstanding any provision of title 5, United States Code, or any regulation promulgated under such title, education personnel who are under the direction and supervision of the Secretary of the Interior may participate in a fundraising activity for the benefit of a Bureau-operated school in an official capacity as part of their official duties. When participating in such an official capacity, the employee may use the employee's official title, position, and authority. Nothing in this subsection shall be construed to authorize participation in political activity (as such term is used in section 7324 of title 5, United States Code) otherwise prohibited by law.

(c) The Secretary of the Interior shall promulgate regulations to carry out this section not later than 12 months after the date of the enactment of this Act. Such regulations shall include—

(1) provisions for the establishment and administration of mechanisms for the acceptance of consideration for the use and benefit of a school in accordance with this section (including, in appropriate cases, the establishment and administration of trust funds);

(2) accountability standards to ensure ethical conduct; and

(3) provisions for monitoring the amount and terms of consideration received, the manner in which the consideration is used, and any results achieved by such use.

(d) Provisions of this section shall apply to fiscal year 2012 and subsequent fiscal years.

MASS MARKING OF SALMONIDS

SEC. 115. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

Mr. SIMPSON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOSAR) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1383. An act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the end enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1103—An act to extend the term of the incumbent Director of the Federal Bureau of Investigation.

ADJOURNMENT

Mr. SIMPSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 27, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

2605. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-8185] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2606. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Risk Based Capital Standards: Advanced Capital Adequacy Framework — Basel II; Establishment of a Risk-Based Capital Floor [Docket No.: -2010-0009] (RIN: 1557-AD33) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2607. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities; Disability and Rehabilitation Research Projects and Centers Program — Disability Rehabilitation Research Projects (DRRP) — Americans with Disabilities Act (ADA) National Networks Regional Centers (formerly the Disability Business Technical Assistance Centers (DBTACs), the ADA National Network Knowledge Translation Center, and the ADA National Network Collaborative Research Projects [CFDA Numbers: 84.133A-6, 84.133A-7, and 84.133A-8] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2608. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities; Disability and Rehabilitation Research Projects and Centers Program [CFDA Numbers: 84.133E-1 and 84.133E-3] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2609. A letter from the Associate Director for PP&I, Department of the Treasury, transmitting the Department's final rule — Alphabetical Listings: Specially Designated Nationals and Blocked Persons; Blocked Vessels; Persons Determined to be the Government of Iran received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 2056. A bill to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures, and for other purposes; with an amendment (Rept. 112–182). Referred to the Committee of the Whole House on the State of the Union.

Mr. SCOTT of South Carolina: Committee on Rules. House Resolution 372. Resolution providing for consideration of the bill (H.R. 2587) to prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance (Rept. 112–183). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. HAYWORTH:

H.R. 2642. A bill to prohibit the disposal of certain Department of Veterans Affairs land and improvements in the Hudson Valley Healthcare System; to the Committee on Veterans' Affairs.

By Mr. MCDERMOTT (for himself, Mr. JONES, Mr. CONYERS, and Mr. ELLISON):

H.R. 2643. A bill to provide for medical neutrality and to establish accountability for violations of the principle of medical neutrality, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO (for himself, Mr. RAHALL, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. DEFAZIO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. BOSWELL, Mr. HOLDEN, Mr. LARSEN of Washington, Mr. CAPUANO, Mr. BISHOP of New York, Mr. MICHAUD, Mr. CARNAHAN, Mrs. NAPOLITANO, Mr. LIPINSKI, Ms. HIRONO, Mr. ALTMIRE, Mr. WALZ of Minnesota, Mr. SHULER, Mr. COHEN, Ms. RICHARDSON, Mr. SIRES, and Ms. EDWARDS):

H.R. 2644. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. WAXMAN, and Mr. PALLONE):

H.R. 2645. A bill to amend title XVIII of the Social Security Act to increase the minimum loss ratio required of Medigap policies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio:

H.R. 2646. A bill to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CUMMINGS (for himself, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. STARK, Mr. PIERLUISI, and Mr. COHEN):

H.R. 2647. A bill to require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. YOUNG of Alaska, and Ms. HANABUSA):

H.R. 2648. A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians; to the Committee on Financial Services.

By Mr. BRADY of Texas (for himself, Mr. KIND, Mr. CLAY, Mr. GERLACH, Mr. BARTON of Texas, Mr. MCINTYRE, Mr. PAUL, Mr. BLUMENAUER, Mr. RUPPERSBERGER, and Mr. SHUSTER):

H.R. 2649. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 2650. A bill to designate the United States courthouse under construction at 510 19th Street, Bakersfield, California, as the Myron Donovan Crocker United States Courthouse; to the Committee on Transportation and Infrastructure.

By Mr. SCHWEIKERT (for himself, Mr. MULVANEY, Mr. GARRETT, and Mr. DUNCAN of South Carolina):

H.R. 2651. A bill to require that the United States Government prioritize all obligations on the debt held by the public, Social Security benefits, and military pay in the event that the debt limit is reached, and for other purposes; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 2652. A bill to amend title 5, United States Code, to provide that Members must complete 12 years of creditable service in order to be vested in an annuity under the Federal Employee Retirement System, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER (for himself, Mr. KIND, Mr. WELCH, Mr. CUELLAR, Mr. COSTA, Mr. THOMPSON of California, Mr. DONNELLY of Indiana, Mr. ALTMIRE, Mr. MATHESON, Mr. BOSWELL, Mr. SCHRADER, Mr. BOREN, Mr. BISHOP of Georgia, Mr. SHULER, Mr. KISSELL, Mr. CARNEY, and Mr. HIMES):

H.R. 2653. A bill to provide that Members of Congress shall be paid last whenever the Treasury is unable to liquidate the obligations of the United States Government in a timely manner because the public debt limit has been reached; to the Committee on House Administration.

By Mr. ELLISON:

H.R. 2654. A bill to amend the Servicemembers Civil Relief Act to provide servicemembers increased protection during a funding gap; to the Committee on Veterans' Affairs.

By Mr. GERLACH (for himself, Mr. NEAL, Mr. TIBERI, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS of Georgia, and Mr. BLUMENAUER):

H.R. 2655. A bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. PETRI, and Mr. MCDERMOTT):

H.R. 2656. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to make technical modifications relating to the Worker, Retiree, and Employer Recovery Act of 2008 and the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself, Mr. MORAN, Mr. CONNOLLY of Virginia, Mr. SERRANO, Mr. COHEN, Mr. SHERMAN, Mr. BRADY of Pennsylvania, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. KUCINICH, Mr. DEUTCH, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. RANGEL, Mr. VAN HOLLEN, Mr. HINCHEY, Mr. KISSELL, Mr. STARK, Mr. LEWIS of Georgia, Mr. DEFAZIO, Ms. SCHAKOWSKY, and Mr. NADLER):

H.R. 2657. A bill to end the use of body-gripping traps in the National Wildlife Refuge System; to the Committee on Natural Resources.

By Mr. DANIEL E. LUNGREN of California:

H.R. 2658. A bill to amend the Homeland Security Act of 2002 to enhance the ability of the Federal Protective Service to provide adequate security for the prevention of terrorist activities and for the promotion of homeland security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. TOWNS, Mr. GRIJALVA, Ms. NORTON, Ms. LEE, Ms. SPEIER, Ms. MOORE, Ms. HIRONO, and Mr. INSLEE):

H.R. 2659. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself, Mr. GOHMERT, Mr. POE of Texas, Mr. SAM JOHNSON of Texas, Mr. HENSARLING, Mr. BARTON of Texas, Mr. CULBERSON, Mr. BRADY of Texas, Mr. AL GREEN of Texas, Mr. CONAWAY, Ms. GRANGER, Mr. THORNBERRY, Mr. PAUL, Mr. REYES, Ms. JACKSON LEE of Texas, Mr. GONZALEZ, Mr. SMITH of Texas, Mr. OLSON, Mr. DOGGETT, Mr. FARENTHOLD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARTER, Mr. SESSIONS, Mr. HALL, Mr. HINOJOSA, Mr. FLORES, Mr. BURGESS, Mr. GENE

GREEN of Texas, Mr. CANSECO, Mr. CUELLAR, Mr. NEUGEBAUER, and Mr. MARCHANT):

H.R. 2660. A bill to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''; to the Committee on Oversight and Government Reform.

By Mr. OWENS:

H.R. 2661. A bill to amend the Tariff Act of 1930 to waive the requirement to report the arrival at any port or place within the United States of a vessel of Canada if the vessel does not anchor or dock at any harbor within the customs territory of the United States; to the Committee on Ways and Means.

By Mr. RIBBLE:

H.R. 2662. A bill to amend the Internal Revenue Code of 1986 to provide for equity relating to medical costs; to the Committee on Ways and Means.

By Mr. SMITH of Washington (for himself, Mr. HOYER, Mr. DICKS, and Mr. BERMAN):

H.J. Res. 74. A joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY:

H. Res. 373. A resolution supporting the goals and ideals of a national day of remembrance for United States nuclear weapons program workers and uranium miners, millers, and haulers; to the Committee on Oversight and Government Reform.

By Mr. SHUSTER (for himself and Ms. SCHWARTZ):

H. Res. 374. A resolution expressing the sense of the House of Representatives that the United States should initiate negotiations to enter into a free trade agreement with Georgia; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

95. The SPEAKER presented a memorial of the House of Representatives of the State of Florida, relative to House Memorial 9 requesting that the Congress allocate moneys generated from marine and fishery product import tariffs for the domestic marketing of Florida seafood; to the Committee on Agriculture.

96. Also, a memorial of the House of Representatives of the State of Maine, relative to H.P. 1179 Joint Resolution urging the President and the Congress to realize the major problems of corn ethanol as a fuel additive; to the Committee on Energy and Commerce.

97. Also, a memorial of the House of Representatives of the State of Florida, relative to House Memorial 557 proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

98. Also, a memorial of the House of Representatives of the State of Florida, relative to House Memorial 1047 requesting that the United States Treasury Department withdraw Internal Revenue Service regulation REG-146097-09; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. HAYWORTH:

H.R. 2642.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution reserves to Congress the power to raise and support Armies and provide and maintain a Navy, as well as make Rules for the Government and Regulation of the land and naval Forces.

By Mr. MCDERMOTT:

H.R. 2643.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (spending authorization);

Article I, Section 8, Clause 3 (foreign commerce); and

Article I, Section 8, Clause 4 (immigration regulation).

By Mr. COSTELLO:

H.R. 2644.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. STARK:

H.R. 2645.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, Section 8 of Article I of the Constitution.

By Mr. JOHNSON of Ohio:

H.R. 2646.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the United States Constitution

By Mr. CUMMINGS:

H.R. 2647.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. HIRONO:

H.R. 2648.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. BRADY of Texas:

H.R. 2649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COSTA:

H.R. 2650.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Section Eight, Clause one of the first Article one the United States Constitution.

By Mr. SCHWEIKERT:

H.R. 2651.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight

By Mr. COBLE:

H.R. 2652.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the United States Constitution

By Mr. COOPER:

H.R. 2653.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sections 8 and 9 of the Constitution of the United States.

By Mr. ELLISON:

H.R. 2654.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. GERLACH:

H.R. 2655.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. KIND:

H.R. 2656.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mrs. LOWEY:

H.R. 2657.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the Constitution of the United States

By Mr. DANIEL E. LUNGREN of California:

H.R. 2658.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the Commerce Clause of Article 1, Section 8 and to provide for the common defense also in Article 1, Section 8.

By Mrs. MALONEY:

H.R. 2659.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. MCCAUL:

H.R. 2660.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution: ''The Congress shall have Power . . . To establish Post Offices and post Roads.''

By Mr. OWENS:

H.R. 2661.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Art. I, §8, cl. 3) of the United States Constitution provides that the Congress shall have the power to regulate interstate and foreign commerce.

By Mr. RIBBLE:

H.R. 2662.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the U.S. Constitution.

By Mr. SMITH of Washington:

H.J. Res. 74.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 11 through 13, relating to Congress' authority to declare war, raise and support armies, and provide and maintain a Navy, respectively.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. CANSECO.

H.R. 58: Mr. HARPER, Mr. KINGSTON, and Mr. BUCHANAN.

H.R. 100: Mr. GOODLATTE.
H.R. 178: Mr. GOSAR.
H.R. 181: Mr. GOSAR.
H.R. 198: Mr. BUCSHON.
H.R. 365: Mr. RANGEL and Mr. TOWNS.
H.R. 436: Mr. JOHNSON of Ohio and Mr. RIBBLE.
H.R. 440: Mr. MCDERMOTT.
H.R. 452: Mr. GALLEGLY and Mr. GOODLATTE.
H.R. 469: Mr. CAPUANO.
H.R. 615: Mr. GRIFFIN of Arkansas, Mr. PALAZZO, and Mr. HARPER.
H.R. 687: Mr. WEST and Mr. RUNYAN.
H.R. 721: Mr. LATOURETTE.
H.R. 733: Mr. JACKSON of Illinois, Ms. SPEIER, and Mr. MEEKS.
H.R. 735: Mr. CARTER.
H.R. 791: Mr. BISHOP of New York, Mr. RUPPERSBERGER, Mr. RUNYAN, Mr. MARINO, and Mr. GOSAR.
H.R. 822: Mr. WEBSTER.
H.R. 885: Mr. FILNER and Ms. EDWARDS.
H.R. 894: Ms. SCHWARTZ.
H.R. 973: Mr. POMPEO.
H.R. 1044: Mr. FARENTHOLD.
H.R. 1106: Ms. BROWN of Florida and Mr. HINCHEY.
H.R. 1159: Mr. WOMACK and Mr. CRAWFORD.
H.R. 1161: Mr. GRAVES of Georgia.
H.R. 1186: Mr. CRAWFORD.
H.R. 1195: Ms. WILSON of Florida.
H.R. 1219: Ms. WILSON of Florida.
H.R. 1236: Mr. GRIFFIN of Arkansas, Mr. ROTHMAN of New Jersey, and Mr. GUINTA.
H.R. 1300: Mrs. MALONEY.
H.R. 1327: Mr. CARSON of Indiana, Mr. DAVIS of Kentucky, and Mr. ROGERS of Kentucky.
H.R. 1370: Mr. LATTA.
H.R. 1386: Mr. LEWIS of Georgia.
H.R. 1426: Mr. WALZ of Minnesota, Mr. BARLETTA, Mr. MURPHY of Pennsylvania, and Mr. WILSON of South Carolina.
H.R. 1449: Ms. TSONGAS and Mr. COHEN.
H.R. 1466: Ms. FUDGE, Mr. RAHALL, Ms. JACKSON LEE of Texas, and Ms. CLARKE of New York.
H.R. 1497: Ms. HOCHUL.
H.R. 1505: Mr. GOHMERT, Mr. SOUTHERLAND, Mr. WITTMAN, and Mr. FRANKS of Arizona.
H.R. 1509: Mr. GERLACH.
H.R. 1546: Mr. ROTHMAN of New Jersey, Mr. BARLETTA, Mr. MILLER of North Carolina, Mr. BRALEY of Iowa, Ms. BORDALLO, and Ms. PINGREE of Maine.
H.R. 1588: Mr. GRIMM.
H.R. 1591: Mrs. DAVIS of California.
H.R. 1653: Mr. PAULSEN.
H.R. 1712: Mr. MCCOTTER.
H.R. 1744: Mr. WOMACK, Mr. GRIFFIN of Arkansas, and Mr. DENHAM.
H.R. 1755: Mr. LATTA.
H.R. 1815: Mr. ROGERS of Michigan, Mr. LATOURETTE, and Ms. HOCHUL.
H.R. 1834: Mr. DENHAM.
H.R. 1845: Mr. NUNES.
H.R. 1855: Mr. KING of New York.
H.R. 1860: Mr. FORBES.
H.R. 1864: Mr. QUAYLE.
H.R. 1904: Mr. PEARCE.
H.R. 1953: Mr. GRIJALVA and Mrs. BONO MACK.
H.R. 2040: Mr. NUGENT.
H.R. 2056: Ms. HAYWORTH.
H.R. 2091: Ms. EDWARDS.
H.R. 2092: Mr. REED.
H.R. 2108: Mr. PALAZZO.
H.R. 2140: Mr. WITTMAN, Mr. KISSELL, Mr. SHUSTER, and Mr. RYAN of Ohio.
H.R. 2164: Mr. WOLF and Mr. SHULER.
H.R. 2182: Mr. LATTA.
H.R. 2198: Mr. MILLER of North Carolina, Mr. LATHAM, and Mr. BERG.
H.R. 2214: Mr. CHABOT, Mr. LATTA, Mr. OLSON, Mr. GIBBS, Mr. GOHMERT, Mr. PALAZZO, Mr. SESSIONS, Mr. SCHILLING, Mr. YOUNG of Indiana, Mr. WEST, Mr. WALDEN, Mr. SHUSTER, Mr. DIAZ-BALART, and Mr. POLIS.
H.R. 2223: Mr. COSTELLO.
H.R. 2242: Ms. DEGETTE.
H.R. 2248: Mr. VISCLOSKY.
H.R. 2250: Mr. COSTA.
H.R. 2257: Mr. MARCHANT, Mr. MEEHAN, Mr. ROKITA, and Mr. PAUL.
H.R. 2299: Mr. LUETKEMEYER.
H.R. 2335: Mrs. BONO MACK.
H.R. 2363: Mr. PALAZZO.
H.R. 2402: Mrs. HARTZLER, Mr. BENISHEK, and Mr. NUNNELEE.
H.R. 2429: Mr. CANSECO.
H.R. 2471: Mr. CONYERS.
H.R. 2505: Mr. DICKS, Mr. FRANK of Massachusetts, and Ms. TSONGAS.
H.R. 2511: Mr. DEUTCH and Mr. MEEKS.
H.R. 2514: Mr. OLSON.
H.R. 2529: Mr. CASSIDY.
H.R. 2543: Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Mr. HINCHEY, and Ms. EDWARDS.
H.R. 2559: Ms. MOORE.
H.R. 2580: Mr. ACKERMAN, Mr. REED, Mr. ISRAEL, and Mr. RYAN of Ohio.
H.R. 2635: Mr. STIVERS.
H.J. Res. 2: Mr. WOODALL, Mr. BUCSHON, Mrs. ELLMERS, and Mr. COSTA.
H.J. Res. 69: Mr. SERRANO.
H.J. Res. 73: Mr. TIPTON and Mr. YODER.
H. Res. 111: Mr. GOWDY.
H. Res. 137: Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 298: Mr. TIBERI.
H. Res. 342: Ms. EDWARDS.
H. Res. 361: Mr. CICILLINE, Ms. SEWELL, Ms. BROWN of Florida, Mr. CLYBURN, Mr. CLARKE of Michigan, Mr. HOLT, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. SIRES, Mr. BISHOP of Georgia, Ms. FUDGE, Ms. CLARKE of New York, Mr. WATT, Mr. RICHMOND, Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, Mr. DAVID SCOTT of Georgia, Mr. TOWNS, and Mr. VAN HOLLEN.
H. Res. 364: Mr. NUNNELEE, Mr. NEUGEBAUER, Mrs. LUMMIS, Mr. PERLMUTTER, Mr. DIAZ-BALART, and Mr. BECERRA.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The provisions that warranted a referral to the Committee on Oversight and Government Reform in S. 627 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 53: Page 65, line 19, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 32, line 12, after the dollar amount, insert ''(decreased by $5,500,000)''.

H.R. 2584

OFFERED BY: MR. CARTER

AMENDMENT NO. 54: Page 15, line 8, after the dollar amount, insert ''(decreased by $1,000,000) (increased by $1,000,000)''.

H.R. 2584

OFFERED BY: MR. GOSAR

AMENDMENT NO. 55: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO BORDER PATROL ACTIVITIES

SEC. ____. None of the funds made available under this Act may be used to enforce any of the following laws againt the United States Border Patrol during border patrol activities on Federal lands:

(1) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(3) The Federal Water Pollution Control Act (commonly known as the ''Clean Water Act''; 33 U.S.C. 1251 et seq.).

(4) The National Historic Preservation Act (16 U.S.C. 470 et seq.).

(5) The Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(6) The Clean Air Act (42 U.S.C. 7401 et seq.).

(7) The Archeological Resources Protection Act of 1979 (16 U.S.C. 18 470aa et seq.).

(8) The Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(9) The Noise Control Act of 1972 (42 U.S.C. 4901 et seq.).

(10) The Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(11) The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(12) Public Law 86–523 (commonly known as the ''Archaeological and Historic Preservation Act'' and the ''Archaeological Recovery Act''; 16 U.S.C. 469 et seq.).

(13) The Act of June 8, 1906 (commonly known as the ''Antiquities Act''; 16 U.S.C. 431 et seq.).

(14) The Act of August 21, 1935 (commonly known as the ''Historic Sites, Buildings, and Antiquities Act''; 16 U.S.C. 461 et seq.).

(15) The Farmland Protection Policy Act (7 U.S.C. 4201 et seq.).

(16) The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

(17) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(18) The Wilderness Act (16 U.S.C. 1131 et seq.).

(19) The Bald Eagle Protection Act of 1940 (16 U.S.C. 668 et seq.).

(20) The Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

(21) The American Indian Religious Freedom Act (42 U.S.C. 1996 et seq.).

(22) The Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.).

(23) The Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6303 et seq.).

H.R. 2584

OFFERED BY: MR. GOSAR

AMENDMENT NO. 56: Page 76, lines 10 and 13, insert after each dollar amount the following: ''(increased by $10,000,000)''.

Page 80, line 1, insert after the dollar amount the following: ''(reduced by $16,000,000)''.

H.R. 2584

OFFERED BY: MR. DENT

AMENDMENT NO. 57: At the end of the bill, before the short title, insert the following:

LIMITATION OF FUNDS RELATED TO INDIAN GAMING ON SETTLEMENT LANDS

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce section 20(b)(1)(B)(i) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(i)).

H.R. 2584

OFFERED BY: MR. GRIFFIN OF ARKANSAS

AMENDMENT NO. 58: Page 10, line 21, insert after the dollar amount the following: ''(increased by $3,000,000)''.

Page 65, line 19, insert after the dollar amount the following: ''(reduced by $3,000,000)''.

H.R. 2584

OFFERED BY: MR. RIGELL

AMENDMENT NO. 59: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO ACQUISITION OF LAND

SEC. ____. None of the funds made available by this Act may be used to prepare, install, or manage a transit system for access to Chincoteague National Wildlife Refuge.

H.R. 2584

OFFERED BY: MR. RIGELL

AMENDMENT NO. 60: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO ACQUISITION OF LAND

SEC. ____. None of the funds made available by this Act may be used to acquire lands for ownership by the Federal Government without first conveying to non-Federal ownership an equal number of acres federally owned lands.

H.R. 2584

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 61: 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 promulgate, implement, administer, or enforce any Federal implementation plan under the Clean Air Act (42 U.S.C. 7401 et seq.) that imposes any standard or requirement under subpart P of part 51 of title 40, Code of Federal Regulations.

H.R. 2584

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 62: At the end of the bill, before the short title, insert the following:

LIMITATION OF FUNDS RELATED TO BUFFER ZONES

SEC. ____. None of the funds made available by this Act may be used to create a protective perimeter or buffer zone around an area owned or managed by the National Park Service or the Department of Interior.

H.R. 2584

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 63: At the end of the bill, before the short title, insert the following:

LIMITATION OF FUNDS RELATED TO PUBLIC LAND

SEC. ____. None of the funds made available by this Act may be used to increase the net number of acres of Federal land under the jurisdiction of the Department of the Interior.

H.R. 2584

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 64: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available under this Act may be used to establish, issue, evaluate, or implement proposed regulations (Existing Facilities Rule) on the location, design, construction, and capacity of water intake structures under section 316(b) of the Federal Water Pollution Control Act.

H.R. 2584

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 65: Page 71, lines 15 and 17, strike ''not less than 30 percent'' and insert ''30 percent or less''.

H.R. 2584

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 66: Page 98, line 11, after the dollar amount, insert ''(reduced by $2,661,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $2,661,000)''.

H.R. 2584

OFFERED BY: MR. HOLT

AMENDMENT NO. 67: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO LEASING ACTIVITIES

SEC. ____. None of the funds made available under this Act may be used to conduct oil or natural gas preleasing, leasing, or related activities in the North and Mid-Atlantic planning areas.

H.R. 2584

OFFERED BY: MR. HOLT

AMENDMENT NO. 68: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''BUREAU OF LAND MANAGEMENT-MANAGEMENT OF LANDS AND RESOURCES'', and increasing the amount made available for ''UNITED STATES GEOLOGICAL SURVEY-SURVEYS, INVESTIGATIONS, AND RESEARCH'', by $15,929,000 and $13,929,000, respectively.

H.R. 2584

OFFERED BY: MR. HOLT

AMENDMENT NO. 69: At the end of the bill, before the short title, insert the following:

LAND AND WATER CONSERVATION FUND

SEC. ____. Beginning in fiscal year 2012 and each fiscal year thereafter, $900,000,000 shall be deposited in the Treasury of the United States and credited to the Land and Water Conservation Fund. These sums shall be available to the Secretary, without further appropriation or fiscal year limitation, for carrying out the purposes of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.).

H.R. 2584

OFFERED BY: MR. GOHMERT

AMENDMENT NO. 70: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available under title II (relating to the Environmental Protection Agency) may be used for the new construction, purchase, or lease of any facility land, or space except if such construction, purchase, or lease is performed pursuant to a contract entered into before the date of the enactment of this Act.

H.R. 2584

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 71: 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 Environmental Protection Agency to finalize an order for the pesticide sulfuryl fluoride under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a) that is based on an aggregate exposure assessment that incorporates exposure to other related substances in addition to the pesticide chemical residue.

H.R. 2584

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 72: 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 Environmental Protection Agency to finalize the proposed order entitled ''Sulfuryl Fluoride; Proposed Order Granting Objections to Tolerances and Denying Request for a Stay; Proposed Rule'' published in the Federal Register on January 19, 2011 (76 Fed. Reg. 3422).

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, JULY 26, 2011 *No. 113*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our shelter in the time of storm, our strong tower, we praise Your righteous Name. Lord, preserve this Nation by the power of Your might, leading our Senators through this challenging season of our Nation's history. Keep them from the pit of disunity and discord and empower them to build bridges of cooperation. Give them the courage and humility to do what is right, knowing that You are the only constituent they absolutely must please. Help them to discover the joy of trusting You and the peace of doing Your will, receiving the strength You provide to those who love You.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 26, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in morning business until 12:15. The majority will control the first 30 minutes, the Republicans will control the second 30 minutes. At 12:15 p.m. the Senate will be in executive session to consider the nomination of Paul Englemayer to be United States District Judge for the Southern District of New York and Ramona Manglona to be District Judge for the Northern Mariana Islands.

There will be 2 minutes of debate prior to a rollcall vote on confirmation of the Englemayer nomination. The Manglona nomination is expected to be confirmed by voice vote. I would ask my friends on the Judiciary Committee—I am not sure we need the 2 minutes of debate today. It was already debated yesterday. I would hope we can go directly to that vote at 12:15.

The Senate will then recess until 2:15 to allow for the weekly caucus meetings. At 2:15 the Senate will resume consideration of S. 1323, the legislative vehicle for the debt limit increase.

DEBT CEILING PLANS

Mr. REID. Madam President, there has been a lot of talk in the last 24 hours about so-called dueling plans to raise the debt limit and avert a dangerous default to this nation's financial obligations. As far as I can tell, the only dueling going on in Washington today is between the Republican Party's multiple personalities—and there are quite a few.

Last night I introduced an amendment that I thought was fail-safe. It would prevent default using only proposals Republicans have already supported. Yet House Republicans had harsh words for the Democrats' plan yesterday—odd, considering every bit of our proposal was taken from the Republican playbook. Let me explain the plan.

It would avert default while cutting $2.7 trillion from the deficit in the next decade. It would cut more money, more quickly, than the competing proposal introduced by Republican leaders yesterday, and it would last for a long time, not just a few months so we would be back in the trenches doing the same thing at Christmastime we are doing now.

The proposal includes no revenues, as House Republicans insisted it must not. It holds harmless even the most wasteful of tax breaks and giveaways to big oil companies and billionaires, which Republicans have vowed to protect even if it costs our economy in the process.

It establishes a joint congressional committee to find additional savings this year and guarantees that the committee's recommendations will be an up-or-down vote on the Senate floor, no amendments, no filibuster, yes or no. We have done this before. It worked well with our base closing legislation a few years ago.

Every single spending cut in the proposal has already been endorsed by Republicans. I repeat: Every single spending cut in the proposal has already been endorsed by Republicans. The cuts have already been voted for by Republicans in both Houses of Congress.

In short, it is everything the Republicans have demanded wrapped up in a

Printed on recycled paper.

bow and delivered to their door. But now Republicans say their demands, which have been met in full, are not enough. They insist instead that we pass their plan, a similar plan in many respects, save for several crucial details.

Their plan also raises the debt ceiling but for only a few months. It cuts spending and includes no revenue increases. These are the major differences: It does not cut as much from the deficit as the legislation I introduced last night—in fact, not nearly as much. It is a short-term fix that Republicans know is untenable to Democrats and the White House and Congress. In short, the Republican plan they know will not pass the Senate of the United States.

Not long ago, it was untenable for the Republicans. This is what Speaker BOEHNER said about short-term measures in May. Speaker of the House of Representatives JOHN BOEHNER said this in May:

> I am not really interested in a short-term increase in the debt limit. Our economy won't grow as long as we continue to trip it up with short-term gimmicks from Washington.

House Majority Leader CANTOR echoed the sentiment in June:

> I'm not sure how if we're not willing to make tough decisions now, we'll be willing to make them later. . . . It is my preference that we do this thing one time. . . . Putting off tough decisions is not what people want.

We agree. We agree. Certainly we agree.

This is what the Washington Post said about Republicans' bizarre about-face yesterday: ''It seems that perhaps the only meaningful difference between the two plans is that the Democratic plan gets it done in one fell swoop, while the GOP proposal does a short-term deal followed by another a year later, something that financial analysts say could lead to a downgrade of the U.S. credit rating and that Republicans themselves once opposed.''

In fact, rating agencies have said as late as last night that the plan that I introduced will not cause a downgrading of our credit. The one the Republicans introduced will.

The Republicans are insisting we relive the endless negotiation and partisan wrangling of the last 6 weeks again 6 months from now with no good outcome guaranteed. I have said a short-term solution is no solution at all. It puts us right back in this untenable position a few short months from now. It gives the markets no stability, it gives the American people no certainty, and it gives the credit rating agencies no choice but to downgrade U.S. debt, a move that would cause interest rates to rise and effectively increase taxes for every American—every American.

Market analysts and credit rating agencies have said a short-term fix would risk many of the same effects as a default, and that is a risk our economy cannot afford. If Republicans continue to oppose the reasonable proposal I brought to the floor last night—and which we will vote on here in the Senate soon—it will be for political reasons driven by the ideological tea party. It will be crystal clear that Republicans do not care if we default on the debt. That is sad but true. After all, we have given them a plan that should, by all rights, be guaranteed to pass the House, and with Senate support here, which we should have, it should pass both Houses. Yet they have trashed it right out of the gate.

Yesterday, the Washington Post called this debate over whether to default on the full faith and credit of the United States of America ''surreal'' and ''bizarre.'' Those were their words. This commentary is valid. Reasonable Republicans have been offered absolutely everything they have asked for. Still they refuse to take yes for an answer, all because of a cadre of unreasonable tea-party-driven House Republicans. That is too bad.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 12:15, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes, and the Republicans controlling the second 30 minutes.

The Senator from California.

Mrs. BOXER. Madam President, I want to thank Leader HARRY REID for stepping into the breach in this situation and offering us a way out of this what I consider to be a Republican-made crisis. Why do I say that? The debt limit has been increased 89 times since 1939, 55 times under Republican Presidents and 34 times under Democratic Presidents.

Never has either party brought us to this brink of default. Never. Never. Never in the history of America. It is a manmade crisis. It is a Republican-made crisis. It has never happened before. The real challenge we face is clearly with our deficit and our debt. The good news is that we had this crisis before, this challenge before, and we stepped up to the plate. We passed a budget when Bill Clinton was President that not only balanced the budget—and we did not need a amendment to the Constitution to do it, we did it by working it out, by cutting out the waste and the fraud and abuse in government, by choosing to invest in important areas such as education, high-tech—biotech at that time, which created jobs, which created so many jobs in this country—23 million jobs. That was the absolute result of this very good budget.

A budget expresses the hopes and dreams of the people, the priorities of the people. That challenge was met before, so we know how to do it. You sit down, you figure out what is a waste of spending, what is important spending, and you pursue policies that create jobs. We did it before, we can do it again. It is a challenge, but we can do it because we did it.

Others will say in order to do it you have to have a balanced budget amendment to the Constitution. Well, the facts do not back that up. In order to get a balanced budget, you simply have to balance the budget. You simply have to do the hard work to get it done.

This manmade crisis, this Republican-made crisis, is totally unnecessary. I never heard one of these folks who says, let's go into default—I never heard them speak out during the George W. Bush years when we raised the debt ceiling seven times, and some of them were around during the Reagan years, and 18 times the debt ceiling was raised. Under George W. Bush, my Republican friends raised the debt ceiling by 90 percent. President Obama is asking for an increase of about 18 percent. So, America, figure it out. All of a sudden, after putting two wars on the credit card, tax cuts to millionaires and billionaires on the credit card as my Republican friends did, a prescription drug policy which was not paid for—none of it was paid for—they put it on the credit card. And now they say: Oh, woe is me. We have a debt.

Well, they should have discovered that before. In 8 years George W. Bush turned a $236 billion surplus into a $1.3 trillion deficit, and that is what President Obama inherited. We have a moment of opportunity here, and I think what Senator REID has done is given us a way out of this mess. We put into place $2.7 trillion of cuts, and we give a sense of certainty to the marketplace for 18 months that this debt ceiling is taken care of.

Let's get back to business around here of taking care of this long-term deficit and debt challenge, and creating jobs for our people and protecting Medicare and Social Security and all of the rest that we have to do.

We have to build infrastructure. I am the chairman of the committee that is in charge of the highway bill. We have good bipartisan cooperation, but we need to get this resolved.

The Boehner plan is so short term it sends a chill through the marketplace. I used to be a stockbroker many years ago. When the President got a cold, the stock market went down. It is very sensitive to these things. The Boehner plan, according to some commentators, will cause a downgrade of our securities.

I don't think we should be in the business of downgrading America. We should be in the business of lifting America, of letting the people know we are taking care of their business.

The Republicans' interest is going after the middle class, the working poor, to protect the millionaires and the billionaires. Here is where we are with that policy: The 400 richest Americans have more wealth than the first 50 percent of the American people. Imagine, the richest 10 percent of all Americans controls two-thirds of America's net worth. The average CEO receives 180 times more in compensation than the average production worker. In 1965, CEOs made 24 times more in compensation. Now it is 185 times.

What we hear when we suggest millionaires and billionaires pay just a little bit more to help America get out of this challenge we face is an almost out-of-control defense from the Republicans about why we should not even consider asking them to pay even 2 cents more. They say: Don't tax the job creators. I said to my staff: Let's take a look at who are the job creators and what they earn.

As everybody knows, the small businesses are the biggest job creators. I wish to make it clear that only 1.4 percent of taxpayers with any business income make over $500,000 per year. What I am saying is, they say don't tax the job creators, and we are looking at taxing people over $500,000 a person. That is only 1.4 percent of the job creators. We are not touching 98 percent of the job creators. So don't get up there and say we want to tax job creators—not true. We do want to ask millionaires and billionaires to pay their fair share.

On July 21, 200 millionaires signed a letter asking congressional Republicans to consider sealing the budget gap with increased revenue—higher taxes on them. They say:

> Despite our willingness to provide additional support to the country financially to assure its continued well-being, despite the overwhelming support of the idea among the American people, despite the reality that millionaires like us are paying lower taxes now than at any other time in the last 60 years, and despite the fact that the Bush tax cuts are the single largest cause of the deficit, you have repeatedly refused to consider reasonable steps to address our country's fiscal challenges.

They say they are reiterating their demand that we look to the millionaires and billionaires. Look, our challenges of deficit and debt can, in fact, be met. We know the road. The road is clear. The road was built by President Bill Clinton and the Democrats at that time and eventually a lot of Republicans came on with us—eventually. In the beginning, they predicted gloom and doom from the Clinton budget.

I have a bunch of quotes from Members who are still here on the Republican side who said the Clinton budget is going to lead to a recession, it is going to lead to unemployment, and it is going to lead to deficits. But we went into a great period of prosperity, with 23 million jobs, a budget in balance, and a debt about to be extinguished down the road. That all got upended by the Republican plan to lower the taxes on the richest Americans and put it on the credit card, to go into two wars and put it on the credit card, pass a prescription drug benefit and protect Big Pharma by saying Medicare cannot negotiate for lower prices. They put that on the credit card.

It is no wonder we face this problem. When President Obama got in, we were bleeding jobs at 800,000 a month—almost 1 million a month. President Obama and all of us knew there was a frozen banking system. We had to make sure that credit system was working. We had to make sure we created some jobs. We passed the stimulus bill. Despite all the talk about how it didn't work, experts say it stopped a depression. So, yes, we had to add those things as well.

Now it is time to pull together as Americans. This isn't about Republicans or Democrats. The people of this country agree that millionaires and billionaires should pay more. Right now, what Senator REID has said is let's set that aside, get on with our work and get out of this mess and, for 18 months, give a sense of certainty to the marketplace and let's address the issues.

JOHN BOEHNER, who spoke to the Nation last night, is presenting a patchwork quilt that expires in a few months, and we will be back to this nightmare. We face downgrades of our creditworthiness. Let's get behind the Reid proposal and work together and get this country back on its feet. Uncertainty is the worst option.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, this is a historic week in the Senate. She has spelled out what we face. I guess most people around America are looking at Washington and Capitol Hill and asking if there are any grownups left; can't adults sit down there in both political parties and solve our Nation's problems? It is a legitimate question because we are up against the deadline of August 2, the expiration of America's mortgage, the debt ceiling. It means that for the first time in history, if we don't act, we will default on our debt.

That is significant because the United States enjoys a reputation around the world—the highest economic reputation around the world, a AAA bond rating, which is as good as it gets. If a person asks for credit and they have that rating, they are in great shape; they can borrow what they need at a good interest rate. That is what we have today. If we fail to do what we are supposed to do between now and August 2 and default on our debt, it will be the first time it has occurred, it will mean the promise of America to pay its bills has been broken, and it will mean our creditors around the world will have questions about whether we can be trusted. When creditors have questions, they cover the risk by raising interest rates. So if the interest rate on America goes up 1 percent—just 1 percent—it costs us $130 billion a year, added to our debt; projected over 10 years: $1.3 trillion for every 1 point interest. So tempting fate and going to August 2 in that circumstance is not good, not just because America's debt grows but because interest rates around America will then rise with it. So if one is borrowing money for a car, a home or on a credit card, their interest rates will go up. Congress, without passing a tax bill, has just imposed a new tax on us. It will be the tax for defaulting on our debt ceiling.

What we are trying to do this week is to work out some sort of an agreement between Republicans and Democrats, House and Senate, and the President to avoid this crisis. As the Senator from California accurately said, this is not a crisis similar to a natural disaster or even a terrorist attack; this is a manufactured political crisis on Capitol Hill. We don't have to have this. It has never happened before. What we are doing with this kind of a ''High Noon'' scenario, waiting until the last minute to solve our problem, is creating a problem that will cost us dearly. There are ways around it.

Majority leader HARRY REID is going to come forward on the Senate floor on behalf of the Democrats, and we hope with Republican support, with a plan to deal with this deficit and this debt ceiling. What the majority leader will propose is that we will make cuts in spending, which will reduce our deficit $1.2 trillion in cuts over 10 years. I think it is a significant indication that we are serious about our debt.

In addition to that, what we will have is an increase of our debt limit until February of 2013. It is only in Washington, as one of my colleagues said this morning, that 18 months is considered a long-term commitment. What we know is that if we don't make a long-term extension of the debt ceiling, we are going to have to go through this scenario—political scenario—again and again. Each time we do, it calls into question the credit status of the United States. So what we are going to try to do this week with bipartisan support is move forward in dealing with this crisis in a responsible way—reducing spending, extending the debt ceiling; and I can say that everything included in Senator REID's proposal, which he brought to the floor, has been either proposed by or voted in favor of by Republicans. It is a bipartisan approach. I think it is an honest approach. I am hoping we can reach an agreement on it.

I see my colleague from Maryland. I ask him if he is asking for time in morning business and how much time.

Mr. CARDIN. Ten minutes.

Mr. DURBIN. Madam President, how much time remains in morning business on the Democratic side?

The ACTING PRESIDENT pro tempore. There is 13 minutes 40 seconds remaining.

Mr. DURBIN. I will be brief and then yield to my friend from Maryland.

I believe we can deal with our debt responsibly. I say that having been

through a year and a half working on this issue. I am still not an expert, but I know a lot more about it than I did from the start. Democrats and Republicans worked together on the President's deficit commission and came up with a plan supported by 11 out of the 18 members, including myself, and a number of Republican Senators and Democratic Senators, including KENT CONRAD, chairman of the Budget Committee. We all supported it. We believe there is a way to reduce the debt by $4 trillion over 10 years and in a sensible, balanced way, bringing into consideration not only spending cuts but also reform of our entitlement programs and revenue.

On the entitlement programs, many Senators and many people get nervous when we talk about Social Security and Medicare. I will say I am committed to these programs. I believe in them. The reason I stayed with this conversation is because I wish to make certain that at least one, maybe more, at the table feel as I do about the importance of Social Security and Medicare. I believe we can make reasonable changes in each of those programs, preserve the basic benefit structure, particularly for working Americans, and make sure they have the promise of the security which these programs bring.

I know people in retirement wonder if the savings are going to last, whether their pension will be around. But they know for sure that Social Security will be there. I wish to make sure that promise is kept, not just for 25 years but for 50 years and beyond. We can do it, and making modest changes now can achieve it.

On Medicare, health insurance for the elderly and disabled people, Medicare is a bigger challenge. In 6 years or so, we start running out of money. Let's do things now that will avoid that crisis. We don't want that. We want to make sure people have the peace of mind of knowing they have health insurance. We can do it in a sensible, responsible way. Let's do it together, not with a determination of ending the program. I will never let that happen on my watch. We need to make sure the program has a long solvent life.

When it comes to revenue, there is a way to do this.

Madam President, $1.2 trillion is lost each year in our Tax Code to deductions and credits and exclusions and special treatment given to some and not to others. We can take a look at that and do it in a way that says we are going to preserve the basics that we need. Yes, we need the mortgage interest deduction. Yes, we need the charitable deduction.

We need to make sure people have health insurance exclusions from their income. We can still do that and lower the amount of tax expenditures and use that money to reduce the deficit. That is a reasonable way of raising revenue in a sensible manner.

Men and women of good faith in both political parties can do this. Let's pass Senator REID's proposal and avert this crisis and tackle the long-term deficit and debt challenge in a balanced way, by putting everything on the table. We did it with the deficit commission. We did it with the Gang of 6. We can do it again with the support of the American people to encourage us beyond our critics—that will always happen—to the kind of conclusion where people will once again feel pride in what goes on in Washington.

Mr. CARDIN. Madam President, let me first thank our assistant Democratic majority leader for his incredible work on the Bowles-Simpson Commission. Senator DURBIN was a real voice of reason and brought together diverse views. We need that this week. And then with the Gang of 6, with our colleagues in the Senate on both sides of the aisle, he was able to bring us together in achieving two goals—and that is what we need to do—one is we need to raise the debt limit and, secondly, we need a credible plan to deal with the deficit. I think Senator DURBIN has added greatly to accomplishing those goals, reaching across party lines, and understanding that it cannot be what the Democrats want or what the Republicans want but we have to work together.

But I must say that at this moment, we are 7 days away from the August 2 date. So we have two goals. Goal No. 1 is to raise the debt limit so that we don't default on America's obligations. Raising the debt limit needs to be our goal No. 1. We have already incurred this debt. This is not about increasing America's spending; this is for spending that has already occurred, and now we have to pay the bills.

The cost of default is unimaginable to the American people. We will pay more as taxpayers because the cost of government borrowing will go up. We know that. That is not speculation; we know that. But the cost to every American will go up because the cost of home mortgages will go up, the cost of credit card interest will go up, and student loan costs will go up. All of the borrowing costs in America will go up. It will also hurt our economy. It will cost us jobs.

It makes no sense whatsoever to be here without raising the debt limit. Senator REID's proposal does that through 2012. It gets the job done. Speaker BOEHNER's proposal does not get it done—another short-term extension.

We should listen to the experts in the market. Christian Cooper, who is a currency expert and trader, said:

> From the markets' point of view, a two-stage plan is a nonstarter . . . There is significant risk of a downgrade with a deal that ties further cuts to another vote only a few months down the road given the significant resistance to do the right thing now.

Speaker BOEHNER's proposal just kicks the can down the road for a couple more months without resolving the problem. And that is Goal No. 1. The Reid plan accomplishes that.

Goal No. 2 is having a credible plan to get our debt under control. The President was right as he explained last night how we got here. He went through how, under the Bush administration, the previous administration, we took a surplus to a deficit by cutting taxes not once but twice, by two wars that were not paid for, by spending programs that weren't paid for, and now we are in a situation where we have a nonsustainable deficit. That is accurate.

It is our responsibility to make sure we have a credible plan to deal with the deficit. Leader REID's proposal gives us that glidepath. I think all of us would like to see a grand deal, a grand bargain. That is not going to be achieved by August 2. Senator REID's proposal gives us the glidepath for a responsible, credible plan to bring our debt under control. Speaker BOEHNER's proposal does not do that. It just basically says we will deal with it at a later time.

Look at the downpayment. Leader REID gives us $2.7 trillion of deficit reduction now that we can enact by August 2, while Speaker BOEHNER gives us $1.2 trillion. It is clear that $2.7 trillion really gets us much closer to the $4 trillion goal we all know we need to achieve, but it also gives us a game plan to be able to achieve the $4 trillion in deficit reductions we all know we need to do.

Madam President, you and I are in agreement on how we can get that done now. We know that. We have a plan. The problem is that we can't get that done by August 2 because we can't get the Republicans in the House to move on a balanced plan. We understand that.

Well, the Reid proposal preserves all options but gives us a way to get to the $4 trillion of deficit reduction that is clearly needed. It allows the use of a joint committee that will use a balanced approach. We have models they can look at. The Bowles-Simpson Commission is a balanced approach to bring in a credible plan to deal with the deficit. The Gang of 6 gives us a balanced approach in order to deal with our deficits. So we have the model before us in order to get it done.

Let me tell you why I think Leader REID's proposal is the best way for us to proceed 7 days before the August 2 deadline. It gives the Republicans basically what they have asked for. We can't do this by Democrats alone. We need Democrats and Republicans working together. The Reid proposal represents the views of the Members of the Senate on both sides of the aisle. Why do I say that? From the beginning, the Republicans have been saying we have to have a dollar-for-dollar reduction in debt for a $1 increase in the debt ceiling. There is no relationship between our current spending and what the debt ceiling represents because, as I said earlier, it represents what we have already spent. But, OK, that has been what the Republicans said we had to

do. Leader REID's proposal does that—a $2.7 trillion reduction in the deficit with a $2.7 trillion increase in the debt ceiling.

The second thing the Republicans have asked for—not all but many—is that we can't consider revenues in the package. Now, I disagree with that. I don't believe you can have a credible plan to deal with the deficit unless you include revenues, getting rid of the loopholes, getting rid of shelters. We could do that without increasing rates. We have said that many times. But the Reid proposal—what we would vote on by August 2 that accomplishes our goals—will do it without additional revenues. It preserves the right of revenues in order to have a credible plan to reach the $4 trillion target, but we get our $2.7 trillion without any revenues—something the majority of Republicans have been asking for.

The third point: The $2.7 trillion in cuts the majority leader put on the table represents cuts that have been negotiated between the Democrats and Republicans. Madam President, $1.2 trillion was included with Vice President BIDEN, the $1 trillion in cuts in regard to our overseas operations was included in the Ryan budget, and the list goes on. So these are cuts that are achievable, that have already been negotiated or agreed to between Democrats and Republicans.

I applaud Senator REID. I think Senator REID understands the seriousness of us moving forward. It allows us to move to increase the debt ceiling and preserve our rights to negotiate and get the grand bargain done and has a fallback mechanism with a joint committee that would have required votes on the floor to make sure we all have a chance to vote up or down. It preserves our options, allows America to move forward, and allows us to concentrate on job growth and security, which should be our focus as we rebound our economy for the future of our Nation. For all those reasons, I hope my colleagues will support the effort of Senator REID to bring us together to avoid the unspeakable default that could occur 1 week from today.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE LEADERSHIP

Mr. MCCONNELL. Last night, the President explained to the Nation the crisis we face right now as he sees it. His hope was to lift the debate out of the gritty legislative particulars, and we all understand that. Unfortunately, the situation the President described last night bears very little resemblance to the realities on the ground right here in Washington.

I know the President would rather give speeches about our problems than resolve them, but he wasn't elected to talk about the United States; he was elected to lead it. In our system of government, that means working with people and a Congress with which you sometimes disagree. This is not a unique situation. Other Presidents have been in a similar situation where they had to work with a Congress composed of people, many of whom disagreed with them.

Last night, the President rejected not just the only proposal that has passed either House of Congress, he rejected the only plan the Democrats have proposed as well, a plan that would increase the debt limit without raising taxes. Just a few days ahead of a potential default, the President announced that he is the only person in Washington still calling for a massive tax hike, even as his party has dropped their own demands for what we know will make the current unemployment situation even worse.

In short, the President is now clinging to two things we all know Congress can't support: a massive tax hike and the biggest debt limit increase in history aimed, in his own words, at getting himself past the next election. As Speaker BOEHNER said last night, that is just not going to happen. There is bipartisan opposition to it in Congress. So it was deeply irresponsible, in my view, for the President of the United States to present the American people with a false choice last night between tax hikes on the one hand and default on the other.

The real choice is this: a bill that can get us past this moment of crisis, that cuts Washington spending, and that actually gets through Congress, or one that can't. Republicans have offered the only proposal that attempts to get at the root of the problem and that actually has a chance of getting to the President's desk. That is why we will continue to press for the legislation Speaker BOEHNER has proposed, and that is why we will fight against anything that pretends to solve the problem but doesn't. The majority leader proposed a plan yesterday that is nothing more than another attempt to pull the wool over the eyes of the American people.

The decisions we make in the next 72 hours will have a real impact on every American. These decisions should be made based on how they will affect the people who are struggling to get a job, not how they affect some politician's chances of getting reelected.

The President can claim to be concerned about this impending crisis, but one question continues to linger above every press conference he has called or every speech he has delivered: Where is his plan to resolve it? Republicans have proposed multiple plans that have support in both parties. It is time for the President to put his electoral interest and preferences aside and do what is needed. Americans are waiting. Americans are waiting for the President to do what they elected him to do—not to lecture but to lead.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BOOZMAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CUT, CAP, AND BALANCE

Mr. BOOZMAN. Madam President, throughout the course of this debt ceiling debate, the American people have watched in utter disbelief of what they have seen. They understand we need to get our fiscal house in order; they see what has gotten us into this mess; and they want it stopped before they agree to give us blanket authority to raise the debt limit. What they are saying is we must spend within our means just as they have to do.

We have a way to do that. It is the cut, cap, and balance plan. It has already passed the House. The companion bill, with 39 cosponsors, has the support so it should be considered in this Chamber as well. I am proud to say I am one of those 39 cosponsors of the Senate bill. I signed onto the cut, cap, and balance bill because the American people—and more specifically the people of Arkansas—have demanded that we address this crisis now, not later. They know Washington is not good with remembering to follow through on the things they promise to do later.

Some will say this is too simple an answer. They say the fiscal mess in which we find ourselves is a complex problem. It is not though. Just look at the numbers.

This year alone we will spend $3.7 trillion while collecting only $2.2 trillion. We borrow 40 cents of every dollar we spend.

President Obama and the Democratic majority in this Chamber will say the way to fix this problem is to raise taxes. They may try to use other words and phrases such as revenue enhancers while talking about raising taxes, but make no doubt about it, they want to put the onus back on the American people.

There is a major problem with this approach. Washington does not have a revenue problem; it has a spending problem. Again, the numbers back this up. Traditionally, government spending is about 19 percent of our gross domestic product. Since President Obama has been in office, government spending has been much closer to 25 percent of our gross domestic product. This administration has raised Federal spending to the highest peak since World War II.

How do we solve this spending problem? We do it through cut, cap, and balance. Cut now—the House bill immediately cuts over $100 billion in spending; cap for the future—the spending cap mechanism in this bill caps spending over the next 10 years, bringing it down to less than 20 percent of our gross domestic product within the next 5 years—and the balance is for a balanced budget amendment, something our entire Republican caucus supports in the Senate, as do many in the Democratic majority, at least according to their on-the-record statements.

This bill prohibits the Treasury from borrowing unless a balanced budget amendment is sent to the States for ratification. Let's pass a balanced budget amendment and give the people back home the decision about whether they want to require us to operate under a balanced budget amendment. I think you will find they overwhelmingly do. Unfortunately, the Senate majority, with no plan of their own for reining in the out-of-control spending, will not allow us to have a debate on this bill.

Last Friday they moved to table the Cut, Cap, and Balance Act, effectively ending any consideration of the bill. All this reminds me of the debate over the House-passed budget we had a few months ago. The majority over here had strong words of criticism but no budget proposal of their own. Again, strong words of criticism and no plan of their own. Only this time it is worse.

With our Nation on the brink of default, the majority clearly believes it is better to score political points than have a debate on the merits of our proposal. They control the floor, the agenda, and the amendments that are accepted. If any member of their caucus wants to change the bill, they certainly have that option. But instead of having the debate, we get political theater from the majority.

This is not what our constituents deserve. They deserve a real debate. They sent us here to work together to prevent a catastrophe on par with what has happened in Greece, Ireland, and Portugal. They want to see us get our fiscal house in order. That is what the root cause of this crisis is all about. We are not just having a debate on raising the debt ceiling. If that were all this discussion was about, it would have been over months ago. Nobody wants a default.

The debate that is going on today is about a much bigger problem: the out-of-control spending that has put us in this position time and time again. Cut, cap, and balance is one way to solve the problem. It is a solution that helps us avert an immediate meltdown and brings a sense of fiscal responsibility to Washington where it is so badly needed.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE MILITARY PAY ACT OF 2011

Mrs. HUTCHISON. Madam President, I rise today to speak about the Military Pay Act of 2011. We were on the brink of closing down government earlier this year, this spring, and we came to a responsible conclusion and continued our government. We were also able to continue the tax cuts that have helped spur our economy as best they could in light of the spending and the debt that has been accumulated. Now we are looking at yet another potential government shutdown. It is so important that we make priorities.

We know what is happening right now in Washington. Everyone is focused on whether there is going to be an agreement to lift the debt ceiling because if there is not, then we have the potential for default, depending on the decision of what gets paid first. We do have revenue coming in that can be spent even if the debt ceiling is not lifted. However, the President can choose the priorities. What I am asking we do today is set some of those priorities. What I am asking is we take our military personnel out of any limbo. Let's go back to what we did earlier this year when we were in the continuing resolution debate which also had the potential for shutting down government. When that happened in April, I joined with my colleague on the House side, Representative LOUIE GOHMERT. We both introduced a bill, the Ensuring Pay for Our Military Act, Senate bill 724. We have 80 cosponsors of that legislation. We have 80 out of 100 in the Senate who stepped up to the plate and said: Yes, we need to take care of our military even if government shuts down. That was April. Since then, I have introduced a new bill. The new bill is Senate bill 1365, the Protecting Military Pay Act of 2011. That one sets two priorities. It sets paying our debt, the interest on our debt and our military. Those are the two priorities. Social Security is in a different account, and it will automatically be paid from that account. I actually am cosponsoring another bill that is also cosponsored by many Senators and many House Members that would require the President pay our debt, interest on our debt, our active-duty military and also Social Security recipients even though that would automatically happen. The legislation I introduced in April that would take care of our active-duty military is supported by the Military Officers Association of America; the AMVETS, the American Veterans; and the National Military Family Association. The new bill I have introduced that has the debt to be paid off along with our military sets the priorities, and here is what it does: It says if we have any kind of government shutdown or we have a situation where we do not lift the debt ceiling and, therefore, we have to prioritize our spending according to the revenue that is coming in, there are two things that will be done: We want to pass the law so there can be no discretion that you will pay the debts and you will pay the military. You will pay the active-duty military. That is what the bill does simply and clearly.

Here is the situation: If the debt ceiling is reached, $29 billion would be set aside for August to the payment of our debts, $2.9 billion would be added to that for active-duty military pay. So you are allocating out of the billions that would be coming in in August, you would allocate those as the first two priorities and Social Security would be paid out of the Social Security fund. I am going to ask our majority leader to let these bills come up—at least one of them that says we will pay the debt, we will pay our military, and we know that Social Security will be paid.

It is tremendously damaging for our military to be getting the news in Afghanistan and Iraq of all the upheaval in Washington because they are getting the news, of course. For them to worry: Oh, my gosh, what happens August 2 if my paycheck isn't there for my wife or my husband to be able to use that to pay the mortgage or the basic expenses? I want to put it in perspective. We have people in the military with boots on the ground by the thousands who are making under $20,000 a year. Those are people who are living paycheck to paycheck. They don't have the luxury of having a big savings account with that kind of income, especially if they have children. My goodness, they are making under $18,000 a year, some of these younger junior members of the enlisted corps, so I don't think we ought to make them worry for 10 seconds if they can pay their basic bills for their housing and the food for their families.

In my State of Texas there are 28,000 brave men and women deployed in the support of operations in Iraq and Afghanistan. There are more than 97,000 servicemembers deployed who are married and have children waiting for them at home. There are 145,000 troops deployed in Iraq and Afghanistan who are working long hours every day in the desert heat to protect our freedom, to make sure we are doing everything we can to root out the terrorists who

have attacked America. These men and women all raised their right hand and volunteered to go to defend this Nation. The very least we can do while we are in this kind of budget negotiation, which is making a lot of people nervous—I have faith that we are going to do the right thing in the end, but it is not clear yet and we are a week away. I don't think we ought to make these people think about whether it is going to happen and if there is going to be a delay in a paycheck.

I hope we will be able to bring this bill up. I can guarantee if the majority leader will bring up my bill, it will pass. It has 80 cosponsors. The new bill is the same thing except it makes the debt payment the priority, which you would hope would not have to be done, but nevertheless let's assure that our debtors know we are going to pay the interest on the debt, and our military—who are in harm's way right now—will not worry about their family having the paycheck they need.

We have about a week. All of us had hoped it wouldn't take this long, but we have our different views, there is no question about it. I am one who believes we should raise the debt ceiling only with reforms that will assure the markets not just for the next week or the next 6 months, but for the long term, that not only are we going to pay our debts but we are going to bring down the cost of government so we will not have to raise the debt limit again.

We must take the reform actions we can take right now. We can fix Social Security for 75 years with relatively little cuts in increases with Social Security COLAs and with a trajectory that will put us on an actuarial table for an age that has certainly changed since Social Security passed. Very little change. It wouldn't affect anyone who is in the upper area of going into Social Security. The bill I have introduced wouldn't affect anyone age 58 and above or 55 and above. We can do the big things that will show our debtors and the rest of the world we can live within our means and our democracy can work to do the things that will make us good not for the next week, not for the next 6 months, but for our children and grandchildren. That is what we ought to be doing right now, and I have faith. We are going to have to do something temporary for the next few months while we work out the details, but I know if we get together, we can do this. I don't want our military to have to worry about it for 1 week or 3 months or 6 months because they deserve better.

Thank you, Madam President.

I yield the floor.

Mr. THUNE. Madam President.

The PRESIDING OFFICER. The Senator from South Dakota.

THE BUDGET

Mr. THUNE. I am happy to cosponsor the legislation of the Senator from Texas. She is absolutely right, there is no more deserving group of people in this country than our military and we need to make sure under no circumstance they are not paid, and her legislation would do that. I hope we can get it to the floor and that it is acted upon very quickly.

We are a week away now from the time in which we would have to request additional borrowing authority in order for our Federal Government to pay its bills. We have known it is coming for some time. We know generally at least when that date is. It strikes me as most Americans observe this debate, the thing they are probably most concerned about is how this is going to impact them and their economic circumstances. Frankly, I think all of us ought to be looking at this with an eye toward how is this going to impact the economy. What is this going to do to get people back to work and to grow the economy? There has been a lot of discussion about that. The President made yet another speech last night in which he tried to claim the high ground in this debate. Frankly, I think the President has relegated himself to the sidelines in this debate simply because many of the things he was proposing to do as a part of this debt limit increase would be very counterproductive when it comes to the economy. I would also add that the President continues to sort of assign blame and blame the previous administration for the circumstances in which we find ourselves and, clearly, he inherited a difficult set of economic circumstances. I think we would all concede that.

What I would argue is the President has made that situation worse. He has made it much worse. If you look at since this President took office, we now have 2.1 million more people unemployed than there were when he took office. We have seen the Federal debt grow by 35 percent since this President took office. The number of people receiving food stamps today has gone up by 40 percent since this President took office. He has added $11,000 to the debt of each individual in this country since he took office. Gas prices are up. They increased almost 100 percent since this President took office. The cost of health care has gone up 19 percent since this President took office despite assertions during the debate on the health care bill last year that it was actually going to reduce health care costs. We have seen all of these economic circumstances worsen on this President's watch.

It strikes me as we look at this debt debate that we ought to be thinking about what can we do to get out of this economic downturn. We are growing at a very sluggish rate, a little under 2 percent. We have unemployment that is over 9 percent, 9.2 percent. As I said, there are 2.1 million more people unemployed than when the President took office. Clearly the focus of our discussions as we lead up to this vote on the debt limit ought to be about the economy, getting people back to work, growing the economy.

Frankly, I think there are a couple of things we have to do to get out of the debt situation. One is we have to cut government spending. Secondly, we have to get the economy growing and expanding again. So, clearly, that ought to be the focus.

When I said the President, in his proposal—at least as it has been reported because we haven't seen any proposal from him, but in the reporting about his discussions with congressional leadership, it has been suggested that the President has consistently advocated for more revenues, more taxes, and, in fact, as recently as last Friday, when there was still ''a big deal'' on the table—we were still looking at a possibility of actually striking an agreement—the President upped the ante even further. He moved the goalpost yet again. He wanted $400 billion more in higher taxes.

It strikes me, and I think most Americans right now, that the worst thing we can do in an economic downturn and when we have 9.2 percent unemployment is raise taxes. There isn't a tax I can think of that will create a single job in this country. It would only make it more difficult and more expensive for our small businesses to create jobs. So that was a nonstarter. I think it became clear over time that it was going to be a nonstarter despite the President's insistence that tax increases be a part of whatever deal gets struck here.

As we find ourselves where we are now, I think it is important to think about where we have come from and to look at the time that has now passed and where we stand today. I think it is important to point out, as we talk about budgets and we talk about spending and we talk about debt, our job is to pass a budget. That is where it all starts. We haven't passed a budget now in 818 days. In fact, the last time the Senate approved a budget was back on April 29, 2009. So it has now been 818 days since the most recent budget was approved by the Senate.

So we are operating without a budget. Imagine how complicated it would be for any State government, any business in this country, if they continued to operate without a budget. That is what we have been doing in Washington now for 818 days.

So January 6 of this year came around and we knew this debt limit vote was coming and was out there. Secretary Geithner wrote to Congress asking that the debt limit be increased. That was back in January. At that time, the Obama administration was also pushing for a clean debt limit increase; in other words, a debt limit increase that did not include any kind of spending reductions or spending reform. He just wanted a $2.4 trillion blank check to raise the debt by that amount.

Well, we came to February of this year—of 2011—when it came time for

the President to submit his budget to Congress. That budget seemed to be in complete denial of the reality we find ourselves in today because that budget would spend $46 trillion and add almost $10 trillion to the publicly held debt over the next decade, as well as increase taxes by somewhere on the order of $1.5 trillion, $1.6 trillion. So it had more spending, more debt, and higher taxes at a time when we are in an economic downturn, when we have high unemployment, and we have year over year deficits that are adding massively to the debt in this country. So the President's budget was met with a thud, as one would expect, when it was presented to the Congress.

As we went on in the year, in March of this year—March 31 to be exact—the Senate Republicans introduced a balanced budget amendment. We recognized that in order for us to get our fiscal house in order, to start living within our means, to quit spending money we don't have, we have to have some kind of a discipline imposed on the Congress, a requirement that we balance our budget every year, as do so many States. There are 49 States in this country that have some form of a balanced budget amendment in their constitution, some sort of requirement that forces them to make their books balance at the end of the year. So we introduced a balanced budget amendment, and we still hope at some point to get a vote on that. That hasn't happened yet, but that is certainly something we want to enter into this debate because we think it is important not only to deal with the spending in the near term, but also to come up with a solution in the long term, and a balanced budget amendment would certainly accomplish that.

On April 11 of this year, Chairman PAUL RYAN of the House Budget Committee introduced his budget in the House of Representatives. Of course, on April 13, right after the submission of that budget, the President then gave a ''revised budget'' speech. It was interesting because Congressional Budget Office Director Elmendorf later stated that the CBO—the Congressional Budget Office—doesn't score speeches, so they really couldn't attach any sort of numbers to the President's speech because they don't score speeches. We have yet to see any kind of an actual submission of a plan from the President prior to his provisional budget submission, which, as I said, came in with higher taxes, higher spending, and higher debt.

On April 15, in accordance with the schedule required under the Budget Act, the House passed their budget. So the Republicans on the Senate Budget Committee asked the President to submit a revised budget based upon his speech. That revised budget was never submitted. We had a House-passed budget. We had the President's sort of on the sidelines, out of the debate, and then in May of this year Republicans on the Senate Budget Committee—and I am on that Senate Budget Committee—were told to expect a budget markup which never materialized. So we still didn't have a budget in the Senate. The budget passed by the House of Representatives was roundly criticized by the Senate and by Democrats in Washington. But it is the only budget proposal—actual proposal—that has been voted on and that we have literally seen in over 818 days now.

We knew this vote on the debt limit was starting to get closer, so discussions picked up in terms of having some meetings to determine how we might proceed and what we might do to put a package in place that would allow us to raise the debt limit, but do it with significant spending reforms and spending reductions. Vice President BIDEN held his very first meeting on May 5 of this year—2011—and those discussions continued on for some time.

We also had on the floor of the Senate on May 25 of this year the President's budget he submitted to Congress back in February. So we actually had a vote on that. That vote was 97 to 0 in opposition to the President's budget. There wasn't a single Republican or a single Democrat in the Senate who said the President's original budget submission was something they wanted to be associated with or wanted to support. So not a single vote in the Senate for the President's original budget submission.

So we continued on into June, and I think there was hope there would be some agreement between the President and congressional leadership on how to proceed with this debt limit vote that comes up ahead of us now sometime next week. Those discussions continued, as I said, as recently as last week and finally started to unravel and fell apart, at which point it became clear we were going to need a solution and an answer.

So, again, the House Republicans put together and passed a proposal called cut, cap, and balance which would have cut spending now, immediately, capped spending in future years, and put in place a balanced budget amendment which would ensure that in later years we would have the kind of discipline that is so important and so lacking in Washington. That was on July 19, 2011, when the House passed that legislation.

So it came over to the Senate. We had a vote on it in the Senate on July 22, last week, and the Senate Democrats voted to table the cut, cap, and balance approach and denounced it as not a serious effort to do anything about the fiscal circumstance in which we find ourselves.

We didn't get a chance to debate it and get to an up-or-down vote. We had a tabling motion and a vote on a tabling motion by the Democratic leader and as a consequence it was defeated. So we don't have anything yet in place that would deal with the debt limit coming up ahead of us next week.

So that is where we are today. As I said, the House Republicans have again taken the leadership and put forward yet another proposal, and I expect they are going to vote on it sometime later this week, perhaps as early as tomorrow. We evidently now have before us something the Senate leadership, Senator REID, has put forward we may end up having a vote on this week. But somehow, some way, we have to get to where we solve this before next Tuesday.

I am not among those who believe it is an option for us to get past next Tuesday and then try and figure out what happens next. I believe we need to act. We need to act in a way that is responsible, but we need to act in a way that addresses the real issue, which is not the debt limit but the debt.

I wish to point out when the President originally requested—and I think he reiterated that request in April—a clean debt limit, there was an assumption that Congress would just give him a $2.4 trillion increase in the debt limit without any kind of attempt to rein in the real problem, which is the debt.

So we have been consistently advocating to try to get spending reductions, spending reforms into this equation. The President has consistently advocated in favor of tax increases. To him, this is defined as a revenue problem, not a spending problem. Most of us see this as a spending problem. When we have spending as a percentage of the entire economy that is literally at the highest level since World War II, we have, fundamentally, a spending problem. It cannot be resolved by raising taxes on small businesses; it needs to be resolved by cutting spending.

When we cut spending, I believe we will also put in place the confidence the economy needs to start picking up and growing again, and we will get the other component, the other element that is so important to getting out of this mess; that is, an expanding, growing, vital economy that is creating jobs and creating greater prosperity for the American people.

So this is where we are. We are in the last week. I think the President is essentially missing in action. His proposal to raise taxes which he talked about again last night in his speech is old news. It is yesterday's news. We know that is not going to pass in the House of Representatives, and it probably wouldn't pass in the Senate. Right now, the simple math is we have to be able to pass something by next Tuesday. We have to put something forward that can secure 217 votes in the House of Representatives and 60 votes in the Senate.

Some of us maybe aren't going to like certain elements of what is going to be put forward. But what I can tell my colleagues is, we have come a long way in terms of steering this debate away from the President's original budget proposal which, as I said, doubled the debt over 10 years, massively increased spending, massively increased taxes, and from the point where the President was asking for a

debt limit increase devoid of any spending cuts or spending reforms—simply a $2.4 trillion blank check that would allow him to raise the debt limit—to a time where we are actually talking about significant reductions in spending both in the near term and in the long term. Whether the proposal that passes the House this week ends up being what we ultimately vote on in the Senate, it is the only viable option out there.

The President doesn't have a plan. He never has had a plan. The Senate Democrats don't have a plan. They haven't had a budget in 818 days and have yet to put forward anything until, as I said, this most recent idea Senator REID came up with. But we are up against the clock. We need to get this done. The American people expect us to get it done. The market expects us to get it done. Not doing so would put at great risk our credit rating and our ability as a great nation to function and to attract the type of credit we need to keep our government going, unfortunately.

I hope in the end what comes out of this is some reforms that will put us on a path where we are starting to take that debt down, where we are not literally borrowing over 40 cents out of every dollar this government spends. That is where we need to end up.

But for now at least we have to get a measure in place by next week that doesn't raise taxes in a way that would hurt the economy; that gets discretionary, nondefense spending, and, for that matter, defense spending under control in the near term and puts in place a process by which we can get a result on reforming entitlement programs and dealing with what we call the mandatory part of our budget.

So that is where we came from. It has been an interesting path to get here, but there is a lot of revisionist history that gets put forward, and I wish to remind my colleagues where we came from because I think it is important and informs the decisions we will make today.

For the President to suggest for a minute that somehow the House Republicans are to blame for where we are today is not consistent—in fact, it is completely contradictory—with the facts. It is the House Republicans who passed a budget on time back in April. It is the House Republicans who passed a plan last week, a cut, cap, and balance plan to deal with this debt limit. It is the House Republicans who tomorrow who will vote on yet another proposal put forward after the President upped the ante last week and made it clear that the only way he would accept a deal would be with significant tax increases on the American people and the American economy at a time when we can ill-afford it.

So I hope as we proceed into this week—and the days are numbered—we will get a piece of legislation on the floor of the Senate that can secure the 60 votes necessary for us to avoid having to meet that trigger next week and to do something that would address the long-term issue of spending and debt, get spending under control, and actually, in my view, put the conditions in place that would enable economic growth and job creation in this country; so we can cut spending and grow the economy, which, in my view, are the two elements we need to put the country back on a better path.

So with that, I ask my colleagues to work with us this week against this deadline to get in place a solution to this problem that deals with the fundamental issue; that is, the issue of Washington's overspending, and start to rein that in.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I want to start out today by complimenting the Senator from South Dakota. He has gotten it absolutely exactly right. I wish to associate myself with the comments he has made.

We are 7 days away from literally a crisis in our country. We are down to a point where it is getting even difficult to try to figure out, with the timelines naturally built into the process, how you get from here to there in 7 days, and yet that is what faces us.

Last night, like many Americans, I watched and listened to the President and listened to Speaker BOEHNER. I must admit, when it comes to the comments made by the President, I do not understand where he is coming from. He talks about higher taxes and more revenue when the reality is, at this late date, he is the only one talking about that.

I have been one of those people who has said for a long time we absolutely need to engage in a process of reforming our Tax Code. It is too complicated. It is almost an antigrowth piece of work. I am anxious to work with my colleagues. But with 7 days left to try to suggest there will be a massive amount of new taxes does not make any sense. That is not in the Reid plan. It is not in the Boehner plan. Yet there it is.

Well, here we are. We are literally 7 days away. As I said, as I watched those comments last night, it looked to me like campaign rhetoric. It looked like positioning for the next election. It looked like class warfare. What it did not look like to me was Presidential leadership. Yet our creditors around the world are watching this debt limit debate unfold, and they are as shocked as all of us are by the lack of leadership coming out of the White House.

This weekend, the President was presented a bipartisan approach. I found it reassuring over the weekend to know that our leaders in the Senate here were talking and trying to work their way through this terribly complicated issue, very difficult issue. I thought with that kind of effort, when an approach was presented to the President, he would naturally embrace the approach. With only 1 week left, that made the most sense to me. Yet, surprisingly, the President rejected the approach. The reason? Well, the reason is, as he has said so many times, the President does not want to have to deal with increasing the debt limit next year during his campaign for a second term.

I find that shocking since last night, when he addressed the Nation, he expressed great concern about our debt limit negotiations being in a stalemate. Yet he could have used that opportunity by accepting the bipartisan proposal that had been presented to him a day or so earlier. He had the opportunity to show the type of leadership our country needs and is crying out for, but he decided to reject the plan and retreat to political talking points.

The President also said he would veto Speaker BOEHNER's approach to raising the debt limit for 7 months, claiming it kicks the can down the road—claiming that is what it would be.

Let's look at that. Let's examine what the President is trying to convince this Nation of. Over the last 25 years, Congress has increased the debt limit 31 times. Mr. President, 22 of those 31 times were for less than a year. Yet the President claims he will veto anything not extending into 2013? It defies logic to decry our debt and then veto anything unless it allows more record-setting debt. That is exactly what he is pledging he will do: veto anything less than the largest debt limit increase in the history of the United States of America—the largest.

His last debt limit increase in January was the largest in history at that point—$1.9 trillion—yet instead of hitting the brakes and saying, ''Whoa, time out, this is getting us in trouble,'' the President is doubling down, demanding yet another record-setting budget buster.

Who does the President think is going to pay off all this debt? It will be our children and our grandchildren. Passing multiple trillion-dollar debt limit increases without addressing our addiction to spending does far more to kick the problems down the road. It sends the problems over the cliff, in fact. Yet, despite this reality, the President continues to accelerate, as we get closer and closer to the cliff. The President recently said this:

> The only bottom line I have is that we have to extend the debt ceiling through the next election, into 2013.

While numerous issues accompany this line of thinking, let's hit some high points.

Our national debt is more than $14 trillion, and the President is requesting to increase it to $16 trillion—the largest in our Nation's history. So why is the bottom line only about the length of the extension, not about spending reductions that put our country back on track?

Unfortunately, the President's only fundamental concern is how do we kick this past the next election. Above all else, not good policy, not what is best for our citizens, but the No. 1 goal is how to get past the next election. This is, unfortunately, his bottom line. Simply astounding that the campaign of hope and change has become such business as usual. Simply raising the debt ceiling absent any meaningful spending reforms will not work.

Now we find ourselves in one heck of a mess. With about a week to go, the latest in the debt limit saga is a proposal that was introduced last night by Senator REID. But here is why this latest plan has so many problems. Policywise, it does not hold together. The plan claims $1 trillion in savings from reductions in troop forces. These savings assume the troop surge extends into perpetuity, which never was the plan. So it assumes savings from stopping spending that was never scheduled or even requested. It is like reaching into the air and grabbing savings. Essentially, this plan counts savings that were scheduled to happen.

Second, the plan counts $400 billion in interest savings on that savings relative to the troop money that was not going to be spent, was not asked for. In other words, not only does the plan count nonexistent savings, it then compounds the policy problem by counting nonexistent interest savings on that savings. You simply cannot count savings that were never intended to happen.

We are dealing with a ticking timebomb here. We have rating agencies saying: My goodness, your debt is so out of control that unless we see a plan, we will not be fooled by the gimmicks. Yet this policy approach does not hold together. You see, the rating agencies, justifiably so, want to see real budget savings that actually help to improve our balance sheet.

We are at a critical time in our Nation's history. With 1 week left, the American people are yearning for bold leadership, not another shell game. Heated rhetoric and charged accusations are not going to fix the fiscal situation.

I stand ready to work with my colleagues on a solution, and I urge the President to do the same. Let's quit defending what is indefensible; that is, worrying about getting the can kicked down the road past the next election, and let's try to figure out how best to address this.

There was a plan that came out recently. It was a plan dubbed from the Gang of 6, and the Presiding Officer and I have had some interest in that plan. But we all acknowledge it is going to take time to put that plan in place, to debate that plan, to bring it to the floor, to do the things that are necessary. We have to take action now. I am a part of a group that says: Look, let's take a long hard look at that plan. Let's see if that is the plan we can move down the field to success.

But we have just 7 days left. We need to face the reality that 7 days from now we will be within hours of hitting our debt ceiling. Incidentally, to those who are arguing: No, it is not August 2, well, if it is not August 2, it is close to August 2. We are facing a real problem where there will not be enough money to pay the bills.

Many say: Pay the interest on the debt. Make sure you get that done. I am not opposed to that. I do not want to default on our debt. But that means we have about 50 cents on the dollar in August, according to a cashflow statement done by the Bipartisan Policy Group, and that means that 50 percent of those out there who would otherwise receive some type of payment from the Federal Government will not get it because there simply is not enough money to pay the bills.

So what does Speaker BOEHNER's plan do?

Well, it is a plan that is realistic. It says, look, we have to come to grips with where we are in the next 7 days or we can simply suspend rational thought, believe that the record-breaking debt increases to accommodate record-setting debt are somehow a plausible course. It is not.

I am more apt to believe the President's own words. When the debt limit increase was $781 billion to raise our borrowing authority to $9 trillion, then Senator Obama was in the place where we are in today, deciding on whether he would vote for a debt ceiling increase, and he called the situation then a ''failure of leadership.'' He went on to say ''increasing America's debt weakens us domestically and internationally.''

Well, we were at $9 trillion then, an unforgivable amount of money. Today we are at $14.5 trillion, and the steam engine is firing away, building up more and more debt.

Senator Obama's words were as truthful then as they are today. Yet now he has done a 180. His Presidency has hit the turbo booster when it comes to record debt.

The PRESIDING OFFICER. All time reserved for the Republicans has expired.

Mr. JOHANNS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

RAISING THE DEBT CEILING

Mrs. MURRAY. Mr. President, we are now 1 week away from the unthinkable prospect of the United States of America defaulting on its loans for the first time in our history and not making good on promises we have made to families, veterans, senior citizens across the country.

I am deeply disappointed we have gotten to this point. If we cannot come to an agreement by August 2, the consequences for our Nation and our economic recovery will be dire. A few weeks ago, the Bipartisan Policy Center put out a report that was actually authored by a former Bush Treasury official about what would happen if Congress failed to act and if the administration was forced to make desperate spending decisions in August. The scenarios were very grim.

Potentially at risk were the benefits and health care we owe our veterans, loans for struggling small businesses, food stamps for people who are struggling to buy groceries, Social Security checks for our seniors, unemployment benefits for millions of workers who are desperately looking for jobs today, and even Active-Duty pay for our military.

If the debt ceiling is not raised, we also face the very real and frightening possibility of our economy falling back into another deep recession, interest rates going up for our families and consumers, millions of workers losing their jobs, and small businesses being forced to close their doors. These risks are unacceptable. People are still recovering in this tough economy and they cannot afford to have the rug pulled out from under them.

Many families from my home State of Washington have reached out to my office throughout this debate, trying to figure out what they would do if the support they depend upon to stay in their homes, to put food on their tables is suddenly cut off. They have a pretty simple message: Get it done, compromise, and put American families first.

One letter came from Anne Phillips from Tacoma, WA, who after 18 years of work was laid off during the recession. Anne told me about how she felt she was doing the responsible thing by getting herself up, dusting herself off, going back to college. But now she is worried sick because of the fact that the interest rate she pays on her student loans, which she relies on to pay for school, would shoot up if we default.

In her letter, Anne made clear who the real victims of default would be. She said: ''Ultimately people like me, my husband, my family, and all the people I know who are doing their best every day to make the contribution to society will pay the expense.''

Anne is not alone in her concern. I have heard from veterans such as Kenneth Huff, a retired master sergeant from Olympia, WA. He spent 28 years serving our country. He told me how through a life in the military he learned the value of compromise and how he is tired of the way the peoples' work is not being done.

He wrote:

I agree. We can cut back on spending. I know we can do a better job. But not on the backs of the very poor, the middle class, veterans and our seniors who are on Social Security and Medicare.

I have also heard from Social Security recipients such as Alisa Terry from Bellingham, WA, who told me how important that monthly check is to her and what it would mean if she did not get it next month. She says:

Social Security is my lifeline. It stands between me and homelessness.

These families and seniors deserve to have the certainty of a Federal Government that stands ready to pay its debt. They do not deserve to turn on the news every day and read about the political games House Republicans are playing with their lives and economic future. Democrats have been at the table. We have been ready and willing to compromise for months and months. We know we need to get this done. We have offered compromise after compromise. We have come to the middle and beyond. We have offered serious and deep cuts in Federal spending—very hard for some of us to do.

We have put it on the table and then we offered even more. But again and again, the House Republicans have said no. They refuse to compromise, and they refuse to come to the middle. Time and time again, they seem to be more interested in satisfying the most extreme elements of their base than on finding real solutions for the people of this country.

The House Republicans even sent us a bill they called cut, cap and balance that was not only widely understood to be a political gimmick but it had no chance of becoming law, and not only would it have been absolutely devastating for families and seniors across this country but it managed to waste precious time in Congress at a point when that resource is getting scarcer and scarcer.

So we are down to the wire. Political games need to end. They need to stop finding ways to say no and start figuring out what they can say yes to. The bill we introduced last night is a compromise. I do not believe it is perfect, but it gets us where we need to get to protect families and small businesses across America from market uncertainty, not just for a month or two. That is not what American families need. They need to know they have that economic certainty and that we will not be back in this ball game in just a few short months, going through the same process, with people worried about their Social Security checks and veterans worried again and with the markets uncertain.

The legislation that was introduced last night does make deep and serious cuts in government spending, savings that have either been discussed and agreed on in previous negotiations with Republicans or that Republicans have actually used in the budgets they recently passed themselves.

It does protect Medicare and Social Security that was promised to our seniors. It does not increase revenue, something many of us have argued time and time again needs to be a part of a balanced approach to a conclusion. But we understand compromise is important. So it does not increase revenue and that appears to be something my Republican colleagues have almost single-mindedly focused on in this process. So we have given in on that.

It puts our country on a more sustainable fiscal track, and it allows us to continue the important work to reduce the debt and deficit without the threat of economic calamity hanging over our heads such as the current House proposal does.

On this side, Democrats have bent over backward to get this done. We compromised. We compromised again and then again. The bill that was introduced last night on our side is the fruit of many compromises. We did this not because we think this is the ideal way to tackle this issue—Democrats do want a larger and a more balanced package that we believe will address our problems in a responsible way for years to come—but we put this forward because we know the American people want results, not rhetoric, and we know the consequences of inaction are far too high.

I call on our Republican colleagues to support this legislation, stop playing politics with the American economy, and work with us to solve this problem for the American people.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF PAUL A. ENGELMAYER TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

NOMINATION OF RAMONA VILLAGOMEZ MANGLONA TO BE JUDGE FOR THE DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York, and Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I don't intend to use but 1 minute because I spoke yesterday on this nomination, but I would urge my colleagues to support the nomination of Paul A. Engelmayer to be district judge. He is very well qualified, and I would encourage a ''yes'' vote.

I yield back the remainder of my time.

Mr. LEAHY. Mr. President, yesterday I made a statement about the need for the Senate to consider all 27 judicial nominees reviewed by the Senate Judiciary Committee and now awaiting final action by the Senate. I was disappointed that the votes on Paul Engelmayer to fill a judicial emergency vacancy on the Southern District of New York and Ramona Manglona to fill a 10-year term on the District Court for the Commonwealth of the Northern Mariana Islands, which had already been stalled for 3½ months, were not considered yesterday. These are the kinds of qualified, consensus judicial nominations that in past years would have been confirmed promptly. I hope and trust that at least they will be considered and confirmed today.

After their confirmations, there will be 25 judicial nominations fully considered by the Judiciary Committee awaiting final action by the Senate. Twenty of them were unanimously reported, without a single negative vote. Regrettably, the Senate has not reduced vacancies as dramatically as we did during the Bush administration. Federal judicial vacancies around the country still number too many, and they have persisted for far too long.

By the August recess in the third year of the Bush administration, the Senate had confirmed 143 Federal circuit and district court judges. As we approach the August recess in the third year of the Obama administration, the comparable number after confirmation of Paul Engelmayer and Ramona Manglona today will be only 91.

We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations. The Senate confirmed 100 of those judicial nominations during the 17 months I was chairman during President Bush's first 2 years in office. So far, as we near the end of President Obama's 30th month in office, the Senate has only been allowed to consider and confirm only 91 of President Obama's Federal circuit and district court nominees. Despite the needs of the Federal judiciary, the delays in confirmation of President Obama's consensus judicial nominees continue to the detriment of the American people.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I yield our time on this side.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York?

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Mr. COONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 117 Ex.]

YEAS—98

Akaka	Franken	Mikulski
Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Paul
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Risch
Brown (MA)	Johanns	Roberts
Brown (OH)	Johnson (SD)	Rubio
Burr	Johnson (WI)	Sanders
Cantwell	Kerry	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Kyl	Snowe
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Lee	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Vitter
Cornyn	Manchin	Warner
Crapo	McCain	Webb
DeMint	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Feinstein	Merkley	

NOT VOTING—2

Inhofe	Rockefeller

The nomination was confirmed.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the nomination of Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid on the table, and the President shall be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, the Senate, at 12:46 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that morning business be extended, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The junior Senator from Illinois.

NUCLEAR POWERPLANTS

Mr. KIRK. Mr. President, this past Sunday a New York Times editorial entitled ''In the Wake of Fukushima'' noted:

> If nuclear power is to have a future in this country, Americans have to have confidence that regulators and the industry are learning the lessons of Fukushima and are taking all steps necessary to ensure safety.

Following the events at the Fukushima Daiichi nuclear plant in March, it is clear that maintaining America's confidence in the safety of our nuclear reactors is paramount. The disaster at Fukushima should not lead to a freeze of the nuclear industry; instead, it should be an opportunity to upgrade the safety of our nuclear fleet. Both industry and the U.S. Nuclear Regulatory Commission assure us that currently there is no immediate threat to the operation of our nuclear plants.

Nuclear power is especially important to my home State of Illinois, where nearly half of all electricity in the State is nuclear. With 11 of 104 operating nuclear power plants and stations in our State, we have more reactors than any other State in the Union.

In the near term, it is my hope that nuclear regulators and the industry will take actions necessary to increase safety measures and integrate emergency operating procedures. Furthermore, nuclear plants should swiftly implement sensible measures to increase flood protections, enhance containment-venting capabilities, install remote monitoring controls of spent fuel pool conditions, and upgrade the ability to cope and maintain operations by a single station sustained for initially 8 hours and eventually up to 72 hours utilizing preplanned and prestaged resources.

Moving forward, one of our top priorities should be enhancing flood protection at reactors. Obviously reactors, for their cooling, need to be near large bodies of water, subject to flood. Fukushima highlighted the need to take additional protections to guarantee that current backup pumps and generators are also protected against flood or other seismic events. A recent flooding on the Missouri River is a demonstration of the need for such enhancements. Although flood barriers and procedures have so far protected the Fort Calhoun nuclear powerplant in Nebraska, this is not the time to look away from making further efforts on protecting reactors from floods.

One of the ringing lessons of the Fukushima disaster is the need for enhanced capabilities for nuclear operators to cope with prolonged power outages. Every U.S. nuclear powerplant should be able to cope with a prolonged loss of power for at least 8 hours for an initial period and eventually 72 hours using only the resources onsite so that powerplant operators can utilize preplanned and prestaged equipment and muster other resources if necessary. We should be prepared for simultaneous events for multiple reactors onsite and should be able to maintain key power functions in the face of varying circumstances, including debilitated infrastructure, lack of communication, and especially the loss of onsite power.

It is clear that operators' ability to cope with the prolonged loss of power was critical at Fukushima. We know that the tsunami hit the Fukushima Daiichi powerplant and wiped out all alternating power and backup power necessary to provide resources to the cooling pumps. This eventually caused overheating in both reactor vessels and cooling ponds. The ability to perform these critical functions and to monitor them—providing power to fans and pumps and to remotely open and close vents and valves—the inability of the Japanese to perform these functions caused them to lose control of key areas or to maintain cooling to critical spent fuel ponds and reactor vessels.

The Japanese also were unable to remotely monitor conditions, especially in their spent fuel pools, and struggled continuously to pump enough water into the reactors. Operators need to have proper instrumentation at far, remote locations so they can continue to understand what is happening in reactors and cooling ponds if an event occurs.

Furthermore, we need to install proper venting upgrades on all reactors with the Mark II containment design. This is an important step in preventing any kind of overpressurization and in reducing the risk of operations that we saw so clearly at Fukushima.

In the United States, there are 23 reactors with the Mark I containment design. We have known since 1989 that there are flaws with the pressure containment system of the Mark I boiler reactor. As a precaution, industry upgraded the Mark I containments with the hardened vent to deal with the excessive pressure in the containment.

According to the NRC task force's 90-day report, which examined the safety of U.S. nuclear powerplants, the hardened vents are not universally installed on the Mark II containments in the United States. The task force noted further that because the Mark II containments are only 25 percent larger than the volume of the Mark I, it is conceivable that the Mark II containments, under a similar situation, would suffer the same consequences as Nos. 1 through 4 at Fukushima. We should install hardened vents on all Mark II containment reactors and not allow any more time to pass before making deliberate improvements to address these safety concerns.

As we press forward with nuclear power generation, I believe the NRC should also update our emergency planning zones. This is the evacuation zone that is preplanned around every nuclear powerplant. It seems prudent now, in the light of the experience of Fukushima, that we should expand the emergency planning zone to the Japanese radius of 20 kilometers or 12.5 miles around each nuclear reactor. These EPZs should be updated with the latest 2010 census data of the number of Americans residing around these reactors, and the NRC should require enough radiation dose medication to handle at least two full EPZ evacuations if necessary.

We also know that the spent fuel pools posed a serious threat to the safety of the site. Throughout the crises, Fukushima crews struggled to maintain water levels at the spent fuel pools to prevent an escape of uncontained radiation into the environment. For those of us who know a little bit about reactors, this was a surprise because normally we are totally focused on what is happening inside the reactor, but at Fukushima, as much attention had to be paid on overheating in the spent fuel ponds.

This warning should serve as the beginning of an effort for us to relook at the issue of spent fuel in the United States, especially spent fuel which is stored near our drinking water sources. We all know 96 percent of all the fresh water in the United States is in the Great Lakes, and I am concerned that we store approximately 1,000 tons of highly radioactive spent nuclear fuel just 200 yards from the Lake Michigan shoreline at the now defunct Zion nuclear reactor. Any proposal to stop the permanent disposal of nuclear waste in Nevada is a proposal to continue storing highly radioactive nuclear fuel right next to America's source of 96 percent of its fresh water.

I believe we should now continue to reinvigorate the process of building the Yucca Mountain facility. Any proposal to not build Yucca is a proposal to pose a clear-and-present, long-term danger to the environmental future of the Great Lakes.

The bottom line is we should not let the lessons learned from the Fukushima disaster become a forgotten story, and that the NRC task force and its 90-day report issued after the Fukushima disaster is a serious document that now should lead not just to further studies and consultant reports but comprehensive action, such as hardened vents, such as making sure we have remote monitoring of spent fuel ponds, and that all reactors be able to operate first 8 and then 72 hours without outside power, and that we take the other measures to upgrade our measure, such as expanding the EPZs.

Tomorrow I will be testifying before the Nuclear Regulatory Commission, and as the junior Senator of the State of Illinois, the most nuclear State in America, I will carry a strong message: Nuclear power has a strong future in the United States but one that should be going forward in light of the lessons of Fukushima.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

DEBT LIMIT AND TAX INCREASES

Mr. HATCH. Mr. President, last night we heard from President Obama in a prime-time address from the East Room of the White House. The topic was raising the Federal debt limit. According to Treasury Secretary Geithner, the Federal Government may breach the statutory debt limit as early as August 2, 2011. That is 1 week from today.

Remarkably, the President, in yet another prime-time address, again hectored the American people about the need for politically charged tax hikes as a cure-all for our deficit and debt problems.

We have to hand it to the President; he is a true believer. For the President, there seems to be no problem in Washington that can't be fixed with tax increases. Even his own party has moved beyond him on this. To be certain, Democrats have not become the party of tax relief. For example, the plan offered by the majority leader does not address the 10-year tax increase of $3.5 trillion that is said to kick in on January 1, 2013. But last night on CNN, one reporter got it about right. This is how she put it: ''Nobody is talking about tax increases except Barack Obama.''

For weeks the President and his surrogates on and off Capitol Hill have been talking about tax increases as the solution to our debt crisis, but the President was on his own last night. It was a speech very much divorced from the reality of our situation.

Republicans are insistent that the solution to a spending crisis is not giving government more money to spend, and here is the dirty secret: Many members of the President's own party are not keen on tax increases either. They know the President's politically driven tax increases, in the context of trillions in deficits and debt, will do little to restore the Nation's fiscal footing. They know more significant tax increases will hit the middle class and small business job creators very hard. But even as his troops have left him, President Obama soldiers on, leading the fight for higher taxes and spreading the wealth around.

The President talked last night about the need for a balanced approach. Here is what he means by that: To balance the budget his way, we will have to raise taxes by roughly $2 trillion. So what does he think of the plan of the Senate's distinguished majority leader? After all, the majority leader has put forth a plan that does not contain tax increases—or at least that is the claim. Presumably, the President would, therefore, oppose the majority leader's plan as unbalanced. But that would assume the President is not playing politics with this debate. That would assume he is more concerned with solving our Nation's debt crisis than appealing to his base, getting his approval ratings up, and positioning himself for reelection.

Somehow, in spite of his absolute insistence on the need for tax increases and a balanced solution to the debt limit debate, the President supports the majority leader's proposal.

The President likes to present himself as the only reasonable man in Washington. But as he proved again with his latest politically driven inconsistency, he is as partisan as they come. To the disappointment of his campaign advisers, it is clear the American people are demanding a leader who will be straight with them rather than focus on election year positioning.

If the President and his party came clean with the American people, this is what they would acknowledge: Nondefense discretionary spending is at historic highs. The Nation's biggest spending programs are completely out of control and set for bankruptcy. Over the next 10 years, the President's budget would drive this country into debt by an additional $13 trillion. Most importantly, they would acknowledge that the Nation's problem is principally too much spending, not too little taxes.

I don't envy my friends on the other side of the aisle. They are in a tough place. On the one hand, the liberal base refuses any structural reforms to the spending programs that are driving the country's debt to the brink. On the other hand, absent these structural reforms the middle class and job creators will have to be hit with historic tax increases. Obviously, they cannot be open about this second point or they risk the ire of American voters.

Those who represent San Francisco and the upper west side might be able to go home and sell these tax increases,

but for Democrats responsible to entire States, not just small liberal enclaves, such tax increases are a much tougher pitch.

So what is a Democrat to do? Democrats can't propose meaningful spending reductions, but they can't support job-killing tax increases. So this is what they will do. They choose to ignore the real problem. They offer no plan. They refuse to present a budget—they actually refused to present a budget for more than 800 days. They dodge and weave. One minute the President is for real reforms to Medicare. The next minute he is accusing Republicans of trying to destroy Medicare for recommending reforms, and they hope their friends in the media ignore the failure to offer a real solution.

As we can see from this chart, the problem is spending, and we need a solution commensurate with that problem. As we can see, spending is the red line; taxes happen to be the blue line. Spending as a percentage of GDP is much higher than the historical average. The average level of spending has been around 18 percent since World War II. Since President Obama took office in 2008, spending has surged to over—actually 25 percent at one point of our economy—way above the 18 to 20 percent norm. Tax receipts have dipped, but they are expected to come back. CBO estimates, however, that spending is currently set to stay at around 24 percent.

As we can see, spending is the red line that goes off the charts during 2009, 2010, and on into 2020. Taxes have always been right where they are. They went pretty high, came down, and now they are back up. As we can see from the chart, President Obama's 2012 budget does not help one bit in reducing this level of spending. The President's budget is not balanced by any means.

Again, the problem for the President is this: Even while he was explaining to Joe the Plumber the moral and civic imperative of spreading the wealth around, he was promising not to raise taxes on individuals making less than $200,000 or families making less than $250,000. But if he is going to balance the budget by attempting to pay for current levels of discretionary spending that Lyndon Johnson only dreamed of and spending programs that are permanently in the red, he is going to have to hit the middle class hard. He is going to have to break his promise—not exactly a political win.

Even as he talked about moving the Democratic Party to the left and abandoning the comparative moderation of the Clinton administration, he remembers well the fate of Walter Mondale. When accepting his party's nomination for President in San Francisco in 1984, Walter Mondale promised Americans that he was going to raise their taxes. President Reagan went on to win in a 49-State landslide. President Obama is not going to suffer the same fate as Walter Mondale, so he avoids discussion of the tax increases on the middle class that he really believes in. Instead, in this debate he is focused on a number of politically opportunistic red herrings that will have minimal impact on the Nation's debt crisis.

The purpose of these red herrings is to distract Americans from the real driver of our deficits and debt and the real choices Democrats have to, but are refusing to, make. Let's just look at a few of these examples.

The President has been talking incessantly about the need to tax corporate jets. Well, if we were to raise the appreciable rate on corporate jets from 5 years to 7 years as the Democrats propose, it would yield, at least according to the economists, $3.1 billion—that is with a ''b''—over 10 years.

Just to be clear, as we are discussing these paltry numbers—numbers which the President would have us believe are key to restoring the markets' confidence in the American economy and our ability to manage our debt—the United States will run a budget deficit this year of $1.5 trillion. Our national debt is $14.3 trillion. The President's budget assumes an additional $13 trillion in debt on top of that, and the President is talking about the tax treatment of corporate jets which, if he got his way, would raise $3.1 billion over 10 years.

This is about as effective as one of my fellow Utahans standing in his driveway in Little Cottonwood Canyon during a blizzard and flicking a snowflake off his shoulder and claiming he was finished shoveling for the day.

To hear the President talk, one would think this proposal is absolutely critical to balancing our budget. To put it in perspective, over the next 10 years of debt this Nation is set to take on it would equate to roughly 20 hours and 23 minutes of debt reduction.

Let's not forget about the essential matter of cutting back the mortgage interest deduction for yachts used as second homes. Again, the President acts as if this is one of a handful of policies that will restore America's prosperity. But if Congress enacted this change, we would cover the 10 years of debt from the Obama budget for all of 15 hours and 47 minutes.

Of course, the Democratic talking points would not be complete without an attack on the oil companies. The President has talked about making American oil companies pay their fair share by reducing or eliminating domestic energy incentives. This proposal would raise $21 billion in revenue. That would cover a whopping 5 days, 18 hours, and 47 minutes of debt that the President is prepared to take on over the next 10 years.

Then there are the rich. Tax the rich. Make them pay their fair share. This class warfare might be appropriate in Europe and countries with a feudal history, but in the United States, a nation conceived in liberty and the proposition that all men are created equal, families and entrepreneurs just don't buy it—and for good reason. Taxing the rich hits job creators and undermines economic growth. But as deficit reduction policy, it falls short as well.

In the name of bipartisanship, I am going to use data from the Tax Policy Center, or TPC, to demonstrate my point. According to TPC models and estimates for 2011, American households earning more than $1 million account for 12 percent of the Nation's pretax income and pay 19 percent of Federal taxes and carry an average tax rate of 29 percent. Even more critical from my perspective, these taxpayers also account for 38 percent of all flow-through income. Flow-through income is predominantly earnings from ownership of small businesses.

So raising rates on the rich will hit squarely on those who create and expand the small businesses that need to be the engine for our economic recovery. But let's be clear about something. Higher taxes on these wealthy individuals will not only have adverse economic consequences, it will not even provide the deficit and debt reduction suggested by the left.

Even if all of the income of those earning more than $1 million a year were confiscated with a 100-percent rate—with the unlikely assumption of no taxpayer behavioral response—for the year of confiscation, these higher taxes would yield about $893 billion. My gosh, our deficit this year is $1.5 trillion—just in 1 year. The most we would get is $893 billion, and that is if we are lucky.

This is a one-shot opportunity. If we confiscated this wealth, those individuals would no longer work, save, create more wealth, and generate more tax revenue. And confiscating all the income from those earning over $1 million does not even fix 1 year—not even 1 year—of the 10 years of projected Obama debt. It would cover 244 days, 16 hours, and 34 minutes.

All the demagoguery on jets and yachts and oil companies yields about 1 week of deficit reduction from the President's 10-year debt.

Even throwing in a one-time confiscation of all the income for taxpayers above $1 million, we can only add 244 days. Add it all up, and what the President is proposing amounts to less than one-tenth of deficit reduction from the debt President Obama will add over the next 10 years.

Last night, the President tossed some more class warfare into the mix. He mentioned taxing hedge fund managers. Here is how he put it:

> How can we ask a student to pay more for college before we ask hedge fund managers to stop paying taxes at a lower rate than their secretaries?

The proposal he is talking about would tax carried interest as ordinary income. The Joint Tax Committee has provided an estimate on this, and over 10 years this change in the Tax Code would generate another $21.4 billion. That is about as much as the oil company tax Obama is proposing of $21.1

billion. This would cover approximately 5 days and 21 hours of the President's 10-year debt.

This morning, someone on television was bemoaning the fact that Democrats are not going to the mat for tax increases the way the President has. He suggested the congressional Democrats do not have the courage to support tax increases.

With all due respect, the person lacking in courage is the current occupant of the Oval Office. The President had an opportunity this summer. Was he going to lead on the debt crisis or would it be more of the same—red herrings piled on top of straw men in an effort to distract the American people from his own complicity in this debt crisis.

Yet the President chose not to own up to the American people. The quarterback punted. He offered no solutions. Concerns about reelection were of greater priority than the imminent downgrading of the Nation's credit rating—a downgrade that will work as a tax increase on homeowners, students, and the Treasury itself, which is responsible for servicing the $14.3 trillion in existing debt.

Unable to propose tax increases on the middle class and unable to reform entitlements due to liberal deadenders, he chose to offer platitudes and class warfare that might play well with some constituencies but do nothing to address the fundamental problem this Nation faces.

This country cannot avoid the choices that are coming. We have to get our spending under control. That is why I supported cut, cap, and balance. That is why I think S.J. Res. 10—the balanced budget amendment I introduced along with my colleague and friend from Utah, Senator LEE, and all 47 Senate Republicans—is absolutely essential. It would fix this problem once and for all.

But the President opposes it. He talks a lot about empowering people. Well, the Founders of this country empowered the American people to make changes to the Constitution. The Constitution provides for that. Why not give them the opportunity to pass this amendment? Remember, if the Democrats do not like it, all they have to do is get 13 States to disagree. We have to get 38 States to ratify. Why not let the people decide this? Why are they so afraid to let the people decide this?

Let me offer an answer. Because Democrats are terrified the American people would ratify it and their big spending practices would go the way of dinosaurs. The American people are sick and tired of spending. Mothers and fathers understand that the Federal Government is going to bankrupt their children and leave them an America that is less free and less prosperous.

The American people are frustrated. They might not have the data at their fingertips, but they understand what I just laid out quite well. We are not going to solve our problems by raising taxes. Increasingly, the President is an island in his call for more tax increases. Republicans do not support him. Independents do not support him. Now even Democrats do not support him.

It is time to move on. We need to rein in our debt, and we need to act boldly in doing so. So far, the President has failed to lead on this issue, choosing instead politically convenient talking points. But I would remind my dear friend in the White House, it is never too late to mend this problem.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business in which Senators may speak for 10 minutes.

THE DEBT CRISIS

Mr. LEAHY. Mr. President, I will be brief. I have been asked by a number of people how I feel about the efforts made to get the United States out of the quandary in which it now finds itself over the debt limit. Let me be very clear. I applaud President Obama and Majority Leader REID for real leadership and persistence over many months in trying to find a bipartisan solution to the debt crisis.

Senator REID has put forward a solution that would end the current crisis and reduce our unsustainable national debt. This is a solution that has the potential to draw support from lawmakers from both parties who are willing to put common sense and the national interests above partisanship and ideology, those who would say rather than party first let's go country first now we have a framework for a solution.

By repeatedly walking away from the table and insisting on their way or no way, those who are holding the American people and our economy hostage are playing ideological games with serious consequences for everyone else. Through their tactics they threaten great risk to the well-being of ordinary Americans. The longer this goes on, the greater the danger of lasting damage below the waterline of our democracy. Right now Leader REID's $2.7 trillion debt reduction package is the best chance—really is the best chance this country has—to avoid a default and a credit rating downgrade that would damage our fragile economy. It would also impose a credit tax hike on every American family. If we downgrade our credit rating, we are going to be sending hundreds of billions of dollars in interest to other countries, money they can spend on medical research, on schools, on transportation, and alternative energy. They can spend it in their country—we will be paying the bills—and all because the Congress did not come together on a solution on this issue.

Most people looking at this wonder why have we not moved. Senator REID has a plan that can move. It says we will spend this money—the money we have—not shipping it overseas to other countries but spend it on the needs of our own country. The plan consolidates terms agreed to in the ongoing negotiations. It proposes a solution that ends the current crisis. It accomplishes wide-ranging savings, and has enough bipartisan support to pass.

It would end the roller coaster of unpredictability that shackles our economy by instead offering financial stability through 2012. Social Security, Medicare, and Medicaid beneficiaries will be spared a loss of benefits. The American people will begin to recognize these savings from withdrawing from Iraq and Afghanistan. Essential education, job creation, housing, and environmental investments for America's economic recovery and for a strong economic future would be protected from the slashing cuts proposed by House Republicans.

The irony is Republican leaders previously had backed all of the spending reductions called for in Leader REID's plan. I do not agree—I suspect all of us do not agree—with all aspects of this proposed solution. But we are not going to have 100 solutions on this floor, we are going to have 1 we can vote on. I wish this would have included new revenue, especially by ending such costly and outdated tax benefits as those still enjoyed by the biggest oil companies to help us pay off our debt even more quickly.

I want to help pay for the debt incurred by the inexcusable earlier decisions to enter two wars without paying for them. I continue to believe that a surcharge for the wealthiest would mean they would pay more of their fair share after so many years of tax cuts that tilted far more toward the wealthiest of Americans rather than to the middle class.

I find it interesting when I hear lectures from those who voted for an unnecessary war in Iraq—Iraq, a country that had nothing whatsoever to do with 9/11, a country that before we invaded it had no al-Qaida but has plenty now—say we will vote for this war, and for the first time in our history we will not pay for it, we will borrow the money. We will cut taxes. And to pay for it we will borrow the money. Look where we are now. We will eventually owe $3.5 trillion for that war.

You know, it is far easier—and I say this to everybody like myself—they may see every single thing they want here—it is far easier to walk away from the negotiating table than to make the hard choices needed on behalf of the American people. We need serious

statesmanship on both sides for this to work, both sides to get a solution, and both sides to do it before it is too late.

The economic health of our country, the jobs of thousands of hard-working Americans, should not be mired in politics. It is well past the time—and I realize there is a House faction that is driving much of the decisions there. It is well past time for that faction in the House of Representatives to put politics aside and accept a long-term deficit reduction plan that does not force America's most vulnerable to shoulder the burden.

Just as many Vermont families are forced to make difficult financial decisions, Congress has to be open to considering all available options. We do this in my State of Vermont without gimmicks. We do not have any constitutional amendment on balanced budgets or anything such as that. We just balance the budget.

In that regard, I recall a Member who said: Let's have a constitutional amendment to balance the budget, knowing it would be years from now. But we actually had a balanced budget during the Clinton-Gore administration. Not a single Republican voted for it. Democrats voted for it, and we balanced the budget. We created a surplus. We started paying down the national debt, and created 24 million new jobs. Let's go back to those days. Forget the sloganeering. Forget the bumper sticker solutions. If things were that easy, it would have been done long before now. Start going back to doing what we are elected to do, what we are paid to do, and also what we are expected to do. Seek a solution, not a gimmick; not a deal, a solution that benefits all Americans.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET COMPROMISE

Mr. BLUMENTHAL. Mr. President, I don't need to tell anybody in this Chamber that our Nation is at a crossroads. We are at a crossroads. We have said for many months that we would be at this point, and now we are here. For months, we have said we will need to make tough choices and difficult decisions, and now we are at that very point when we need to make those tough choices and difficult decisions to rein in the debt and the deficit, and to put our fiscal house in order, even as we raise the debt ceiling.

This decision is difficult, tough, and excruciating for us. But it is hardly different than what American families are doing all around this country, and in Connecticut, because I have seen them and I have heard from them. So have you in this Chamber—families who are struggling to make ends meet, to stay in their homes, to keep their families together, to make those cuts in their spending, which we are now required to do in this Chamber for the Nation.

It is a historic responsibility. We cannot keep kicking the can down the road. That is the analogy that has been drawn countless times in this Chamber, around the country, and by the President of the United States himself. The point is that the time for action is now—not delay or indecision, but real action that achieves a credible solution, which will demand compromise.

Compromise is the essence of the American Republic. It is the way our Nation was founded—through compromise, people coming together, bringing differences to the table and resolving them. Families in Connecticut and all across the country are making these kinds of choices every day when they buy a car, a house, decide to go to school, and even marriage requires compromise. Compromise is the essence of the American Republic and the way we do business in this Chamber, in this city, in State capitals around the country, and in places of business and all places where momentous decisions are made.

The American people expect nothing less of us than they do of themselves. There is no avoiding these tough choices and compromises now that will help us get our debt and deficit under control in a meaningful way.

The markets and the Nation need a real plan, not a short-term or stopgap effort. We must demonstrate that we are committed to finding a real solution. A short-term plan would not provide the kind of certainty and reliability the markets are desperately seeking at this point. A short-term or stopgap solution risks many of the same dire economic consequences that would be triggered by a default itself.

A financial Armageddon now, a catastrophic failure to raise the debt ceiling now, is exactly the same risk 6 months from now if we attempt to address our present issues through a short-term, stopgap measure. That financial Armageddon will affect every American family, every American small business, every American worker, and every job seeker. It is about jobs and economic recovery, because a failure to raise the debt ceiling will increase the cost of borrowing for every homeowner, every car buyer, every small business, and every person who has a credit card or otherwise seeks capital or credit in the market. By raising the cost of borrowing, it will simply crush our fragile economic recovery. It will be a job killer for this Nation. It is time now for compromise that will avoid those dire consequences for the American people.

The Reid proposal is a compromise in the best sense of the term. It is a solution that meets all the criteria our Republican friends have been insisting on for weeks. It does not include revenue increases. It includes enough spending cuts to meet the amount of debt ceiling increase, dollar for dollar. It includes spending cuts that have been approved by many Republicans. Many of those spending cuts have been voted for.

Most important, from my standpoint, and from the standpoint of many colleagues on this side of the aisle, it does not make spending cuts on the backs of our seniors and our most vulnerable citizens. It avoids spending cuts to Medicare and Social Security that would imperil or diminish the benefits of those programs.

Let me tell you about this compromise, the Reid proposal. It is not transformational. It is not a grand bargain. It is incremental. It achieves progress step by step by step—the way progress has been made in this great Nation from its founding—step by step by step. It represents, as perhaps one of the columnists might have described it—in fact, this morning in the New York Times, David Brooks said there has been an outbreak of sanity. This proposal represents an outbreak of sanity in roiled waters of emotionalism, personality conflicts, political acrimony.

I hope my Republican colleagues will join us in seeking and ensuring stability for the markets and our fragile economic recovery, focusing on what concerns the American people now, and should, which is job growth. It is about jobs. We should get on with that historic path of creating jobs and enabling small businesses to borrow at rates they can afford, without hiking those interest rates as a result of a financial crisis that is truly avoidable. Failure would be the result of our own doing and our own failure in this Chamber.

We need to keep our economy moving in the right direction. I am hopeful, even confident, that we can come together with good will on both sides to overcome our differences and achieve that compromise that the Reid proposal represents.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, so ordered.

The Senator from Kansas.

BUDGET CRISIS

Mr. ROBERTS. I thank the President. In making these remarks, I wish to emphasize that I am not trying to be presumptuous or disrespectful in any way to the Office of the Presidency or to the President personally. I wish to make that very clear. It is just that I am trying to think of an allegory to try to get my point across, and it

seemed to me this might be the way to do it.

We have our national unemployment rate at its highest level all year. We have the debt ceiling rapidly approaching the crisis everybody is talking about, and one would think we could do everything we could to support those industries very critical for job creation and economic development. There is one industry I am referring to in particular; that is, general aviation, and I was trying to think, how could I get my point across.

Since we had Speaker BOEHNER, Leader MCCONNELL, and the distinguished majority leader Senator REID conducting the very best they can to get a solution, perhaps the President, although his time is very valuable, could talk to somebody such as me, a ranking member of a committee, very worried about what is happening with our country, very worried about what we can do to get this debt ceiling fixed and we can get a long-term solution with regard to our entitlement programs. Perhaps he could actually invite me down maybe later—a lot later, certainly no cameras—in regard to a little basketball game of horse because everybody knows the President is a very good basketball player, as a matter of fact an extremely good basketball player. I am not going to make that claim, but there was a day on blind-side picks and a few other things I could do.

But I would emphasize to the President, bouncing the ball to him just on a bounce pass, and say: Your ball, Mr. President. The ball is in your court. I would like to emphasize, while we are playing, that basically he shouldn't be more concerned with increasing the debt ceiling past the 2012 elections than working on a long-term solution for solving the crisis. That would just be a suggestion. He would probably go to the left corner and sink a three about that time. I would want to emphasize to the President that he is singling out and he seems to be fixated on one specific industry that affects me and other specific industries as well, and I don't know how we pick and choose who should pay more taxes, who should pay more in terms of sacrifice, in terms of picking and choosing industries.

But at any rate, I would tell the President when I had the ball—I would probably be dribbling a lot or trying to, if he wasn't playing tough defense—and I would say: Mr. President, since negotiations started last month on raising the debt limit, you have, on multiple occasions over and over again, singled out the general aviation industry as an example of big business that serves only the wealthy and should contribute more to lowering the deficit. The only problem with this claim is it is not real, it is not factual, it is not correct. Consequently, I don't know whether it is in his head or maybe the writers who write that valuable information for him that general aviation only serves millionaires and billionaires. Then, after I shot and missed it, I would say: Your ball again, Mr. President. I would say as he was trying to drive around me, rather successfully: The truth is, these aircraft actually serve as an essential business tool for a multitude of businesses of all shapes, all sizes, farmers, ranchers, manufacturers, business men and women, to access multiple offices and facilities that are spread across this great Nation. These folks are not fat cats. I would like the President to understand that managers and sales teams and technical experts, those are the people we are talking about who are in that corporate aircraft to be sure, but it is general aviation that serves the general public's welfare. They are often required to visit numerous offices in a short amount of time in regions of the United States that aren't served by large airports.

By that time, the President has scored a couple layups and two more jump shots and I have yet to hit a shot. But I will persevere. I would say to him as we were playing there on the court: Mr. President, in fact, 90 percent of our country's airports aren't even accessible by commercial aircraft—certainly, the Presiding Officer knows that—and I think they represent just those plain folks you have been talking about, just the folks who are in the middle, just the folks who are having a tough time, just the folks who have been laid off.

Then we have a paradox of enormous irony where, in the stimulus bill, there was a tax incentive for general aviation that helped some of those folks get those jobs back and it is that which you are attacking, which is your own suggestion or at least that of the majority in the Senate.

General aviation employs 1.2 million workers and annually contributes $150 billion to the U.S. economy. That is a mouthful. By that time, the President has probably stolen the ball and scored another layup. Playing horse, we have five. I would probably ask him to play 10 or spot me 10.

Just last year, I would point out to the President, general aviation delivered 1,334 aircraft valued at over $7.9 billion, over half attributed to exports, and that is what the President wants to achieve in his trade policy. I would tell him: Sir, your goal is doubling U.S. exports over the next 5 years. You don't do it by calling general aviation fat cats and singling out that industry for political blame.

Let's talk about tough times and tough going. Similar to every other business sector, general aviation has struggled during the recession. At that particular time, I would claim the President fouled me with a sharp elbow and I would take a free shot and I would say: Wait a minute. Unfortunately, this has resulted in layoffs among many high-skilled, high-paying jobs in this industry, and that is a two-shot foul, by the way, so I have a little time. I would say: To help offset these job losses and incentivize the purchase of these aircraft, Democratic Members included a provision in the infamous stimulus bill to accelerate the depreciation schedules for a wide range of capital investments.

In Kansas, for Cessna Aircraft, accelerated depreciation was a key factor for Cessna and its suppliers being able to retain 1,000 jobs. Jobs held by folks whom I would tell the President are not fat cats. Again, they are just folks. They are doing the job to produce a product in the United States that we are very proud of, and we certainly don't want them to go to Mexico or to go to Canada. Some have already left.

So it came as a pretty big shock that you, Mr. President—and I am still on my second shot on the free shot. He is now asking me to quit talking and start shooting. But I would say: It comes as a pretty big shock to those workers that yourself and the Democratic Members in both Chambers would direct an attack on this industry.

This is true. I don't know how many Members of the Senate—not too many but, my word, I don't know how many Members of the House have heard that—corporate jet. Corporate jet. It has a ring to it, I guess. But at any rate, why would you repeal a tax provision that has contributed to job creation at a time of severe economic downturn; in fact, the one you actually suggested.

But there is more. There is more, Mr. President. Your ball. On top of this, budget negotiators are considering implementing user fees on general aviation as a way to generate revenue. We have been down that road. Let me be very clear. If user fees on general aviation are implemented, we could very well see the beginning of the end of this very critical industry.

With all that is going on—and I hate to remind you of this. By the way, I just scored a hook shot, Mr. President. It wasn't very pretty, but it rolled in. So it is about eight to one, something like that. At any rate, I am coming back.

When you mention corporate jets six times in two paragraphs in one speech and that is repeated on the various pundit shows on TV over and over again as a fat cat industry, that is most unfortunate.

I think we need to get serious about spending. I have thought so for some time, and I think every Member here does as well. We have our different ideas on how to do it. But I also believe it makes sense to consider those provisions that would actually have a measurable impact on reducing our more than $14 trillion national debt.

I would ask as I bounce the ball back to the President and he heads for that left-hand shot in the corner again and I am hustling to try to keep up, I would ask: Do you have any idea, if you just taxed all general aviation, what that would amount to? Just changing

these schedules, these depreciation schedules for corporate jets; i.e., general aviation only contributes $3 billion over 10 years. We borrow around $40 billion every 10 days. Repealing this tax provision would close our national budget deficit for 1 hour—1 hour—1 hour in terms of a measurable effect. Yet we still pick on general aviation, calling them all fat cats.

Sadly, this isn't the first time we have seen this happen; that the Congress of the United States, a different President has singled out general aviation. In the 1990 budget deal, the majority created a new luxury excise tax that applied to boats and aircraft. The tax was repealed in 1993. Because, as the Democratic-controlled Senate Finance Committee report explained, during the recent recession the boat and aircraft industries have suffered job losses, increased unemployment. I guess those are plain folks, they qualify, not fat cats. It said:

> The committee believes it is appropriate to eliminate the burden these taxes impose in the interests of fostering economic recovery in those and related industries.

That is a lot of words, especially when you are out playing horse in weather that is pretty hot. Today—maybe it is better today so maybe it would be a better deal. I couldn't agree more with that. We have been down this road before. I think it is unfortunate.

Last, before I watch him make his last shot and I go down to the T, at least on the court I hope I would have made my argument to the President that singling out general aviation as ''fat cats'' is simply not accurate, it is class warfare. That is a little tough. Maybe I wouldn't say that on the court, maybe sort of nudge him a little bit when I got underneath the bucket.

At any rate, it is going to take courage to put this country's fiscal house back in order. There is no question about that. But it is absolutely essential for us to do it in a responsible manner and not by scapegoating, not by singling out important sectors of industry that have long played a vital role in the economic development of both my home State of Kansas and our country as a whole. I would simply say: Your ball, your game, Mr. President, but let's not single out general aviation anymore.

It might have been the case if he were on a corporate jet with Kobe Bryant or somebody, maybe a Hollywood actor, maybe going to a fundraiser, maybe he got it in his head everybody who has a corporate jet, i.e., general aviation, as opposed to going from Kansas to North Dakota to check on some farm ground, that that is the case. I hope that is not the case anymore.

That is the end of the ball game but it is not the end of the debate. I hope we have a debate without singling out an industry. That is unfair and not accurate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KERRY. Madam President, I ask unanimous consent I be permitted to proceed as in morning business for about 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ECONOMIC STEWARDSHIP

Mr. KERRY. Madam President, this is a dangerous time for our country. What amazes me, for the time I have been here and privileged to serve the citizens of Massachusetts for 27 years now, is that never have I seen a moment where the consequences of inaction can have as potentially damaging an effect on our country as the consequences may if we are downgraded in our debt—just downgraded, not even defaulting—yet some of our colleagues in the Congress, particularly on the other side of the aisle in the House, are, despite all the evidence, all of the judgments made by knowledgeable people—by economists, by business people, by outside observers, about the danger and inadequacy of what they are proposing—despite that, they are insisting, not as a matter of common sense or as a matter of logical economic policy but insisting as a matter of politics and ideology on holding the entire economy of our country hostage and be damned with the risks.

Notwithstanding what that may mean—for 401(k)s, for families, what that may mean for investments that are on the brink because of the fragility of the economy, notwithstanding any of the advice of people who deal with money on a daily basis in terms of investments, these people, many of them who have never served in public life in their lives, never been part of a compromise but have come here with one ideological purpose—these people are putting the entire Nation at risk.

There are a lot of people here, particularly here in the Senate on the other side of the aisle, who know this is dangerous and who know the risks we are taking and who know there are better alternatives. But because of the politics of the situation they are being locked in, not allowed to stand up and exercise—or at least unwilling at this point to stand up and exercise their judgment and, frankly, their responsibility as sworn to uphold the Constitution of the United States of America, to come here and do the business of our country.

The deadline for default may be just a week away but no one should have any illusion that what is happening right now today is already hurting the economy of our country. It is already hurting our country. This is embarrassing for the Nation. It is embarrassing for the United States of America to be having such a dysfunctional display for everybody in the world to see that we who run around the world promoting democracy are unable to make our own democracy work right here at home. The fact is, all you have to do is read today's article in the Boston Globe with the headline ''Uncertainty Has Massachusetts Firms Wary Of Hiring.''

That is what is happening right now. This is already having a negative impact. Maybe that is what some of the people on the other side of the aisle in the House want. Maybe they want the economy to come down so they can win politically and point to the President and say: Oh, it is his fault we don't have the jobs, even though they are weakening the economy with their obstinacy and with their ideological rigidity.

Today's article says:

> Still cautious from the last recession, many business owners worry that government leaders will be unable to reach an agreement, while others are concerned about exactly the opposite: that any agreement will invariably include spending cuts and weaken an already lackluster recovery.

This is no way to provide economic stewardship. Most important, it is no way to run a government. There are countless institutions that rely on the United States, for us to go out and help other nations to be able to recover economically. I met yesterday with the Finance Minister and Deputy Prime Minister of Greece. Greece is taking enormous steps right now to try to bring its debt down and all of the euro zone has joined in that effort, and Italy and Spain are likewise at risk in their economies. But the IMF is a critical component of that recovery and the United States is a critical component of the IMF efforts and we have a significant amount of our capital at risk in the IMF. What happens there is important to what happens here, but this place is not behaving as though there is that interconnectedness. Let me tell you what I hear from a lot of smart people—smarter than I am—about the economics. I can listen to them, and I can tell they are deadly serious when they say we are playing with fire with respect to the Greek recovery and with respect to Italy and Spain and the rest of Europe. If they start to go down, then we have a cascade, and it begins to have a greater impact on the United States of America. That is what is at risk in this dangerous game of political chicken that is being played by people of such ideological rigidity that they are unwilling to even compromise.

I heard an interview yesterday with one Senator and a television commentator of one of the cable shows who asked him repeatedly: What are you willing to compromise on? In the end, it became clear he was not willing to

compromise on the fundamental notions of how we arrive at an agreement. We need to reach out across the aisle—both of us, Democrat, Republican—and come together on a deal, on a solution to a critical problem that challenges all of us where there is a solution staring us in the face. We need to do that before, as a result of the inability of people to make that compromise, before those who take that position of ideological rigidity do greater harm to our economy and to our country's reputation. We need to put an end to the time clocks that are running out how long it is before a default which sends an enormous message of uncertainty and incompetence, of dysfunctional politics on a daily basis. Every tick of that clock drums into people the inadequacy of what is happening here right now.

Back in 1983, President Ronald Reagan, whom many of the people who are taking this position of complete obstinacy revere—they ought to listen to what he said because President Reagan wrote:

> The denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and on the value of the dollar on the exchange markets. The Nation can ill afford to allow such a result.

Now almost 30 years later some House Republicans have turned their back on the legacy of Ronald Reagan. Instead, they continue to play this cynical game of chicken with the President, with the Congress, with the American people, with our economy, with our reputation, with our future, by refusing to negotiate a clearly achievable, clearly definable compromise agreement that would extend the debt limit, something that happened 17 times under Ronald Reagan. What is their negotiating strategy? Don't negotiate. Do what we say no matter what the danger or how ill thought-out the consequences may be.

David Stockman, the former Office and Management Director under President Reagan, said the following about the House Republican budget:

> I think the biggest problem is revenues. It is simply unrealistic to say that raising revenue isn't part of the solution. It is a measure of how far off the deep end Republicans have gone with this religious catechism about taxes.

In taking this extreme approach, the House Republicans have also made a dirty word out of a basic tenet of American democracy—compromise. Do they know nothing about history? Have they forgotten about the Missouri Compromise? Have they forgotten about countless great compromises that brought people together to pass some of the great efforts of our Nation with respect to the social structure of our country? The House Republican Party has taken this approach, even though they know and agree with what Ronald Reagan said 30 years ago, and they know it is true today.

Experts are telling us that even a short-term crisis could lead to a permanent downgrading or stain, if you will, on the Treasurys of our country. It could prove particularly damaging to the willingness of foreign investors to buy Treasury. If foreign investors start to shy away from Treasurys, then they will become much less liquid. As Lou Crandall, who is the chief economist at Wrightson ICAP, said:

> You could never get that liquidity premium back if you create a precedent. That's the thing that would be irreparable. The end result of such a scenario: higher interest rates in the United States.

I just met a few moments ago with a businessman who is engaged in major investments in this country and elsewhere, on an international basis, who reinforced to me the danger of what we are facing right now in just the downgrade. What he said to me is that nobody can tell us what the real impact of that downgrade is going to be. What happens to valuations all the way down the economic food chain? What happens to credit? What happens to the judgments about interest? What happens to the judgments about the auctions and the next market and so forth? Nobody knows. He can't tell me, and he does this for a living and has very successfully for a lifetime. That is what they are worried about.

There is a moment—nobody knows when exactly it is—there is a moment when as we get close enough and the dysfunctionality becomes the overwhelming, dominating feature of this effort, where someone is going to cut and say: OK, time to downgrade. Then what happens? What kind of downward spiral flows out of that? I don't know, but I know we should not be pushing it to the limit and taking that risk.

Why are people taking that risk? Why are people, despite all the commentary that says we ought to be reaching across the aisle, we ought to sit down the way we used to around here, why are they doing this? I will tell you why. They want only one way of approaching this solution—their way. They want to so dramatically cut Federal spending and cut entitlements without increasing revenues at all. No matter how successful people have been at the upper end of our economy, no matter how much money people have made, they say we can't even ask a billionaire for $100. We can't even ask a billionaire for $500. Nothing, nada, no. That is it. That is the reason they are willing to take the country to the brink. They know they do not have enough votes to even pass the budget they are screaming about still, but they are not running around trying to find the alternative. They are going to push it anyway, have a vote on it anyway, send a dramatic, stupid message of incompetence to the world and drag the United States of America down with it.

It is stunning what a group of extremists can do who are trying to get their unrealistic and impossible budget passed, which even a lot of Republicans know they are not going to vote for. The Boehner plan would require Draconian entitlement policy changes. To meet the $1.8 trillion in cuts over the decade without any increase in revenues, policymakers would be forced to cut Social Security and Medicare benefits, and that is not a scare tactic. That is an absolute reality of what would have to happen if we proceed to do those cuts the way they are structuring them, and we would eviscerate the safety net for low-income children, for parents, for senior citizens, and for people with disabilities.

One of the worst and most disturbing components of this plan, the Boehner plan—it is incomprehensible to me—they want to do this whole thing all over again in 6 months. There is no economic reason we have to do it again in 6 months because they purposely left out the money that could come from reducing our engagement in the wars in Iraq and Afghanistan, which is going to come. They purposely left that money out so it wouldn't show the amount of savings that could get us through next November. The reason they purposely left it out is so they can come back and do this same exercise again next February and make all the discussion in America about debt and deficit, when we are perfectly prepared to have a serious discussion not about raising the debt on it but about solving it, about doing it. We don't need a constitutional amendment to do our duty. We don't need a constitutional amendment to balance the budget. I know what I am talking about on that because I was here when we balanced the budget in the 1990s without a constitutional amendment. We balanced the budget five times since World War II, and we have done it each time without a constitutional amendment.

Let's not have this phony structured setup that is pure politics. I am sure they are raising a lot of money from their base on it every single day, but that is not what this ought to be about. This ought to be about solving the economic problems of our country. A short-term plan is not necessary and it is, most importantly, not wise. If we go through this exercise again in 6 months in the same way we have gone through it in the last few months, we are going to drive this economy right down and down.

Maybe that is what they want so they can then blame President Obama and turn around and blame the Democrats who are responsible in the Senate. There is no other rationale for wanting to come back and do this in 6 months, when we could do this with the joint committees that are in both the Boehner plan and in Senator REID's plan. We have the ability to set up a structure, similar to the BRAC closing commissions, where we have to vote, where we are forced to do this on an accelerated basis, where we tie ourselves into a process that requires the Senate to do its duty and the Congress to do its duty. We can lock that in right now. We are not kicking anything

down the road if we do that and require us not to have a balanced budget amendment that goes out all across the country for States to have to ratify but, rather, do the job we were sent to do and do it in the next few months. That is what we could be doing. If we don't do that, then the downgrade that may take place somewhere in the next days could drive up interest rates, and that will have a negative drag on the economy to boot. A student with a student loan will feel that impact. Somebody with a car loan is going to feel that impact. Anybody with a credit card is going to feel that impact. People with mortgages will feel that impact. That will mean more money out of pocket to make up for the dereliction of duty of the Congress.

These are completely dangerous and uncharted waters we are sailing into. I think at a time when the global economy is facing enormous problems, any downgrade of our Nation's credit rating could have disastrous effects for our financial system in terms of those other countries which I have talked about, and I think it is an unacceptable risk. It should require us to find the compromise and find it now. I might add that the Boehner plan is not even supported on Wall Street.

Let me quote Christian Cooper, who is the head of the U.S. dollar derivatives trading in New York at Jefferies & Company. He said:

> From the markets' point of view, a two-stage plan is a nonstarter because we know it is amateur hour on Capitol Hill and we don't want to be painted into this corner again.

He went on to say:

> There is significant risk of a downgrade with a deal that ties further cuts to another vote only a few months down the road given the significant resistance to do the right thing now.

Frankly, I think that is logical. Every American can understand that. If a person has some money to invest and they are sitting there watching what is happening right now, and then they learn our way of dealing with it is going to be to have another vote in 6 months for the same reason—to lift the debt ceiling—when everybody knows we don't have to do that, would that person say, oh, that is a really good, clear climate for investment; let's go put our money into whatever it is out there because we know Congress is going to do the right thing? No. No way, I say to my colleagues. Everybody knows that.

The fact is, the President has said he is going to veto the Speaker's plan. Senators know he is going to veto it. We know it is a bad plan. We ought to stop discussing proposals that are going to go nowhere and get the job done on something that can bring everybody together.

In an effort to forge a bipartisan compromise, Senator REID has reached way beyond what many Members of our caucus really wanted to do or think is the appropriate balance. But we are acting responsibly in order to try to get the job done. So we are willing to extend the debt ceiling through 2012 without revenues at this time, with the understanding that we will have the ability to come back to the floor with the process of a joint committee providing it is tied to a very clear schedule, with very clear requirements about no filibusters, with very clear requirements about amendments and voting.

Madam President, the spending cuts in Senator REID's proposal are only those to which Republicans have previously agreed. So no revenues, cuts of $2-some trillion, we go through the year to give certainty to the marketplace, and we have cuts in there that the Republicans have already agreed to, and, again, a fixed period of time. I think that proposal gives our economy the certainty it needs in order to create jobs now, not 6 months from now and not maybe sometime next year.

Everybody understands how anemic America's job creation is now. The last the job market needs is this kind of brinkmanship, gamesmanship, and cynical effort to hold the entire economy of our country hostage when better proposals are actually on the table and in front of us which everybody can understand.

The majority leader's proposal includes the capacity for that joint committee to include recommendations and legislative language on tax reform. We all know we need tax reform. I believe the Senate and the House ought to do their jobs, both of us. Senator REID's plan actually calls on the Senate to live up to its ultimate responsibility. The Speaker's plan has no such language—nothing that requires that kind of participation.

The deficit commission was chaired by former Republican Senator Alan Simpson. All of that work is being ignored right now. The so-called Gang of 6 did an outstanding job, in my judgment, of helping to put together a bipartisan plan which actually included revenue and I think 20-some Republican Senators were prepared to support a thoughtful, balanced plan that had both revenues as well as cuts. So we can find common ground. We need to find that common ground.

Over the last year, we have seen a number of bipartisan plans put forward on the debt limit. I think the effort of the Gang of 6 exemplified the best tradition of the Senate, where a group of Members reached across the aisle and worked with each other to tackle the tough issues. That is how we got a budget deal in 1990. That is how we got a budget deal in 1997. We have done this before, and we did it growing our economy—creating 23 million new jobs and creating a surplus of $5.6 trillion. Had we stayed on that course, we would next year be paying down the debt of our Nation completely for the first time since Andrew Jackson was President of the United States. Everybody here knows why we went off track. I don't mean to go through that again now, but I think we will not be able to resolve this current impasse until colleagues on both sides of the aisle—and especially in the House where there seems to be the greatest ideological resistance to common sense right now—decide to put aside their ideology and decide what is best for the United States of America.

We can't be responsible if we don't get serious first. Far too much is at stake for the Senate to do anything less than the Senate was intended to do at moments such as this. We are called the world's greatest deliberative body. There aren't many Americans who would look at us right now and give us that appropriate moniker. We have to earn it. I think in the next hours we can do that.

I thank the Chair, and I thank my colleagues for their forbearance.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Madam President, may I inquire as to how much time I have allotted?

The ACTING PRESIDENT pro tempore. The Senate is in morning business with Senators permitted to speak for up to 10 minutes each.

Mr. CORKER. I thank the Chair. I doubt I will do this, but if I get up to 8 minutes, if the Chair would let me know so I will have 2 minutes to wrap up.

The last time I was on the floor was July 14, and I was very concerned—maybe upset—about the fact that it appeared where we were on this debt ceiling discussion was looking for a political way for everybody to raise the debt ceiling without anybody taking ownership. Obviously, that wasn't what I came to the Senate to do. I came down and had choice words for both sides of the aisle in that regard.

I actually come here today with a glimmer of hope. The reason I say that is, to my knowledge, in this debt ceiling debate we may be—I think this is the first time legislation has actually been offered from both sides of the aisle to look at spending reductions over the course of this next year. To me, that is progress. I think we ought to focus on the fact that, finally, here in this body, we are on the right subject. We sort of wandered around in the wilderness for several weeks as this debt ceiling was coming up and focused on many things that were not going to solve the problem. Then, a couple of weeks ago, we focused on trying to figure out a way for us to all usurp—get rid of—our responsibilities in dealing with this.

I am kind of uplifted because, as was mentioned, a Democratic Senator has a proposal, a Republican House Member has a proposal, and now, finally, we are on the topic that matters; that is, we have proposals before us that are beginning to look at what we might do to look at spending reductions.

The fact is, the reason this debt ceiling debate is what it is is because all of

us are concerned about future deficits. All of us are concerned about where our country is going. All of us are concerned about the fact that if we don't deal with this issue responsibly, we are going to end up with a downgrade in our debt regardless, even if we make it. If we had a clean debt ceiling vote, which, obviously, is not going to occur now—if we had a clean debt ceiling vote, we would be right back at the table trying to figure out a way to keep from having a downgrade. So for what it is worth, I am choosing today to come to the floor and to be slightly optimistic because both sides of the aisle are beginning to look at ways of reducing that issue.

As to the rating agencies, actually we don't put a lot of faith in them, I know, but smart people who actually buy Treasurys have said the order of magnitude that we need to deal with as it relates to deficit spending over the next short period of time is a minimum of $4 trillion, and that $4 trillion has to be real, and that $4 trillion needs to be accompanied by entitlement reforms.

What I would say is, right now, I don't think there is any proposal that is being discussed that is strong enough, and I don't say that to knock any of the authors. There is nothing out there that I am aware of that is being discussed by the media or being discussed in either Chamber that really deals with this issue. Most of us have taken the position that we want to use the debt ceiling vote to force dramatic reductions in deficits, dramatic reductions in spending and, fortunately, we have gotten to that place, finally. We have just gotten there in the last 24 hours.

So this is my hope: We know none of the proposals out there now are strong enough. None of the proposals out there—I am talking about in legislative language. There are a lot of people working in other ways to try to come up with a solution, but there is no legislative language out there yet that actually forces us to do the things we need to do to achieve not being downgraded, if you will, after this debt ceiling vote occurs.

So it appears we are going to be voting on a proposal the majority leader has offered. It is very apparent to me it is not going to pass. I know there are some activities that may be taking place in the House over the next 24 hours, but at least we have both sides of the aisle talking about the right topic, finally. It has taken us a while to get here.

I urge us to sit down and figure out a way to make the proposals that are being discussed real—make sure they don't have gimmicks—and that they force us to do those things we need to do to make sure we don't just kick the can down the road and pass something that looks like we have actually taken action, but to pass something instead that actually will address the issues we have before us.

So, again, I have a glimmer of hope. Both sides of the aisle have offered proposals. No doubt in both cases they are not nearly strong enough, but both sides have offered proposals that look at reducing the deficits over the next year or so. So I urge people to sit down—as Members have done recently on other proposals, let's sit down and figure out a way to make some proposal strong enough so we know that not only have we moved past this debt ceiling vote, but we have also put in place those actions that will cause us to make it through this entire next year, in a way that we know we are not going to be downgraded by the credit rating agencies and have other issues.

There is not a proposal before us today that does it, but both sides of the aisle are talking about proposals. That, to me, is a sign for a degree of optimism. If we need to extend the debt ceiling issue for a week while we work out the details or whatever, let's do it. But let's don't let this opportunity where we finally have both sides of the aisle talking about the right subject, let's don't let this opportunity go by. Let's solve this problem while the focus is on it.

I thank the Chair for allowing me to take to the floor.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The majority leader.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until 5 o'clock and that I be recognized at 5 o'clock and that Senator SESSIONS be recognized for 10 minutes at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

THE DEBT CRISIS

Mr. SESSIONS. I thank the majority leader, and I appreciate his courtesy, as always, in so many issues that come before the Senate.

I wish to say a couple of things. One is fundamental, and that is that the crisis we face—and I think my Senate colleague from Tennessee would agree—is not the debt limit, it is the debt. It is the surging debt. The debt limit is Congress's power, and it says to the administration: You can't borrow any more money. We only authorize so much money to be borrowed. Like a 102-degree mark in our thermometer, it is not the thermometer that is the problem. It is the underlying fever that the thermometer indicates. So reaching the debt limit so soon after we raised it is an indication we have something unhealthy in our system that needs to be dealt with.

Senator REID has very difficult challenges before him. It is not easy. But as I like to remind him, he asked for the job and, hopefully, he can make progress at this point in time.

But to raise the debt ceiling, the majority leader knows a couple of things must be done. He knows, one, the Republican Congress and the American people want to see changes in our spending. It is on a reckless path. We cannot continue on this path. So the idea is, shouldn't we change what we are doing that has put us in a situation in which 40 cents of every $1 we spend today is borrowed?

This year we will pay $240 billion in interest on our national debt. Under the budget the President submitted to us—which was voted down, I will acknowledge, 97 to 0 in the Senate; but it indicates the debt path we are on—it would cause in the tenth year interest to be paid in 1 year of $940 billion—a stunning figure. The Federal road program is about $40 billion. Federal aid to education is about $100 billion. We would be surging from $240 billion to $940 billion in interest on this rising debt, according to the Congressional Budget Office, our experts.

I would note also that President Bush's last year was an extraordinary deficit of $450 billion—but President Obama's deficits have been $1,200 billion, $1,300 billion, and it is expected this year to be $1.5 trillion—$1,500 billion—in 1 year. These are the 3 years.

In the first 2 years of President Obama's administration, his nondefense discretionary spending surged 24 percent. This does not count the stimulus of almost $900 billion that we sent out the door that was supposed to stimulate the economy.

Speaker BOEHNER, and I think with the support of the American people, has said: Well, we can do a long time. We can do a fairly large increase in our debt ceiling to allow the country to continue to borrow or we can do a short one, but we in the House, in the Republican House, believe we have to confront our problems. So I would propose, and he has stated, that the House would vote to raise the debt ceiling but only to the extent to which spending has been reduced an equal amount.

If you reduce spending enough over 10 years, you get an immediate increase in the debt ceiling of an equal amount now. If you reduce spending over 10 years a larger amount, you could increase the debt limit a larger amount. It has become a vehicle, an opportunity for the American people to understand how we are spiraling out of control, and how it is Congress that needs to figure out a way to rein this in. It is unsustainable, the path we are on. So this $1 increase in the debt ceiling for $1 reduction in spending kind of caught on. People seem to be going along with that. It seems to be fairly reasonable.

Senator REID claims he has a plan that would reduce spending $2.7 trillion over 10 years and this would allow him to raise the debt ceiling about that amount, and this would allow us to, in effect, raise it enough that we would not have to talk about this again for almost 2 years—about 22 months.

Well, OK. That sort of seemed to meet what Speaker BOEHNER had suggested. But I am the ranking member

of the Budget Committee. I have been a real critic of what has been going on. I have been predicting we were going to end up at the last minute and a bill was going to be thrown on the floor, and I was concerned it was going to be filled with gimmicks. It was not going to be honest, and we were going to be told if we do not pass it, the Republic is going to fall, and no matter what is in it, we have to pass it. And do not worry about it, trust us on these numbers.

Unfortunately, that is where we are getting. Senator REID, in his $2.7 trillion in claimed deficit reduction—about $1.2 trillion of that is savings from the war in Iraq and Afghanistan. Well, that has not ever been projected to stay at the current level of $158 billion a year for 10 years.

Speaker BOEHNER, when he proposes to reduce spending for a shorter term, does not count savings from the declining war expenditure because that is not a baseline expenditure and we have never extended and planned to do that. We never planned to spend $158 billion a year in the next 10 years. This is inevitably going to drop. Some say it could go to zero, some say to $50 billion, saving $100 billion or a little more a year for the next decade. So the Budget Committee Republican staff calculates this is over $1 trillion in inaccurate estimations of spending reductions. It just is. It should not be counted. Speaker BOEHNER does not count it in his numbers.

Senator REID also claims $1.2 trillion in deficit reduction from spending caps by capping discretionary spending. Well, those caps are counted from a baseline that ignores the savings that were enacted in the full year CR that we did the year we are in.

What happened was, we had a higher level of spending. There was an election last fall. A new Republican House was elected—huge numbers of people who were elected who said: We have to do something about spending. So we had a fuss over what our spending levels should be this year because we were operating not under authorization of appropriations bills but a continuing resolution, and that number was reduced. So the spending level for this year now is not the same as it was when the year began. The current level of spending is the number we ought to be talking about when we say we are going to save money. Correct? It should not be the number that was higher but has been abandoned and been reduced. That reduces the amount of legitimate claims in discretionary savings to less than $800 billion. Then he claims $100 billion in mandatory savings. But it is likely—from our staff looking at them—it would amount to no more than $60 billion.

The bottom line is, we have looked at this a lot of different ways. I believe the numbers I am going to repeat to you today will be sustained in any competitive argument about it. I believe these are honest and true numbers. The bottom line is that the total real savings that are proposed by the Reid plan are not $2.7 trillion but $1 trillion. If you do $1 trillion in savings, and you raise the debt limit by $1 trillion, then that would extend to 6 or 8 months or so into early next year, which is, I suggest, where we ought to be. Because this amount of savings—$1 trillion—is nowhere near what we need to do to get off the debt course we are on.

As Senator CORKER indicated, most of the financial experts tell us we need at least $4 trillion in savings, not $1 trillion. So if we are just going to get $1 trillion so we can vote in this crisis period to raise the debt limit before August 2 so the checks can go out and everybody can be paid and the government can operate—and I hope we can do that; we need to do that—but if all we are going to get is $1 trillion, this is just an interim step. This is not a real fix at all, but it is an interim step. If so, we need to be right back on this issue soon. That gives us an opportunity to do so early next year or late this year because we have not solved the problem.

Mr. President, $1 trillion is not enough. Madam President, $4 trillion is not enough. Depending on how you calculate the debt that has been projected to accrue over the next 10 years, it is somewhere between $9 and $13 trillion. So $1 trillion is not going to do anything to change the disastrous debt course we are on.

By the way, the President—I want to say this because he was pretty tough last night blaming Republicans for all kinds of problems. Let me say, the Republican House passed—and I voted for in the Senate—a budget for 10 years that changes the debt course of this Republic. It puts us on a sound financial path. It reduced spending by as much as $6 trillion over 10 years. It even reduced taxes to create more economic growth and make us more competitive in the world marketplace. It was a thoughtful, long-term, serious budget that would do real, positive things for America.

The Senate has not passed a budget, not had one marked up in the Budget Committee. The leadership here in the Senate refused to allow it to happen. Senator REID said it would be foolish to pass a budget. We have gone now over 2 years without a budget. It is unthinkable in the debt course we are on—how disastrous it is, how unsustainable it is, how unlike anything that has ever happened in our history—to have this kind of debt path and we do not have a budget.

The President said a few weeks ago: Well, I have a plan that cuts $3 trillion. Is it like Senator REID's $2.7 trillion plan? It was never made public. It was never spelled out. If he has a $3 trillion plan to cut spending, well, let's see it. Maybe we could extend the debt limit more, if he is going to cut $3 trillion in honest numbers. If he has those numbers, as he says he has—in between attacking Republicans for causing all the problems—let's see them. Maybe that would be a basis for something.

But I suspect it is no more accurate than this plan because when the President proposed his budget, as the law required him to do, early in the year, he said: My budget calls on us as Americans to live within our means and to not increase the debt, when according to the Congressional Budget Office, the lowest single budget deficit that would occur under his 10-year budget would be $750 billion—nowhere close to a balanced budget—and in the out years that deficit would be going up. So I will challenge the President, if he has a $3 trillion plan, let's see it.

Some people say we need to raise the debt limit for a longer period of time and we cannot afford to have a short term increase. They say this is somehow a wrong thing to do, and so forth. I would point out to my colleagues, it is not unusual at all. A $2.7 trillion increase in the debt—if that were to occur—would be very high. It would be a 19-percent increase in the current debt limit, putting the debt limit 50-percent higher than when President Obama took office. It would be the largest debt increase in history, the fourth debt limit increase during President Obama's tenure in office, the fourth time it has been raised. So this is not unusual.

I warned from the beginning that if we skirted the legislative process in favor of closed-door White House meetings and so forth, we would find ourselves in the eleventh hour with gimmick-filled legislation being rushed through a panic-driven Senate. This is not responsible governance from our leadership here in the Senate.

As I feared and as I have just described, the majority leader's bill has not achieved close to the promised savings he says it would. From the $2.7 trillion in cuts claimed, the troop-spending cuts in the proposal are closer to $1 trillion over 10 years—less than a third of what was advertised—while he is asking for a nearly $3 trillion increase in the debt limit. Spending cuts next year would be only $3 billion less than the enacted amount for 2011. This falls short of the idea that a dollar in cuts should accompany a dollar in debt limit increase. Senator REID's proposal is structured in a way that is clearly designed to further degrade and undermine the budgetary process of the Senate, and it allows the majority not to have to come forward and produce a budget plan.

Given the late hour, rather than rush through legislation to the President—the largest debt ceiling increase in history—we should pursue a more responsible approach, a short-term extension with real cuts through the immediate time period the extension covers, not 10 years down the road. Then, using the extra time we have, Congress should pursue a binding framework, such as the cut, cap, and balance plan, to bring these gimmicks to an end and to alter

our debt course. We should try the one thing we refused to do from the beginning: open hearings, regular order, and a real legislative process and public participation.

I yield the floor.

IRAN'S NUCLEAR PROGRAM

Mr. KYL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the July 21 edition of the Washington Post. I completely agree with this editorial.

The metric is not how many long overdue individual sanctions are made. We must instead be focused on our goal: preventing the acquisition of a nuclear weapons capability by the Islamic Republic of Iran.

I fear we are spiraling at an accelerating speed to the point when we have but one option left to stop the Islamic Republic of Iran's illegal nuclear weapons ambitions. If that happens, history will judge that we were put into this position by our own failure to avail ourselves of other options while we still had them.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 21, 2011]

SANCTIONS AREN'T SLOWING IRAN'S NUCLEAR PROGRESS

According to a recent story in The Post, the Obama administration is ''quietly toasting'' the success of international sanctions against Iran. The Islamic republic is having increasing difficulty arranging imports, including food, and the central bank is reportedly short of hard currency. Billions of dollars in foreign investment projects have been canceled, and few banks, insurance companies or shipping firms are willing to do business with Tehran.

There are also signs of political stress. President Mahmoud Ahmadinejad is bitterly at odds with conservative clergy and a majority of parliament and appears to have lost the support of Supreme Leader Ayatollah Ali Khamenei. Iran's closest ally, the Syrian regime of Bashar al-Assad, is slowly but steadily losing ground to a popular uprising, raising the prospect that Iran's once-firm foothold in the Arab Middle East will be reduced to an isolated Hezbollah militia in Lebanon.

We don't begrudge the White House a toast or two over these developments; the administration has worked hard and relatively effectively to make the sanctions work. But it's important to note a stubborn reality: There has been no change in Iran's drive for nuclear weapons or in its aggressive efforts to drive the United States out of the Middle East.

If anything, Tehran has recently grown bolder. Last month it announced plans to triple its capacity to produce uranium enriched to the level of 20 percent—a far higher degree of processing than is needed to produce nuclear energy. Western diplomats and experts say that Iran is preparing, and may have already begun, to install a new generation of powerful centrifuges in a plant built into a mountain near the city of Qom. As British Foreign Secretary William Hague wrote in an op-ed published by the Guardian last week, it would take only two to three months to convert uranium enriched at Qom into weapons-grade material. That means that Iran could have a ''breakout'' capacity allowing it to quickly produce a weapon when it chose to do so.

Mr. Hague told the British Parliament last month that Iran also has been secretly testing medium-range missiles capable of carrying a nuclear warhead. Britain believes there have been three such tests since October. Meanwhile, Iranian-backed militias have launched a new offensive against U.S. forces in Iraq. According to Defense Secretary Leon Panetta and other senior officials, Tehran has supplied sophisticated rockets and roadside bombs for attacks on U.S. troops, 15 of whom were killed during June.

Iran's ability to sustain its nuclear program and its meddling in Iraq reflect the fact that these initiatives are controlled by the Revolutionary Guard, which has not been affected by the political feuding in Tehran and has first claim on the oil revenue that Iran continues to reap. Economic and political hardship also has had no apparent impact on Mr. Khamenei, who has maintained the regime's refusal even to negotiate with the U.N. Security Council, much less obey its resolutions.

The bottom line is that the threat from Iran is not diminishing but growing. Where is the policy to reverse that alarming trend?

DEFENSE CUTS

Mr. KYL. Mr. President, I ask unanimous consent to have printed in the RECORD a piece from Politico by my colleagues in the House, Chairman FORBES, Chairman TURNER, Congressman BISHOP, and Congressman CONAWAY.

I fundamentally disagree with the President when he said in a recent interview with NPR:

A lot of the spending cuts that we're making should be around areas like defense spending as opposed to food stamps.

I wish the President would listen to the advice of Secretary Gates, who said in his AEI speech this May:

I revisit this history because it leads to an important point for the future: when it comes to our military modernization accounts, the proverbial ''low hanging fruit''—those weapons and other programs considered most questionable—have not only been plucked, they have been stomped on and crushed. What remains are much-needed capabilities—relating to air superiority and mobility, long-range strike, nuclear deterrence, maritime access, space and cyber warfare, ground forces, intelligence, surveillance and reconnaissance—that our nation's civilian and military leadership deem absolutely critical.

My colleagues in the House are absolutely right when they wrote:

The time to draw a line in the sand, and go on the offense to support national security must be now.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, July 25, 2011]

ON THE OFFENSE OVER DEFENSE CUTS

(By Representatives J. Randy Forbes, Michael Turner, Rob Bishop, and Mike Conaway)

America's all-volunteer military is the most well-trained, well-equipped fighting force the world has ever seen. But the strength of our armed forces should not be taken for granted.

Without sustained investments in our troops and their equipment, the military power our nation now wields in defense of our security—including our economic security—will slowly be hollowed out. The result is likely to be an America that can go fewer places and do fewer things in defense of its global interests.

While that may sound good to those who remain uncomfortable with America's leadership role in the world, starving the military will not make us any safer, given the global demands on our security interests.

The U.S. military confronts readiness shortfalls and a growing array of risks and security challenges. That is why I am deeply concerned about the avalanche of military spending cuts being discussed—from President Barack Obama's $400 billion proposal to the Senate's Gang of Six proposal that could cut up to $886 billion.

The time to draw a line in the sand, and go on the offense to support national security must be now.

Let's be clear: Defense spending is not what put us in this position, and gutting the defense budget to pay the bills is unlikely to get us out of it. As a percentage of our gross domestic product, the defense budget remains just 3.6 percent. This figure is low by all historical standards.

Even if we start slashing major portions of the budget—say $50 billion each year over the next decade—that figure would still only add up to a fraction of the nation's debt. Yet the additional risk to the nation could be substantial.

Today's military is worn out from a decade of operations that have pushed already aging platforms to the edge. More than half the Navy's deployed aircraft are not fully combat ready, as we recently discovered at a House Armed Services Readiness Subcommittee hearing, and approximately one in five of our Navy ships are deemed unsatisfactory or mission degraded.

With known shortfalls in the Navy maintenance accounts, the Defense Department would be severely challenged to meet the expected service life of its equipment. Even more concerning are the assessments from our Combatant Commanders in the unclassified portion of the Quarterly Readiness Report to Congress. This paints a distressing picture of a military stretched thin by nearly 10 years of war and a sustained lack of resources.

Even as our forces have been aged rapidly by the high tempo of operations in the past decade, the president has cancelled a generation of weapons programs in just the last two years. While much of the nation has smart phones and iPads, the Army is still operating on an Atari-like system.

With readiness shortfalls and pressure to modernize aging platforms, how can we pretend we can defend the country with even more defense cuts? Our national defense planning must be based on an open and objective review of the threats we face and the resources required to meet them. Unfortunately, we now have that process in reverse.

In many ways, it's like a family who is about to purchase a new home. The correct course would be to have an inspector look at the house and tell the family what the problems are and what they will cost to fix. What if, instead, that family told the inspector that they only had $1,000, and they wanted the inspector to go through and identify only $1,000 worth of problems to fix?

This is analogous to the way the Defense Department and the Obama administration expect Congress to approach national defense. They dictate how much we will spend on defense without fully and objectively detailing the risks we face, or the choices we must make.

This wouldn't be a sensible course for the new homeowners. So why does it pass as acceptable for managing our national security?

In the past two years, the administration has executed two rounds of defense cuts, with the masthead of another likely on the way as part of an agreement to lift the debt ceiling. With growing readiness problems and a generation of military modernization either cut or on the chopping-block, we are now facing a $400–$900 billion defense cut looming over the horizon.

While our armed forces are charged with defending our national security, it is the Congress' responsibility to provide them with the resources to accomplish the tasks we set for them. Our men and woman in uniform diligently execute these tasks.

It is time for the Congress to do its job and provide adequately for the common defense.

AMERICANS WITH DISABILITIES ACT

Mr. HARKIN. Mr. President, July 26, 1990, 21 years ago today, was a great day in our Nation's history. When President George Herbert Walker Bush signed the Americans with Disabilities Act, we could see the future before us, full of possibility and opportunity for people with disabilities. It was one of the proudest days of my legislative career.

The Americans with Disabilities Act is one of the landmark civil rights laws of the 20th century—a long-overdue emancipation proclamation for Americans with disabilities. The ADA has played a huge role in making our country more accessible, in raising the expectations of people with disabilities about what they can hope to achieve at work and in life, and in inspiring the world to view disability issues through the lens of equality and opportunity.

In these times of often bitter political partisanship, it is valuable to remember that passage of the original Americans with Disabilities Act was a robustly bipartisan effort. As chief sponsor of the ADA in the Senate, I worked very closely with Senator Bob Dole and others on both sides of the aisle. We received invaluable support from President George Herbert Walker Bush and key members of his administration, including White House counsel Boyden Gray, Attorney General Richard Thornburgh, and Transportation Secretary Sam Skinner. Other Members of Congress also played critical roles in passing the ADA—first and foremost, Senator Ted Kennedy; but also Senator ORRIN HATCH, and Representatives Tony Coelho, STENY HOYER, Major Owens, and Steve Bartlett.

Before the ADA, life was very different for folks with disabilities in Iowa and across the country. Being an American with a disability meant not being able to ride a bus because there was no lift, not being able to attend a concert or ballgame because there was no accessible seating, and not being able to cross the street in a wheelchair because there were no curb cuts. In short, it meant not being able to work or participate in community life. Discrimination was both commonplace and accepted.

Since then, we have seen amazing progress. The ADA literally transformed the American landscape by requiring that architectural and communications barriers be removed and replaced with accessible features such as ramps, lifts, curb cuts, widening doorways, and closed captioning. More importantly, the ADA gave millions of Americans the opportunity to participate in their communities. We have made substantial progress in advancing the four goals of the ADA—equality of opportunity, full participation, independent living, and economic self-sufficiency.

But despite this progress, we still have more work to do. One of the critical challenges we still need to address is the persistently low employment rates among Americans with disabilities. According to the Bureau of Labor Statistics, less than a third of working-age people with disabilities—around 4 million individuals—are currently employed.

This is shameful, and we need to do better. In April, at a disability employment summit, I challenged the employer representatives in the room to work to increase the size of the disability labor force by 1 million individuals by 2015. Tom Donohue, president of the U.S. Chamber of Commerce, endorsed this goal and encouraged his colleagues to meet or exceed the 1 million number because ''it's a good thing to do, and it's good for business.''

But if we are going to get serious about growing the size of the disability work force, we need to start by recognizing that people with disabilities have been disproportionately impacted by the bad economy. Compared to the general workforce, in the last 2 years, adults with disabilities have left the labor force at a rate six times the rate of adults without disabilities.

I am committed to doing everything within my power to turn these trends around, and to increase employment opportunities for all individuals with disabilities.

If all of us—Members of Congress, business leaders, employers, and people with disabilities—work together, I believe that we can meet the goal of 1 million new workers with disabilities—and ensure that all individuals with disabilities have real opportunities for employment that meet their goals, interests, and high expectations.

I would like to take a brief moment on this ADA anniversary to remember a leader in the disability community who recently passed away—Max Starkloff.

Max, who acquired his disability at age 21, was a well-known advocate for disability rights, both in his hometown of St. Louis, MO, and nationally.

In the 1970s, while still living in a nursing home, Max founded Paraquad, which became one of the first Centers for Independent Living in this country. Max began his lifetime of advocacy for the rights and independence of people with disabilities long before the ADA, and continued it all the way up until his recent passing.

The examples of his advocacy are too numerous to catalogue, but here are a few examples:

In 1972, he convinced St. Louis officials to install curb cuts in sidewalks.

In 1977, Max's advocacy led to the use of lift-equipped buses in the St. Louis metro area.

In 1979, Max helped to integrate accessible design in an apartment complex that he and Paraquad opened in St. Louis, including counters that could be moved up and down to accommodate wheelchairs, wide doorways, and stoves that could be used by individuals with limited mobility.

Max, and his wife Colleen, worked tirelessly for the passage of the ADA in 1990.

In 1997, Max's advocacy over a two year period resulted in the St. Louis Zoo making their facilities accessible for all.

Most recently, Max devoted himself to an issue that is near and dear to my heart—improving employment opportunities for individuals with disabilities.

Although Max Starkloff is no longer with us, his accomplishments and good work live on, and improve the lives of Missourians with disabilities on a daily basis.

So as we celebrate the anniversary of this great civil rights law, we take time to remember the remarkable progress that we have made in the past 21 years.

On July 26, 1990, when he signed ADA into law, President George Herbert Walker Bush spoke with great eloquence. And I will never forget his final words before taking up his pen. He said, ''Let the shameful wall of exclusion finally come tumbling down.''

Mr. President, today, that wall is indeed falling. And we must join together, on a bipartisan basis, to continue this progress.

REMEMBERING OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. WICKER. Mr. President, I want to take this opportunity to pay tribute to two law enforcement officers who lost their lives in the line of duty at the U.S. Capitol on July 24, 1998.

Thirteen years ago today, Officer Jacob Chestnut and Detective John Michael Gibson each of whom had spent 18 years on the Capitol Police force, lost their lives while safeguarding the Capitol against an armed, emotionally disturbed individual. As a Member of the U.S. House of Representatives at this time, I interacted with these officers on a regular basis. Their tragic, violent deaths profoundly affected us all.

We want these officers' family members and friends to know that these two fine police officers did not die in vain; if not for their courageous and immediate response, many more innocent people could have been injured or killed on that day in 1998.

On this date, we take a moment to remember the sacrifice made by these

law enforcement officers on our behalf. We keep them, their families, friends, and former colleagues in our thoughts and prayers.

I also want to take this opportunity to thank all law enforcement officers serving at the local, State, and Federal level who put their lives on the line for the American public every day. Our Nation is fortunate to have so many fine men and women serving as law enforcement officers in Mississippi and across the Nation.

HEALTH CARE

Mr. KOHL. Mr. President, in an era when Congress is actively debating health care programs that are of enormous consequence to our economy and our collective future, it is important to acknowledge that today, Medicare and Medicaid play an essential role in ensuring access to health and long-term care services for nearly 100 million Americans. In fact, these programs are embedded in the daily lives of nearly one of every three Americans.

Medicaid is the program that currently pays for about half of all long-term care services in our country. Jointly financed and administered by states and the Federal Government, it is a program that all of us—taxpayers and beneficiaries and health care providers alike—have a major stake in seeing continue and succeed.

As chairman of the Senate Special Committee on Aging, I know that for millions of older and disabled Americans who are confronting the need for long-term care services, anxieties are often high. The costs associated with long-term care can be catastrophic, and many families turn to Medicaid for assistance.

In many parts of the country, Medicaid offers only limited choices of where and how to receive services. However, I am pleased and proud that a few States, Wisconsin among them, have developed Medicaid programs that are designed to offer beneficiaries real choices in where they will receive long-term care. The choices usually include nursing homes, assisted living residences, adult daycare, and personal care services delivered at home. Wisconsin and some other states are also increasingly offering beneficiaries the option to self-direct their care through programs that allow them to directly hire an aide—perhaps a family member or a friend—who can provide personal care within the confines of an approved individual budget.

Wisconsin's Medicaid managed care program that covers long-term services and supports is known as Family Care, and it is one that the state has worked to develop for many years under several administrations, starting with former Governor Tommy Thompson. Family Care is well ahead of where many States are in terms of offering older adults and those with disabilities a real choice of how and where they can receive long-term care services.

Today, one in five Wisconsin seniors and individuals with disabilities are enrolled in Medicaid. A similar proportion in six other States—California, Mississippi, Vermont, Louisiana, New York and Maine, as well as the District of Columbia, rely on the program. In every State, the number of older adults and individuals with disabilities who are enrolled in the program numbers is in the tens of thousands, hundreds of thousands, or millions. Last year, 321,700 seniors and individuals with disabilities in Wisconsin received coverage through Medicaid.

During the last several weeks, I have heard a great deal from constituents—beneficiaries, aging and disability organizations, and officials—who have expressed concern about recent developments in Family Care. It is my understanding that the state budget that was recently signed into law includes a provision to cap, or freeze, the number of individuals in the program, and thereby remove the ability of those who become eligible in the future to choose whether they wish to receive services in a nursing home, at home, or in a community-based setting such as an assisted living residence.

The State anticipates that the cap could save $265 million in the 2011–2013 budget. Yet predictions also abound that waiting lists for home and community-based services for newly eligible beneficiaries will begin to rapidly grow again, after a period of years in which the Family Care Program worked to eliminate delays in receiving services. Such delays could prove costly, because when appropriate and cost-effective interventions cannot be accessed by frail elders and individuals with disabilities, more medically intensive services are likely to be required later. Moreover, individuals who wish to receive lower cost in-home services—but who may find that institutionally based care is their only option—are predicted to wind up costing some counties significantly more.

This year, with the first cohort of boomers turning 65, we are launching our Nation's ''age wave.'' It is an exciting era for older adults, and it will be accompanied by new possibilities and challenges for our country. Wisconsin, which is aging more rapidly than many States, has a clear responsibility to continue to provide the best possible long-term care services to each and every one of its older and disabled citizens. In the coming weeks and months, I urge State and local officials to work closely and cooperatively with the Federal Government to keep Family Care strong. Over the last 12 years, Family Care has proven itself to be a valuable, popular, and cost-effective program—one that can be improved, yes, but one that also has a proven track record. It is my hope, and the hope of tens of thousands of beneficiaries of the program, that it will be preserved and carefully protected.

ADDITIONAL STATEMENTS

CAMBRIDGE INTERNATIONAL

● Mr. CARDIN. Mr. President, today I wish to congratulate Cambridge International, Inc., the world's largest manufacturer of metal belting and wire cloth, on the occasion of its 100th anniversary. Cambridge International is a thriving, dynamic manufacturing company that is a testament to the resiliency of American manufacturing. The company is located in Cambridge on Maryland's Eastern Shore and is a world leader in engineering and manufacturing metal mesh, conveyor belts, wire cloth, filter leaves, and other industrial materials. The company exports its products worldwide, requiring sales facilities in the U.S., Mexico, and Brazil.

Since the company was founded on September 17, 1911, Cambridge International has grown to more than 400 employees and has three divisions: Industrial Belting, Architectural Mesh and, most recently, Environmental Technologies, CET. CET is developing new products to meet the needs of older existing manufacturers. Starting with the firm's own headquarters, CET has completed a $4.8 million renovation that included installing energy efficient heating, ventilation, and cooling, HVAC, and lighting systems and bathroom and equipment upgrades. Installation of a wood waste gasification system will ultimately allow Cambridge to power new production equipment in its manufacturing facilities. CET product offerings include an electrostatic precipitator, ESP, that functions at an efficiency level above the Environmental Protection Agency's pollution control standards for components for major waste-to-energy projects. Cambridge International is hiring 36 new employees to support its new green manufacturing division and CET is creating a green job market that will continue to grow and offer expanding employment opportunities.

Cambridge International is a valued business and employer in Maryland. As Cambridge International celebrates its first 100 years of manufacturing, I ask my colleagues to join me in looking forward to Cambridge's next century of manufacturing innovation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1103. An act to extend the term of the incumbent Director of the Federal Bureau of Investigation.

ENROLLED BILL SIGNED

At 2:18 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1103. An act to extend the term of the incumbent Director of the Federal Bureau of Investigation.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

At 3:07 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendments of the Senate to the bill (H.R. 1383) to temporarily preserve higher rates of tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Banking, Housing, and Urban Affairs, and returned to the House of Representatives by unanimous consent:

H.R. 1309. An act 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.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1420. A bill to require that the United States Government prioritize all obligations on the debt held by the public, Social Security benefits, and military pay in the event that the debt limit is reached, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 26, 2011, she had presented to the President of the United States the following enrolled bill:

S. 1103. An act to extend the term of teh incumbent Director of the Federal Bureau of Investigation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2636. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorantraniliprole; Pesticide Tolerances'' (FRL No. 8875–5) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2637. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Movement of Hass Avocados from Areas Where Mediterranean Fruit Fly or South American Fruit Fly Exist'' ((RIN0579–AD34) (Docket No. APHIS–2010–0127)) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2638. A communication from the Administrator, Livestock and Seed Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Beef Promotion and Research; Reapportionment'' (AMS–LS–10–0086) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2639. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Grapes Grown in a Designated Area of Southeastern California; Section 610 Review'' (Doc. No. AMS–FV–06–0185; FV06–925–610 Review) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2640. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Olives Grown in California; Decreased Assessment Rate'' (Doc. No. AMS–FV–10–0115; FV11–932–1 FIR) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2641. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 2010–2011 Marketing Year'' (Doc. No. AMS–FV–09–0082; FV10–985–1A FIR) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2642. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mango Promotion, Research, and Information Order; Reapportionment'' (Doc. No. AMS–FV–10–0092) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2643. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Vidalia Onions Grown in Georgia; Change in Late Payment and Interest Requirements on Past Due Assessments'' (Doc. No. AMS–FV–11–0016; FV11–955–1 FR) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2644. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Increase in Desirable Carryout Used to Compute Trade Demand'' (Doc. No. AMS–FV–11–0013; FV11–989–1 FR) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2645. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Washington; Decreased Assessment Rate'' (Doc. No. AMS–FV–11–0012; FV11–946–2 FIR) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2646. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Watermelon Research and Promotion Plan; Redistricting and Importer Representation'' (Doc. No. AMS–FV–10–0093) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2647. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Nectarines and Peaches Grown in California; Suspension of Handling Requirements'' (Doc. No. AMS–FV–11–0019; FV11–916/917–5 FIR) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2648. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Operation and Maintenance Army accounts and was assigned Army case number 08–07; to the Committee on Appropriations.

EC–2649. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air Force and was assigned Air Force case number 10–05; to the Committee on Appropriations.

EC–2650. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Derwood C. Curtis, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–2651. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Bernard J. McCullough III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–2652. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East

peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC–2653. A communication from the Under Secretary of the Treasury, transmitting, pursuant to law, a report relative to the Dodd-Frank Wall Street Reform Act and the Department's applicable regulations with references to or requirements of reliance on credit ratings; to the Committee on Banking, Housing, and Urban Affairs.

EC–2654. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations, Second Report and Order'' (MB Docket No. 03–185, FCC 11–110) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2655. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; El Paso, Texas'' (MB Docket No. 11–74) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2656. A communication from the Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Reporting Requirements for U.S. Providers of International Telecommunications Services Amendment of Part 43 of the Commission's Rules'' (IB Docket No. 04–112) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2657. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled ''Non-Binding Determination: Superfund Deficient PRP Deliverables Memo'' received in the Office of the President of the Senate on July 25, 2011; to the Committee on Environment and Public Works.

EC–2658. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Northern Sierra Air Quality Management District, Sacramento Metropolitan Air Quality Management District, and South Coast Air Quality Management District'' (FRL No. 9279–3) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Environment and Public Works.

EC–2659. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Placer County Air Pollution Control District and Feather River Air Quality Management District'' (FRL No. 9439–1) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Environment and Public Works.

EC–2660. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Attainment of the 1997 Fine Particle Standard for the Harrisburg-Lebanon-Carlisle, Johnstown, Lancaster, York, and Reading Nonattainment Areas'' (FRL No. 9445–1) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Environment and Public Works.

EC–2661. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination to Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District, California'' (FRL No. 9444–7) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Environment and Public Works.

EC–2662. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Highway Use Tax; Filing and Payment for Taxable Period Beginning July 1, 2011'' (RIN1545–BK36) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Finance.

EC–2663. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modifications of Certain Derivative Contracts'' (RIN1545–K14) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Finance.

EC–2664. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Direct Fee Payment Rules'' (RIN0960–H21) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Finance.

EC–2665. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Electronic Substitutions for Form SSA–538'' (RIN0960–AH02) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Finance.

EC–2666. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed amendment to parts 120, 122, 123, and 129 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–2667. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Sweden for the design, development, operation, . . . and sale of the Auxiliary Power and Engine Start System (APESS) for use in the JAS 39 Gripen aircraft and Next Generation Gripen aircraft in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–2668. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to the Rolling Airframe Missile (RAM) Guided Missile Weapon System (GMWS) to the Armed Forces of the United Arab Emirates in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–2669. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Proton launch of the Turksat 4A Commercial Communication Satellites from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–2670. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Proton launch of the SES–6 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–2671. A communication from the Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Designation of Biobased Items for Federal Procurement'' (RIN0503–AA36) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2672. A communication from the Senior Counsel for Regulatory Affairs, Consumer Financial Protection Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Identification of Enforceable Rules and Orders'' (12 CFR Chapter X) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2673. A communication from the Attorney, Consumer Financial Protection Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Alternative Mortgage Transaction Parity (Regulation D)'' (RIN3170–AA04) received in the Office of the President of the Senate on July 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2674. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Premerger Notification; Reporting and Waiting Period Requirements'' (RIN3084–AA91) received in the Office of the President of the Senate on July 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2675. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report entitled, ''2010 Status of U.S. Fisheries''; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–60. A resolution adopted by the House of Representatives of the State of Michigan memorializing Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and Mephedrone; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 53

Whereas, MDPV (methylenedioxypyrovalerone) and mephedrone are the

main ingredients of underground drug products being marketed as ''bath salts'' or ''plant food,'' and which are being sold online, at convenience stores, and in smoke shops under names like Tranquility, Zoom, Ivory Wave, Red Dove, and Vanilla Sky. According to numerous reports, the chemicals found in these bath salts and plant foods cause effects similar to those caused by cocaine and methamphetamines, including hallucinations, paranoia, and suicidal thoughts. In one case a user was reported to have resorted to self-mutilation after abusing the substance. In several cases, users have died after overdosing or because of violent behavior; and

Whereas, law enforcement personnel need the authority to get MDPV and mephedrone off the streets and prosecute people who are trying to profit from selling these dangerous drugs. State and local law enforcement officials in dozens of states have encountered MDPV or mephedrone in the last two years. Absent restrictions on their possession, use, or sale, law enforcement can only watch as MDPV and mephedrone abuse becomes more widespread; and

Whereas, MDPV and mephedrone should be placed in schedule I of the federal controlled substances list. Schedule I is reserved for the most dangerous drugs, such as heroin and LSD, which have no recognized medical use and a high potential for abuse. MDPV and mephedrone meet the statutory requirements for placement into schedule I and belong in this group; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the administrator of the United States Drug Enforcement Agency.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Derek J. Mitchell, of Connecticut, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador.

*Jeffrey DeLaurentis, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

*Jeffrey DeLaurentis, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

*David S. Adams, of the District of Columbia, to be an Assistant Secretary of State (Legislative Affairs).

*Thomas M. Countryman, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (International Security and Non-Proliferation).

*Frankie Annette Reed, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati.

Nominee: Frankie Annette Reed.

Post: U.S. Embassy Suva.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $1,000, 10/13/2008, Obama Victory Fund.

2. Spouse: Jean Nyame: None.

3. Children and Spouses: Brett Calhoun: None.

4. Parents: Frank Reed—deceased; Anne Reed: None.

5. Grandparents: Sam and Rosa Fulwood—deceased; James and Beatrice Reed—deceased.

6. Brothers and Spouses: No siblings.

7. Sisters and Spouses: No siblings.

---

*Paul D. Wohlers, of Washington, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Macedonia.

Nominee: Paul D. Wohlers.

POST: Skopje, Macedonia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Mary Wohlers: none.

3. Children and Spouses: Rachel Ostrye (Wohlers), none; Ryan Ostrye (spouse), none; Julia Wohlers, $25.00, 7/08, John McCain; Jessica Wohlers, none.

4. Parents: Barbara Wohlers, none; Lester Wohlers—deceased.

5. Grandparents: Dietrich Wohlers—deceased; Camilla Wohlers—deceased; Miller Dashner—deceased; Ethel Dashner—deceased.

6. Brothers and Spouses: Laurence Wohlers, none; Ann Wohlers (spouse), none; Douglas Wohlers, none; Kazuko Wohlers (spouse), none.

7. Sisters and Spouses: n/a.

---

*William H. Moser, of North Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Moldova.

Nominee: William H. Moser

Post: Moldova

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: $100, 2008, DNC; $100, 2010, DNC.

2. Spouse: Marie C. Moser: $100, 2008, DNC.

3. Children: Daniel G. Moser, none; Stephen A. Moser, none; Rebecca E. Moser, none.

4. Parents: Grady V. Moser—deceased; Leon S. Moser—deceased.

5. Grandparents: Maternal: William Vernon Sigman—deceased; Mertie S. Sigman—deceased; Paternal: Thurston Henry Moser—deceased; Sarah Hamlin Moser—deceased.

6. Brother and Spouse: Leon S. Moser, none; Carolyn H. Moser, none.

7. Sisters and Spouses: None.

---

*Earl Anthony Wayne, of Maryland, a Career Member of the Senior Foreign Service, Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Nominee: Earl Anthony Wayne.

Post: Mexico.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 0, —, —.

2. Spouse: Pamela: $600.00, June, Oct. '08, Obama for America; $200.00, Oct. '08, Democracy for America; $100.00, Jan. '09, Hillary Clinton Committee.

3. Children and Spouses: Justin A. Wayne, $130.00, Feb., Mar., April '08, Obama for America. Kristen A. Wayne, $75.00, September '08, Obama for America.

4. Parents: Deceased.

5. Grandparents: Deceased.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: N/A.

---

*Arnold A. Chacon, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

Nominee: Arnold A. Chacon.

Post: Guatemala.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: None.

4. Parents: None.

5. Grandparents: None.

6. Brothers and Spouses: John Chacon: $50, 2010, Gary Brown for Detroit City Council. George Chacon: $25/yr., 2008–2010, Colorado Democratic Party. George Chacon: $10, 2008, Hillary for President.

7. Sisters and Spouses: None.

---

*Sung Y. Kim, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

Nominee: Sung Y. Kim.

Post: Republic of Korea.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Jae-eun Chung, None.

3. Children and Spouses: Erica Kim, Erin Kim, None.

4. Parents: Hyunja Kim, Kiwan Kim, None.

5. Grandparents: Deceased, None.

6. Brothers and Spouses: Joon Y. Kim, None.

7. Sisters and Spouses: Sunyoung Nosaka, None; Masaki Nosaka, None; Heakyung Park, None; Youngjin Park, None; Induk Song, None; Alan Song, None.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Ross Ellis Hagan and ending with Willem H. Brakel, which nominations were received by the Senate and appeared in the Congressional Record on April 8, 2011.

*Foreign Service nominations beginning with Timothy C. Cannon and ending with Mark Jeffrey Hipp, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS (for himself, Mrs. GILLIBRAND, Mr. LEAHY, and Mr. TESTER):

S. 1414. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a community-supported agriculture promotion program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mr. WYDEN, Mr. FRANKEN, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. BROWN of Ohio, Mr. SANDERS, Mr. BLUMENTHAL, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. AKAKA, and Mrs. BOXER):

S. 1415. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Mr. FRANKEN):

S. 1416. A bill to amend title XVIII of the Social Security Act to increase the minimum loss ratio required of Medigap policies; to the Committee on Finance.

By Mr. SCHUMER:

S. 1417. A bill to amend the Internal Revenue Code of 1986 to modify the credit for qualified fuel cell motor vehicles and to allow the credit for certain off-highway vehicles, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself and Ms. LANDRIEU):

S. 1418. A bill to authorize appropriations for grants to the States participating in the Emergency Management Assistance Compact, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. UDALL of New Mexico, and Mrs. SHAHEEN):

S. 1419. A bill to prevent the use of stored value cards and other electronic fund access means as methods for currency smuggling or money laundering; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TOOMEY (for himself, Mr. VITTER, Mr. PAUL, Mr. RUBIO, Mr. LEE, Mr. RISCH, Mr. DEMINT, Mr. HOEVEN, Mr. COATS, Mr. BARRASSO, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mrs. HUTCHISON, Mr. INHOFE, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. KIRK, Mr. LUGAR, Mr. MORAN, Mr. ROBERTS, Mr. WICKER, Ms. AYOTTE, Mr. ISAKSON, Mr. BLUNT, and Mr. CORKER):

S. 1420. A bill to require that the United States Government prioritize all obligations on the debt held by the public, Social Security benefits, and military pay in the event that the debt limit is reached, and for other purposes; read the first time.

By Mr. PORTMAN (for himself and Mr. UDALL of Colorado):

S. 1421. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ:

S. Res. 238. A resolution designating the third week in January 2012 as ''Teen Cancer Awareness Week''; to the Committee on the Judiciary.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. Res. 239. A resolution acknowledging the contributions and sacrifices of the young men who served as colonists on behalf of the United States in the Federal occupation of the islands of Howland, Baker, Jarvis, Canton, and Enderbury from 1935 through 1942, facilitating the United States claim of jurisdiction over such islands; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. THUNE, his name was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 510

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 510, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 539

At the request of Mr. WHITEHOUSE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 866

At the request of Mr. THUNE, his name was added as a cosponsor of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for nonregular service.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1034

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1034, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1131

At the request of Mrs. HAGAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1131, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and

Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 1167

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1167, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Ohio (Mr. BROWN), the Senator from Pennsylvania (Mr. CASEY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1350

At the request of Mr. COONS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1350, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 1359

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1359, a bill to make the National Parks and Federal Recreation Lands Pass available at a discount to members of the Armed Forces and veterans.

S. 1385

At the request of Mr. VITTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1385, a bill to terminate the $1 presidential coin program.

S. 1395

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1395, a bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 185

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 216

At the request of Mrs. BOXER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. FRANKEN):

S. 1416. A bill to amend title XVIII of the Social Security Act to increase the minimum loss ratio required of Medigap policies; to the Committee on Finance.

Mr. KERRY. Mr. President, the Affordable Care Act helped to ensure that insurance companies spend a substantial portion of premium dollars on medical care and health care quality improvement, rather than on administrative costs and profits. However, due to remaining discrepancies not all Medicare beneficiaries are afforded the same protection under the law.

Medical loss ratios make the insurance marketplace more transparent and make it easier for consumers to purchase plans that provide better value for their money. Beginning this year, the medical loss ratio provision in the Affordable Care Act requires insurance policies sold in the individual and small group markets to spend 80 percent of premium dollars on medical care. Policies sold in the large group market are required to spend 85 percent of premium dollars on medical care. Insurance companies that fail to meet this standard are required to provide a rebate to their customers beginning in 2012.

The Affordable Care Act also required Medicare Advantage plans to spend 85 percent of premium dollars on medical care starting in 2014 or they would be required to refund the difference to the Federal Government.

Compared to most other insurance products, Medigap policies now have lower statutory minimums for the percentage of premium dollars that must be spent on medical care. Under current law, Medigap policies must meet a minimum medical loss ratio of 65 percent in the individual market and 75 percent in the group market.

In 1990, Congress first passed legislation standardizing Medigap policies and instituting minimum MLR standards in reaction to evidence of widespread sale of duplicative policies with high overhead. Today, more than 9 million Medicare beneficiaries purchase private supplemental Medigap policies to help cover cost sharing and deductibles in traditional Medicare.

The Medigap Medical Loss Ratio Improvement Act updates the MLR standards for Medigap insurers, increasing the percentages to levels put forth in health reform for other products. Specifically, it will raise the MLR from 65 percent to 80 percent in the individual market and from 75 percent to 85 percent in the group marketplace. To give insurers time to prepare for this change, it would not become effective until 2014.

This legislation is endorsed by organizations representing millions of senior citizens and consumers of all ages, including: AARP, AFSCME, Alliance of Retired Americans, Center for Medicare Advocacy, Community Catalyst, Families USA, Health Care for America Now, Medicare Rights Center, National Council on Aging, and the National Senior Citizens Law Center.

In endorsing the bill, AARP highlights that, ''AARP supports this change because it will provide greater transparency and accountability for expenditures made by health insurance issuers, and encourage them to become more efficient in their operations to help ensure that consumers receive fair value for their premium dollars.''

The reforms in this bill would ensure that Medigap enrollees receive the same value for their premium dollars that is afforded to every other American family. I look forward to working with my colleagues in the Senate to pass this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 238—DESIGNATING THE THIRD WEEK IN JANUARY 2012 AS ''TEEN CANCER AWARENESS WEEK''

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 238

Whereas cancer among adolescents is rare, but is still the leading cause of death from disease in teenagers between 15 and 19 years of age;

Whereas teen cancer patients receive treatment at a number of different medical establishments, including pediatric hospitals, pediatric oncology centers, and adult cancer facilities;

Whereas teen cancer patients may feel out of place in any of these settings if their clinical and psychosocial needs are not met;

Whereas 40 percent of cancer patients aged 14 and younger are enrolled in clinical trials, compared with only 9 percent of cancer patients between the ages of 15 and 24;

Whereas teens with cancer have unique concerns about their education, social lives, body image, and infertility, among other concerns, and their needs may be misunderstood or unacknowledged;

Whereas many adolescent cancer survivors have difficulty readjusting to school and social settings, and experience anxiety, and in some cases face increased learning difficulties; and

Whereas there exists an undeniable need not only to understand the biological and clinical needs of teens with cancer, and to seek the prevention of cancer in teens, but also to increase awareness in the larger community about the unique challenges facing teens with cancer: Now, therefore, be it

Resolved, That the Senate designates the third week in January 2012 as ''Teen Cancer Awareness Week'' in order to promote awareness about teen cancers and the unique medical and social needs of teens with cancer.

SENATE RESOLUTION 239—ACKNOWLEDGING THE CONTRIBUTIONS AND SACRIFICES OF THE YOUNG MEN WHO SERVED AS COLONISTS ON BEHALF OF THE UNITED STATES IN THE FEDERAL OCCUPATION OF THE ISLANDS OF HOWLAND, BAKER, JARVIS, CANTON, AND ENDERBURY FROM 1935 THROUGH 1942, FACILITATING THE UNITED STATES CLAIM OF JURISDICTION OVER SUCH ISLANDS

Mr. AKAKA (for himself and Mr. INOUYE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 239

Whereas in the mid-19th century, the Guano Islands Act (48 U.S.C. 1411 et seq.) enabled companies from the United States to mine guano from a number of islands in the Equatorial Pacific;

Whereas after several decades, when the guano was depleted, such companies abandoned mining activities, leaving the islands open to British exploitation;

Whereas in the 1930s, military and commercial interest in Central Pacific air routes between Australia and California led to a desire by the United States to claim the islands of Howland, Baker, and Jarvis, although the ownership of such islands was unclear;

Whereas in 1935, a secret Department of Commerce colonization plan was instituted, aimed at placing citizens of the United States as colonists on the remote islands of Howland, Baker, and Jarvis;

Whereas to avoid conflicts with international law, which prevented colonization by active military personnel, the United States sought the participation of furloughed military personnel and Native Hawaiian civilians in the colonization project;

Whereas William T. Miller, Superintendent of Airways at the Department of Commerce, was appointed to lead the colonization project, traveled to Hawaii in February 1935, met with Albert F. Judd, Trustee of Kamehameha Schools and the Bishop Museum, and agreed that recent graduates and students of the Kamehameha School for Boys would make ideal colonists for the project;

Whereas the ideal Hawaiian candidates were candidates who could ''fish in the native manner, swim excellently, handle a boat, be disciplined, friendly, and unattached'';

Whereas on March 30, 1935, the United States Coast Guard Cutter Itasca departed from Honolulu Harbor in great secrecy with 6 young Hawaiians aboard, all recent graduates of Kamehameha Schools, and 12 furloughed army personnel, whose purpose was to occupy the barren islands of Howland, Baker, and Jarvis in teams of 5 for 3 months;

Whereas in June 1935, after a successful first tour, the furloughed army personnel were ordered off the islands and replaced with additional Kamehameha Schools alumni, thus leaving the islands under the exclusive occupation of the 4 Native Hawaiians on each island;

Whereas the duties of the colonists while on the island were to record weather conditions, cultivate plants, maintain a daily log, record the types of fish that were caught, observe bird life, and collect specimens for the Bishop Museum;

Whereas the successful year-long occupation by the colonists directly enabled President Franklin D. Roosevelt to issue Executive Order 7368 on May 13, 1936, which proclaimed that the islands of Howland, Baker, and Jarvis were under the jurisdiction of the United States;

Whereas multiple Federal agencies vied for the right to administer the colonization project, including the Department of Commerce, the Department of the Interior, and the Navy Department, but jurisdiction was ultimately granted to the Department of the Interior;

Whereas under the Department of the Interior, the colonization project emphasized weather data and radio communication, which brought about the recruitment of a number of Asian radiomen and aerologists;

Whereas under the Department of the Interior, the colonization project also expanded beyond the Kamehameha Schools to include Hawaiians and non-Hawaiians from other schools in Hawaii;

Whereas in 1937, in preparation for Amelia Earhart's arrival on Howland island, the colonists constructed a landing field, readied a shower and bedroom for her, and prepared a performance for her, but she never arrived, having disappearing en route to the island on July 2, 1937;

Whereas in March of 1938 the United States also claimed and colonized the islands of Canton and Enderbury, maintaining that such colonization was in furtherance of commercial aviation and not for military purposes;

Whereas the risk of living on such remote islands meant that emergency medical care was not less than 5 days away, and such distance proved fatal for Carl Kahalewai, who died on October 8, 1938 en route to Honolulu after his appendix ruptured on Jarvis island;

Whereas other life-threatening injuries occurred, in 1939, when Manuel Pires had appendicitis, and in 1941, when an explosion severely burned Henry Knell and Dominic Zagara;

Whereas in 1940, when the issue of discontinuing the colonization project was raised, the Navy acknowledged that the islands were ''probably worthless to commercial aviation'' but advocated for ''continued occupation'' because the islands could serve as ''bases from a military standpoint'';

Whereas although military interests justified continued occupation of the islands, the colonists were never informed of the true nature of the project, nor were the colonists provided with weapons or any other means of self-defense;

Whereas in June of 1941, when much of Europe was engaged in World War II and Imperial Japan was establishing itself in the Pacific, the Commandant of the 14th Naval District recognized the ''tension in the Western Pacific'' and recommended the evacuation of the colonists, but his request was denied;

Whereas on December 8, 1941, Howland Island was attacked by a fleet of Japanese twin-engine bombers, and such attack killed Hawaiian colonists Joseph Keliihananui and Richard Whaley;

Whereas in the ensuing weeks, Japanese submarine and military aircraft continued to target the islands of Howland, Baker, and Jarvis, jeopardizing the lives of the remaining colonists;

Whereas the United States Government was unaware of the attacks on such islands, and was distracted by the entry of the United States into World War II, which delayed the retrieval of the colonists;

Whereas the 4 colonists from Baker and the 2 remaining colonists from Howland were rescued on January 31, 1942, and the 8 colonists from Jarvis and Enderbury were rescued on February 9, 1942, 2 months after the initial attacks on Howland Island;

Whereas on March 20, 1942, Harold L. Ickes, Secretary of the Interior, sent letters of condolence to the Keliihananui and Whaley families stating that ''[i]n your bereavement it must be considerable satisfaction to know that your brother died in the service of his country,'' and subsequently urged the families to submit claims for compensation;

Whereas in April 1942, the claim of the Keliihananui family was denied because there were no ''qualified dependents'' to submit claims;

Whereas during the 7 years of colonization, more than 130 young men participated in the project, the majority of whom were Hawaiian, and all of whom made numerous sacrifices, endured hardships, and risked their lives to secure and maintain the islands of Howland, Baker, Jarvis, Canton, and Enderbury on behalf of the United States, and 3 young Hawaiian men made the ultimate sacrifice;

Whereas none of the islands, except for Canton, were ever used for commercial aviation, but the islands were used for military purposes;

Whereas in July 1943, a military base was established on Baker Island, and its forces, which numbered over 2,000 members, participated in the Tarawa-Makin operation;

Whereas in 1956, participants of the colonization project established an organization called ''Hui Panala'au'', which was established to preserve the group's fellowship, to provide scholarship assistance, and ''to honor and esteem those who died as colonists of the Equatorial Islands'';

Whereas in 1979, Canton and Enderbury became part of the republic of Kiribati, but the islands of Jarvis, Howland, and Baker still remain possessions of the United States, having been designated as National Wildlife Refuges in 1974;

Whereas three quarters of a century later, the Equatorial Islands colonization project has been nearly forgotten;

Whereas May 13, 2011, marks the 75th anniversary of President Franklin D. Roosevelt's Executive Order proclaiming United States jurisdiction over the islands of Howland, Baker, and Jarvis, islands that remain possessions of the United States; and

Whereas the Federal Government has never fully recognized the accomplishments, contributions, and sacrifices of the colonists, less than 6 of whom are still alive today, and most of whom are in their 90s: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the accomplishments and sacrifices of the Hui Panala'au colonists and extends appreciation on behalf of the people of the United States;

(2) acknowledges the local, national, and international significance of the 7-year colonization project, which resulted in the United States extending sovereignty into the Equatorial Pacific;

(3) recognizes and commends the accomplishments, sacrifices, and contributions of the more than 130 young men, the majority

of whom were Native Hawaiian, who participated in the Equatorial Pacific colonization project; and

(4) extends condolences on behalf of the United States to the families of Carl Kahalewai, Joseph Keliihananui, and Richard Whaley for the loss of their loved ones in the service of the United States and apologizes for the lack of compensation afforded to these families.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, August 2, 2011, at 10 a.m. in SD–430 to conduct a hearing entitled ''Health Reform and Health Insurance Premiums: Empowering States to Serve Consumers.''

For further information regarding this meeting, please contact Nick Bath of the committee staff on (202) 224–7675.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 26, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. Murray. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 26, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 26, 2011, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Perspectives on Deficit Reduction: A Review of Key Issues.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet, during the session of the Senate on July 26, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Building the Ladder of Opportunity: What's Working to Make the American Dream a Reality for Middle Class Families'' on July 26, 2011, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTION OVERSIGHT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 26, 2011, at 10 a.m. to conduct a hearing entitled, ''Small Business Contracts: How Oversight Failures and Regulatory Loopholes Allow Large Businesses to Get and Keep Small Business Contracts.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 26, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 26, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration, Refugees, and Border Security, be authorized to meet during the session of the Senate, on July 26, 2011, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Economic Imperative for Enacting Immigration Reform.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on July 26, 2011, at 2 p.m. to conduct a hearing entitled ''Examining the Federal Workers' Compensation Program for Injured Employees.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that three interns in Senator BINGAMAN's office, Nick Crismali, Rosy Ortega, and Emma Ruben, be granted floor privileges during today's business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CHRISTOPHER S. BOND UNITED STATES COURTHOUSE

Mr. REID. I ask unanimous consent that the Senate proceed to Calendar No. 111, S. 846.

The PRESIDING OFFICER (Mr. CASEY). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 846) to designate the United States Courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 846) was ordered to a third reading, was read the third time, and passed, as follows:

S. 846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHRISTOPHER S. BOND UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, shall be known and designated as the ''Christopher S. Bond United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Christopher S. Bond United States Courthouse''.

Mr. REID. Mr. President, I note that this courthouse is going to be named for our long-term colleague Kit Bond. That is very nice. He is a fine man. He served his State in many different ways. He was a Governor, a very popular Governor. He served as the ranking member of the Intelligence Committee and served admirably.

One thing he and I talked about on a number of occasions, when he was Governor of the State of Missouri, he rescinded an order that had been given by his predecessor, a man by the name of Governor Boggs, as I recall, which was an extermination order against all the Mormons who were in Missouri—extermination meaning to kill them all—and some of them were killed. But they worked their way out of Missouri. But that extermination order remained in effect until Kit Bond came along. Of course, they were not trying to exterminate the Mormons, but as a matter of principle he thought that was the wrong thing to do.

So for that and other reasons, I have fond memories of our friend Kit Bond.

MYRON DONOVAN CROCKER UNITED STATES COURTHOUSE

Mr. REID. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of S. 1406 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1406) to designate the United States Courthouse under construction at 510 19th Street, Bakersfield, California, as the Myron Donovan Crocker United States Courthouse.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1406) was ordered to a third reading, was read the third time, and passed, as follows:

S. 1406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MYRON DONOVAN CROCKER UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse under construction, as of the date of enactment of this Act, at 510 19th Street, Bakersfield, California, shall be known and designated as the ''Myron Donovan Crocker United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Myron Donovan Crocker United States Courthouse''.

MEASURE DISCHARGED AND RETURNED—H.R. 1309

Mr. REID. Mr. President, I ask unanimous consent that H.R. 1309 be discharged from the Committee on Banking and that it be returned to the House of Representatives pursuant to their message of July 25, 2011, requesting its return.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 1420

Mr. REID. Mr. President, I am told there is a bill at the desk due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 1420) to require that the United States Government prioritize all obligations on the debt held by the public, Social Security benefits, and military pay in the event that the debt limit is reached, and for other purposes.

Mr. REID. Mr. President, I ask for its second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JULY 27, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning at 9:30, July 27; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for an hour, with Senators permitted to speak therein for up to 10 minutes each, with time divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Wednesday, July 27, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

ROBERT S. MUELLER, III, OF CALIFORNIA, TO BE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION FOR A TERM EXPIRING SEPTEMBER 4, 2013. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBIN RAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. EVERETT H. THOMAS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. LYNN A. COLLYAR

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ROBERT F. THOMAS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. FRED W. ALLEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL RALPH O. BAKER
BRIGADIER GENERAL ALLEN W. BATSCHELET
BRIGADIER GENERAL HEIDI V. BROWN
BRIGADIER GENERAL JOHN A. DAVIS
BRIGADIER GENERAL PATRICK J. DONAHUE II
BRIGADIER GENERAL ROBERT S. FERRELL
BRIGADIER GENERAL STEPHEN G. FOGARTY
BRIGADIER GENERAL CHARLES W. HOOPER
BRIGADIER GENERAL PAUL J. LACAMERA
BRIGADIER GENERAL SEAN B. MACFARLAND
BRIGADIER GENERAL KEVIN W. MANGUM
BRIGADIER GENERAL ROGER F. MATHEWS
BRIGADIER GENERAL AUSTIN S. MILLER
BRIGADIER GENERAL CAMILLE M. NICHOLS
BRIGADIER GENERAL JOHN R. O'CONNOR
BRIGADIER GENERAL GUSTAVE F. PERNA
BRIGADIER GENERAL WARREN E. PHIPPS, JR.
BRIGADIER GENERAL GREGG C. POTTER
BRIGADIER GENERAL NANCY LEE S. PRICE
BRIGADIER GENERAL EDWARD M. REEDER, JR.
BRIGADIER GENERAL JEFFOREY A. SMITH
BRIGADIER GENERAL JEFFREY J. SNOW
BRIGADIER GENERAL KENNETH E. TOVO
BRIGADIER GENERAL STEPHEN J. TOWNSEND
BRIGADIER GENERAL THOMAS S. VANDAL
BRIGADIER GENERAL MARK W. YENTER

CONFIRMATIONS

Executive nominations confirmed by the Senate July 26, 2011:

THE JUDICIARY

PAUL A. ENGELMAYER, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

RAMONA VILLAGOMEZ MANGLONA, OF THE NORTHERN MARIANA ISLANDS, TO BE JUDGE FOR THE DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS FOR A TERM OF TEN YEARS.

EXTENSIONS OF REMARKS

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

SPEECH OF

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes:

Mr. PETERS. Mr. Chair, our Nation faces a significant budget deficit and a growing national debt, and we must look for simple, common sense solutions to cut spending as Congress and President Obama work toward a comprehensive, balanced deficit reduction package that will put our Nation on a path to fiscal stability. Members of Congress must lead by example.

As a State Senator in Michigan, I ran my office so efficiently that I was able to return a full year's operating budget to Michigan taxpayers. When I came to Congress at the beginning of 2009, I made it a priority to run my office efficiently, come in under budget, and return the difference to taxpayers. Last session, my office came in $320,000 under budget, and I am continuing my efforts to save taxpayer dollars at every opportunity.

I rise today to express my support for Section 101 of the Legislative Branch Appropriations Act for fiscal year 2012. This provision ensures that all unused fiscal year 2012 funds from each congressional office account, known as a Member's Representational Allowance (or MRA), be deposited in the Treasury and used for deficit reduction.

Last session, I sponsored legislation that would require all future unspent MRA funds be put toward deficit reduction, and give this requirement the force of law. This bill passed the House with overwhelming bipartisan support. Unfortunately, the Senate did not take action.

While it is encouraging that the legislation we consider today contains a similar provision, this will only apply to unused funds for next year. This is why I introduced H.R. 262, the bipartisan Mandatory Returning of Allowances Act with my colleague, Representative STEVE SCALISE. This bill will ensure that all future unused MRA funds, not just fiscal year 2012 funds, are automatically and permanently used for deficit reduction.

I urge my colleagues to support the Mandatory Returning of Allowances Act, and hope that House leadership will consider bringing this legislation to the floor for a vote.

A TRIBUTE TO REVEREND REGINALD LEE BACHUS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Reverend Reginald Lee Bachus on the occasion of his installation as pastor of the Mount Ollie Baptist Church in Brooklyn, New York.

Brooklyn has long been known as the "Borough of Churches" and has a rich history of outstanding contributions by churches of many denominations to enhancing the quality of life for its residents. The Mount Ollie Baptist Church is one such religious institution that has a long history of service to Brooklyn and has been led by a succession of outstanding clergy.

The Mount Ollie Baptist Church was organized and founded in 1932 by the late Reverend Henry Milerson and was incorporated on October 4, 1937 in Brooklyn, New York. The present edifice built under the leadership of Pastor R. D. Brown, established Mount Ollie Baptist Church as the first Baptist church to be constructed in the Brownsville community. In 1987, Reverend Spurgeon E. Crayton was called to pastor Mount Ollie Baptist Church and directed a ministry with many innovative programs that impacted the entire Borough of Brooklyn.

The installation of Reverend Reginald Lee Bachus as pastor of Mount Ollie Baptist Church continues the tradition of outstanding preachers who have led this great church. Reverend Bachus is a product of Prairie View A&M University where he earned a B.S. in electrical engineering, and Yale Divinity School where he earned his Master of Divinity degree and distinguished himself as a member of the 2009 Admissions Committee, Senior Class Officer, Chair for the Yale Divinity School Baptist Student Fellowship, and an officer of Yale Black Seminarians

The son of Reverend Reginald E. Bachus, pastor of the historic Friendship Baptist Church in Chicago, IL and grandson of Reverend Dr. C.L. Bachus, pastor of the Mt. Zion Baptist Church in Kansas City, KS, Pastor Bachus embodies the spirit of prophets and lives by the creed, "woe is me if I do not preach the gospel!" (1 Corinthians 9:16).

On behalf of the residents of Brooklyn, New York, I am delighted to welcome this outstanding preacher to our Borough and look forward to many years of his leadership as pastor of Mount Ollie Baptist Church.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Reverend Reginald Lee Bachus.

IN REMEMBRANCE OF MRS. JOANNE NOLAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Joanne Nolan, a loving wife and mother and an active member of the Northeast Ohio community.

Joanne was born in Cleveland, Ohio on October 5, 1933. She grew up in Cleveland's West Park neighborhood and attended John Marshall High School. After graduating, Joanne worked for the Erie Railroad writing reports on accidents.

Joanne married Earl Nolan, on August 2, 1957. This year would have marked their 54th anniversary. A few years later, their daughter, Janet, was born and Joanne left Erie Railroad.

Mrs. Nolan was active within her community throughout the years. She was extremely active in the PTA and could often be found at community parades. Joanne was also a dedicated member of Ward 19 Democratic Club.

Mr. Speaker and colleagues, please join me in remembrance of Mrs. Joanne Nolan. I offer my condolences to Joanne's husband, Earl, their daughters, Kathy and Janet, and the entire West Park community. Joanne will be sorely missed.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 630, I was not present to vote. Had I been present, I would have voted "yes."

ALL IN DARKNESS'S LIGHT IN HONOR OF A REAL AMERICAN HERO SGT. JOSHUA W. YARBROUGH 1/5 BRAVO COMPANY THE UNITED STATES MARINES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. POE of Texas. Mr. Speaker, today, I rise to honor a Star of Texas, a United States Marine, an American Hero, Sgt. Joshua Yarbrough of Port Arthur Texas, of 1/5 Bravo Company. On June 15, 2011, in Helmond Province in Afghanistan Sgt. Yarbrough was almost mortally wounded in an IED blast which took his two fine legs and parts of his fingers while gallantly trying to save the lives of his fellow Marines in the fog of war. After an IED explosion, which left a fellow Texan

from Dallas, Eric Galvan, near death, he ran immediately to his side. Pulling him to safety and applying tourniquets on both his lost legs and hand, he proceeded to run to Cpl. Wheeler who was hit by shrapnel from the IED. But on the way he stepped on an IED himself, which threw him 10 ft. into the air. Losing both of his legs and parts of his fingers, his new battle had just begun. Josh joined the Marines in June of 2004, and has done tours in both Iraq and Afghanistan. He was married to his wife Rachael, in November 2004, and while on his 31st MEU in July of 2006 his baby boy Sean was born. Its only been only a few short weeks, but his will to live and his attitude would make any Marine proud. Hooo . . . . Rah! And with his family's support, these quiet unsung heroes. . . . Joshua has amazed us to see how far and how fast he has come. I place this tribute to Sgt. Joshua Yarbrough, penned by Albert Caswell in his honor.

ALL IN DARKNESS'S LIGHT

All . . . .
All In Darkness's Light . . . .
All in that fight!
But, comes something so very special . . . . oh so very bright!
All in the times of war, all in such hearts of faith . . . . that which so insures!
That which so ignites!
But come such men of honor, whose hearts take flight!
While, all around them such hell so breaks!
YOU GO . . . . I GO!
As its there, they will not so hesitate!
United States Marines, whose own most precious lives will so forsake!
All In The Darkness of Evil's Light, both day and night!
Armed with but that kind of courage, which so make's the Angel's hearts so break!
All In The Darkness of War's, Most Evil Light . . . .
All in its fog, but comes such souls which burn so bright!
Who so lead the way, to turn that darkness . . . . into the light!
Because of them, and you Joshua . . . . so many of your Brothers In Arms live on this night!
Who by all of your most gallant acts, but buy the time and to so save their lives!
Is that but not what Heaven is for?
All in that blood which binds you, you go ever forth!
By all of their most heroic deeds, Bless Them All My Lord . . . . God Speed, God Speed!
For all of their Brothers In Arms, they die and bleed!
While, all in the face of hell . . . . Sargent's die and Sargent's lead!
As have you Joshua, running into that face of death we see!
Armed with but only your most heroic creed!
To help a Marine all in need, all in your most magnificent shades of green!
Damn right you did, with your heart of gold . . . . Texas T!
For you are a United States Marine!
As the eyes of Texas are upon you Josh, and we so like what we so see!
As it was on that day in June, when your two strong legs were so taken away . . . .
After one Marine's life you had so saved, to another one you ran that day . . . .
As when a bomb went off, as you looked down all at the cost!
All at what this war had made!
As on the morning when you awoke, and your fine heart to you so spoke!
As you so wiped all of those tears away, as from your heart you invoked . . . .
The will to live, as you so realized that all that you so had left was but hope!
As you so reached so deep down inside, to find the strength to so cope!
For you had so much to so live for, a fine wife and son . . . . as you went off to war . . . .
And now also too for all of your Brothers In Arms, who live no more!
As now you have new mountains to so climb, for you did not die!
As somehow once again my Son, the courage you will so find!
Already, so far you have so come . . . . as Thy Will Be Done!
For from your Heart of Texas, your courage comes . . . .
For you will walk, and you will run!
As you Marine, so shine like the morning sun!
And you Will Teach Us . . . . And You Will Beseech Us . . . . as You So Reach Each and Everyone!
Step by step, day by day . . . . Marine, you're already on your way!
And if I ever have a son, I wish his heart could be as big as your one!
You United States Marine, you're one of the best things this country has ever seen!
As one day up in Heaven you will run!
To our Lord God, when he so says . . . . ''come here my son!''
Because in your life Joshua, you would not so let the darkness overcome!
As your heart of faith, and your soul of courage has shone so bright!
All, In Darkness's Light . . . . to lead us all the way back home!
All In Darkness's Light!

And that's just the way it is.

THE INTRODUCTION OF THE HAWAIIAN HOMEOWNERSHIP OPPORTUNITIES ACT OF 2011

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Ms. HIRONO. Mr. Speaker, I rise today to introduce the Hawaiian Homeownership Opportunities Act of 2011. I would like to thank Congresswoman COLLEEN HANABUSA and Congressman DON YOUNG for cosponsoring this important bill.

This bill does two things. First, it reauthorizes a section of the Native American Housing Assistance and Self-Determination Act (NAHASDA) that supports programs that create homeownership opportunities for low-income Native Hawaiian families on Hawaiian Home Lands. Second, it would continue and expand access to U.S. Department of Housing and Urban Development (HUD) section 184a loan guarantees, which would reduce the cost of homeownership for low-income Native Hawaiian families and would also reduce risk by lowering monthly mortgage payments.

The Congress has a long and bipartisan history of supporting Native Hawaiian housing issues. The Hawaiian Homeownership Opportunities Act of 2011 continues that tradition.

Passed by Congress in 1996, NAHASDA reauthorized a system of housing assistance provided to tribes by HUD through the Indian Housing Block Grant program. This program provides funds directly to tribes for housing development and other new approaches to create housing.

In 2000, the Native Hawaiian Housing Block Grant was established under NAHASDA to allow another indigenous group support for affordable housing activities. Funds for this grant are administered by the State of Hawaii Department of Hawaiian Home Lands, the entity charged with carrying out the Hawaiian Homes Commission Act. The funds are used primarily to develop infrastructure on Hawaiian Home Lands, which tend to be in the most isolated parts of the state.

In 1921, Congress passed the Hawaiian Homes Commission Act with the purpose of establishing a homesteading program to place eligible Native Hawaiians on lands in Hawaii designated for such purpose. The law was passed at the urging of the Territory of Hawaii's Delegate to Congress, Prince Jonah Kuhio Kalanianaole. Some 204,000 acres were set aside for the purpose of providing Native Hawaiians with land.

With the passage of the Statehood Act of 1959, the control and administration of the Hawaiian Homes Commission Act was transferred from the federal government to the newly formed State of Hawaii. The Department of Hawaiian Home Lands was created in 1960 to administer the Hawaiian Homes Commission Act.

While homeownership rates in Hawaii are typically lower than national rates, homeownership rates for Native Hawaiians in the state are even lower. In Honolulu, 38 percent of Native Hawaiians own their homes compared with 48 percent for non-natives. This disparity continues in other areas of Hawaii, where 51 percent of Native Hawaiians own their homes compared with 60 percent for non-natives.

Native Hawaiian households in Hawaii are also more likely to be low-income than non-native households. Owner households on Hawaiian home lands are among the poorest of Native Hawaiian households with approximately 25 percent having incomes at or below 50 percent of the median income for the given area.

There is a continued need for the Native Hawaiian Housing Block Grant. I urge my colleagues to support the Hawaiian Homeownership Opportunities Act of 2011.

Mahalo nui loa (thank you very much).

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 631, I was not present to vote. Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, on Monday, July 25, 2011, I was unable to vote during the first vote series of the day.

Had I been present I would have voted: on rollcall No. 630—''yes''—H. Res. 363, Rule providing for consideration of H.R. 2584, Department of Interior, Environment and Related Agencies Appropriations Act for Fiscal Year 2012; on rollcall No. 631—''yes''—On Approving the Journal.

REMEMBRANCE OF JESUS THOMAS CAMPOS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to extend my deepest sympathies to the family and friends of Jesus "Jesse" Thomas Campos, who died July 22, 2011 in Houston, two weeks shy of his 90th birthday.

Jesse is survived by his wife of 57 years, Esther, his son, Adrian, and his daughters, Olga and Edna, as well as numerous grandchildren, and great-grandchildren.

Jesse served his Nation with distinction during the Second World War, as a member of the U.S. Army from 1941–46. During the war he was assigned to the 672nd Amphibious Tank Battalion and made numerous first assault landings in the Pacific, was wounded twice, and was awarded the Purple Heart and three Bronze Stars. He was also a Pearl Harbor survivor.

Jesse was a close friend, a constituent, and an important member of our community. He was very active in our local American Legion post and with the Disabled American Veterans. He also received numerous awards for his dedication and service to our community.

His loss will be felt by family, friends, and the Greater Houston community, and I ask that you remember the family in your thoughts and prayers.

I would like to submit for the RECORD a copy of Jesse's obituary that appeared in the Houston Chronicle on July 25.

[From the Houston Chronicle, July 25, 2011]

JESUS CAMPOS

Jesus Thomas Campos, Husband, Father, Brother, Veteran and Community Leader, Jesus Thomas Campos of Houston died peacefully at home Friday, July 22, 2011. He was two weeks shy of his 90th birthday. He was born on August 6, 1921 in Goose Creek (now known as Baytown) to Maria Ramos and Jose Campos. He graduated from Robert E. Lee High School in 1941 and enlisted in the Army and served from 1941–46.

He is survived by his wife of 57 years, Maria Esther Estrada Campos. He is preceded in death by his parents and several siblings, as well as by his daughter, Leah Aguirre of Houston. Jesus is survived by his son, Adrian, and daughters Olga (Kevin Benz of Austin), Edna (Eldon Thomas of Houston and Asheville, NC), as well as numerous grandchildren and great-grandchildren.

Jesus was proud of his involvement in Houston's Hispanic community especially his work on behalf of various political candidates, Get-Out-the Vote efforts and improving educational opportunities for Hispanic students. He was also proud of his distinguished military record. During World War II, he was assigned to the 672nd Amphibious Tank Battalion Attached to the 15th Division. He made numerous first assault landings in the Pacific, was wounded twice and was awarded the Purple Heart, 3 Bronze Stars, an Arrowhead in the Asiatic-Pacific and World War II Campaigns and a Good Conduct Medal.

Jesus retired from Exxon after 20 years and was an active member of the American Legion and the Disabled American Veterans. His recent awards and honors include the Distinguished Hispanic Volunteer from Houston Mayor Bill White in 2007; Eagles Award in 2005 from the San Jacinto Chapter of DAV; Participant in Honor Flight #2 to visit the WWII Memorial in 2009; Fiestas Patrias Distinguished Hispanic Award 2006, recognition by numerous members of the U.S. Congress, the Texas Senate and House; the Houston City Council, the American GI Forum, and the League of United Latin American Citizens. He will be respected, loved and missed by everyone who knew him.

The family will be receiving visitors Tuesday, July 26 from 5–9 pm with a Rosary at 7 p.m. at Forest Park Lawndale, 6900 Lawndale Ave, Houston TX 77023. Funeral services will be held Wednesday, July 27 at 11 a.m. at Forest Park Lawndale. In lieu of flowers, please send donations to the American GI Forum of Texas, 2626 South Loop West #320, 77054–2649, Houston, TX 77086; (713) 666–4796; www.agiftx.org. Donations will go to the Community in Housing Development which assists with housing for American Veterans.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 632, I was not present to vote. Had I been present, I would have voted "no."

INTRODUCING MEDICAL NEUTRALITY PROTECTION ACT OF 2011

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. MCDERMOTT. Mr. Speaker, I rise today to introduce bipartisan legislation called the Medical Neutrality Protection Act of 2011. In times of war and civil unrest, the independence of physicians and health care workers are often hindered, endangering their safety and limiting their ability to care for the wounded. I first became aware of this issue back in the 1980s during the civil war in El Salvador. The conflict ended in the early 1990s with over 75,000 people killed, some of whom were medical workers who were caught in combat or working in refugee camps. Then, as now, I was concerned that the United States was not doing enough to stop government forces from harming medical workers, who are some of the only unbiased eyewitnesses that we have on the ground.

While international humanitarian laws codify the concept of medical neutrality, we have seen systematic attacks against medical professionals by various armed forces over the last several months, particularly in the Middle East. Several independent human rights organizations—including Physicians for Human Rights and Human Rights Watch—have documented these abuses and are calling for more countries to address this disturbing trend.

This bill elevates the protection of medical professionals as a policy priority for U.S. government so that countries that attack doctors and shut hospitals will no longer be able to carry out business as usual. Under this Act, the Secretary of State will be required to maintain and regularly update a list of countries that violate medical neutrality. Countries on this list will not qualify for certain military assistance, and government officials from the violating countries will not be eligible for visas to travel to the United States. The bill also calls for the creation of a United Nations Special Rapporteur on the Protection and Promotion of Medical Neutrality.

The issue of protecting doctors and access to medical care is not a partisan issue. This is a common sense bill that fills a void in foreign policy.

Mr. Speaker, Speaker, I would also like to submit a letter of support from Physicians for Human Rights.

PHYSICIANS FOR HUMAN RIGHTS,
Washington, DC, July 26, 2011.

Hon. JIM MCDERMOTT,
House of Representatives, Longworth House Office Building Washington, DC.

DEAR REPRESENTATIVE MCDERMOTT: Physicians for Human Rights (PHR) congratulates you and Representative Walter Jones (R–NC) for introducing the Medical Neutrality Protection Act of 2011, an important bill that will protect medical neutrality around the world.

Medical professionals often risk their lives and security to provide essential services, and they must be able to uphold this duty to patients and others in need without fear of violence, retribution, or arbitrary arrest. The importance of protecting medical professionals, facilities, and transport from attack makes up the foundation for the norm of medical neutrality, which is firmly grounded in international humanitarian law, professional codes and ethics, and international human rights law. Violations of medical neutrality include attacks on health care facilities, medical personnel, and patients; wanton destruction of medical supplies; willful obstruction of medical ethics; deliberate misuse of health care facilities, services, uniforms, or insignia; deliberate blocking of access to health care facilities and care; and arbitrary arrest or detention of medical professionals or patients.

PHR researchers documented violations of medical neutrality related to uprisings in Bahrain earlier this year including the government's takeover of hospitals, intimidation of patients, and arrest and prosecution of doctors as part of its crackdown on popular dissent. The Medical Neutrality Protection Act of 2011 would allow the United States to promptly respond to such violations.

''Physicians for Human Rights and the medical community are deeply grateful to Congressmen Jim McDermott and Walter Jones for their outstanding leadership on the issue of medical neutrality,'' said Dr. Robert Lawrence, Chairman of the Board of Directors of Physicians for Human Rights. ''The Medical Neutrality Protection Act of 2011 for the first time shines a bright light on serious human rights violations which strike at the heart of communities at large all over the world. The act introduced today in the U.S. House of Representatives makes it crystal clear that the United States will not tolerate any attacks under any circumstances on medical professionals, hospitals, equipment and supplies, or will turn a blind eye to any interference with the ability to seek medical treatment or the ability to provide it without concern of politics, religious affiliation, or ethnic background. We urge the U.S. Congress to pass this crucial piece of legislation immediately, and call on President Obama to sign it into law.''

Thank you for taking a stand against violations of medical neutrality and supporting the efforts of medical professionals worldwide.

Sincerely,

PHYSICIANS FOR HUMAN RIGHTS.

IN RECOGNITION OF THE COMBAT MARINE OUTDOORS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. HUNTER. Mr. Speaker, today I rise to recognize a great American hero and the exceptional organization he founded—the Combat Marine Outdoors—which exists to serve our severely wounded Marines, soldiers, airmen, and sailors with unique and extraordinary opportunities to participate in outdoor hunting and fishing excursions. As we all know, behind every great endeavor there is a great personality. In this case, that great personality, that person of extraordinary character, is United States Marine Corps Colonel Alan Orr.

Colonel Orr, while a solid Marine Corps Artillery officer (and in full disclosure my former battalion commander), is a special man whose love for our Marines, sailors and soldiers extends from the front lines of battle to the hospitals where our wounded warriors recover, and most exceptionally, to life past the battlefield. Extending beyond the stifling halls of military hospitals and recovery barracks, Colonel Orr, along with a group of dedicated hunters, ranch owners and patriots, have reinstilled our wounded heroes to the realization that excitement, adventure and Teddy Roosevelt's ''Strenuous Life'' doesn't end with their service wounds.

In 2005, Combat Marine Outdoors founding members Colonel Orr, Rusty Hicks, Master Gunnery Sergeant Arturo Garcia and my father, former Congressman Duncan L. Hunter, visited wounded Marines from the 1st Marine Division at Brooke Army Medical Center. None were strangers to what they saw—they witnessed the full impact of war injuries. But it was their actions that made all the difference. They responded by creating an organization that would not only accelerate the recovery process, but restore hope in our servicemen and women.

In collaboration with thousands of contributors and over 50 ranches, the Combat Marine Outdoors has provided well over 200 wounded veterans from Balboa Hospital to Walter Reed with the opportunity to hunt and fish, often at a once-in-a-lifetime adventure location, such as the Two Dot Ranch and the Y.O. Ranch in Texas. These outdoor experiences on ranches, bays and lakes foster the opportunity to engage in a challenging experience that promotes teamwork and camaraderie. In many cases, these excursions facilitated a turning point in emotional recovery through a challenging experience that helps our wounded military men and women regain confidence through a sense of accomplishment.

A story then: a United States Marine wounded in combat, blinded, with both legs amputated. He sits in Brooke Army Medical Center in San Antonio, Texas, waiting to recover and wondering what his future holds. For a weekend, he is taken by Colonel Orr and his band of patriots to an American treasure, the Texas Ranch. In the great outdoors, this blind, double amputee is, amazingly, guided by Colonel Orr and successfully shoots a big game animal. The excitement and feeling of accomplishment and the outdoors is no less real for this Marine for the fact that he cannot see his trophy. He has lived the hunt and is more alive for it.

While many people, myself included, make the effort to show our veterans our appreciation, whether hunting elk in Colorado or deep sea fishing in San Diego, the exceptional few transition good intentions and singular acts of compassion into a systematic execution of true benevolent action. Colonel Orr is the consummate professional, more versed in the art of artillery than any officer I have ever known. But his impact is immeasurable when he takes one of our country's greatest treasures and returns the excitement of ''living life'' to him. That is the beauty of what Colonel Orr has accomplished through Combat Marine Outdoors.

Mr. Speaker, most Americans will never know the pain and discomfort of combat, or what those who bear the scars of war feel when the smoke clears and they return home. But when they do return, what we can do beyond providing the care that restores the highest quality of life and self-reliance is to open doors that give new meaning, encouragement and excitement to those who were willing to sacrifice everything so that we can stay safe. This is what Combat Marine Outdoors is all about.

As a veteran of the wars in Iraq and Afghanistan, I am pleased to support the mission and service of the Combat Marine Outdoors for our wounded service personnel, and I am honored to have served with Colonel Alan Orr, a man who not only epitomizes military discipline, but exudes a steady compassion and love for our young warriors through a life of service above self. I ask my colleagues to join me in recognizing this exceptional organization and the exceptional man who started it.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 633, I was not present to vote. Had I been present, I would have voted ''yes.''

RETIREMENT OF MARVIN L. BERENSON

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. CONYERS. Mr. Speaker, I rise to acknowledge the retirement of Marvin L. Berenson, the Senior Vice President and General Counsel of Broadcast Music, Inc. (''BMI'') after 35 years of service to the organization. BMI licenses the public-performing rights on approximately 6.5 million musical works on behalf of its 500,000 affiliated songwriters, composers and music publishers.

Mr. Berenson joined BMI in 1976 as a member of the legal staff specializing in copyright litigation. He was named Senior Vice President and General Counsel in 1991. During his tenure, Mr. Berenson actively participated in the modernization of copyright law, from the Copyright Revision Act of 1976 to the Berne Convention Implementation Act of 1988 to the Digital Millennium Copyright Act of 1998. On multiple occasions, he testified before Congress and the Copyright Office, and he served on the staff of the National Information Infrastructure Advisory Committee during the Clinton Administration.

Throughout his legal career, Mr. Berenson honed and maintained a reputation for fundamental fairness and good judgment. As part of his advocacy, he developed a disarming sense of humor. He fervently reflected the spirit and history of BMI as an open collective rights licensing organization. During congressional testimony, he explained: ''Most BMI affiliates are ordinary citizens who receive a modest income for the creative efforts of writing music that is publicly performed by others. There can be no question that the majority of songwriters are not wealthy. They struggle to make a living, day to day, just as the average citizen does.''

Mr. Berenson's present and past industry affiliations include member and past Treasurer of the Copyright Society of the USA, member of the Board of Directors of the American Copyright Council, staff member of the National Information Infrastructure Advisory Council, Executive Board of the International Literary and Artistic Association—USA, Intellectual Property Organization, American Bar Association—Intellectual Property Section, and the Association of the Bar of the City of New York—Antitrust Section. He also served on the CISAC (International Confederation of Societies of Authors and Composers) Technical Committee for the Promotion of Repertoire, and currently serves on the CISAC Legal Committee.

Mr. Berenson graduated from Michigan State University in 1963 and from Boston University Law School in 1966. With his spouse Gloria, he raised two children, a son Harris and a daughter Allison. The Berensons are the proud grandparents of three grandchildren.

As Del Bryant, BMI's President and CEO, put it: ''Marvin has worked diligently and uncompromisingly to protect the interests of songwriters, composers and music publishers for the past 35 years, and we all in the music industry salute his valuable contributions.'' Bryant added that Mr. Berenson would ''be leaving his department and BMI in an excellent position to deal with the many complex and challenging legal issues we face.''

Mr. Speaker, because of Mr. Berenson's work, our Nation's songwriters, composers and publishers will be the beneficiaries for generations to come.

IN RECOGNITION OF VINCENT TURNER FOR BEING NAMED CHAPLAIN OF THE YEAR BY THE UNITED STATES CORPS OF CHAPLAINS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a special Chaplain today, Vincent Turner.

Chaplain (Second Lieutenant) Turner of Alabama was named Chaplain of the Year by the United States Corps of Chaplains for 2011.

Turner has always been committed to helping others and serving God and country both through the United States Corps of Chaplains and the American Legion and Disabled Veterans.

I'm proud to congratulate Chaplain Turner on this great achievement and hope he will continue his service to God, to the United States and helping people in need. Congratulations, Chaplain Turner.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 634, I was not present to vote. Had I been present, I would have voted "no."

HONORING HARMONY SENIOR DRUM CORPS'S 125TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor Harmony Senior Drum Corps, a non-profit band group based in the Town of Boonton, New Jersey, which is celebrating its 125th anniversary this year.

The Harmony Senior Drum Corps traces its origins back to St. Mary's Flute and Drum Band, organized in 1886 at Our Lady of Mount Carmel Church in Boonton, New Jersey. Originally founded as an all-male group, one of the St. Mary's Flute and Drum Band's most memorable events was its participation in the parade to dedicate the New Jersey State Firemen's Home in 1900. During World War I, trumpets were added to the band and its name was changed to the Harmony Fife and Drum Corps when it started practicing in the Harmony Engine House in Boonton. After bells were added in the 1930's, the name was again changed, this time to the Harmony Fife, Drum and Trumpet Corps. It was not until 1965 that Harmony Senior Drum Corps became the group's official name.

Over the years, the group has participated in many grand events in Boonton. The Harmony Senior Drum Corps has welcomed home veterans from both World Wars and the Gulf War, played at the celebration of Boonton's Centennial and the United States' Bicentennial in 1976, and the passing of the Olympic Torch. Additionally, the Harmony Senior Drum Corps has participated in local parade competitions, earning its first marching trophy in 1961 at a competition in Denville, New Jersey.

The Harmony Senior Drum Corps has not restricted itself to local events. Their members have marched in New York City for the St. Patrick's Day, Salute to Israel and Puerto Rican Day parades. In 1976, the Corps played at Yankee Stadium during the World Series between the Cincinnati Reds and the New York Yankees.

In 1988, the Harmony Senior Drum Corps opened up membership to women in order to increase their membership. Many generations of the same family play and have played in the group. Presently, 50 members between the ages of 10 and 70 march, performing with fifes, bells, trumpets, baritones, drums and cymbals, as well as a color guard, while wearing distinct black and white West Point style uniforms.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the members of the Harmony Senior Drum Corps as they celebrate 125 years of providing our community with wonderful music and performances.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Ms. ESHOO. Madam Speaker, I was not present during the rollcall votes number 630–631, on June 25, 2011. I would have voted:

On rollcall vote No. 630 I would have voted "no."

On rollcall vote No. 631 would have voted "yes."

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 635, I was not present to vote. Had I been present, I would have voted "no."

INTRODUCTION OF THE ACCESS TO BIRTH CONTROL ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mrs. MALONEY. Mr. Speaker, today I am reintroducing the Access to Birth Control, ABC, Act in the House with Senator FRANK LAUTENBERG leading the effort in the Senate.

Ninety-eight percent of American women use birth control over the course of their lifetime. This bill ensures that any woman who would like birth control and who has a legal prescription or is seeking over-the-counter emergency contraception, will be able to get it in a timely and convenient manner.

The ABC Act would make it illegal for a pharmacist to refuse to return a birth control prescription or for a pharmacist to intimidate, threaten or harass customers or intentionally breach or threaten to breach medical confidentiality.

By placing the burden of responsibility on the pharmacy, the ABC Act strikes a balance between the rights of individual pharmacists based on their beliefs and the right of women to receive medication. If the request product is not in stock, but the pharmacy stocks other forms of contraception, the bill mandates that the pharmacy help the woman obtain the medication without delay by the method of her preference (order, referral or a transferred prescription).

Very simply, this legislation ensures a woman's legal access to birth control.

Over the past several years, there have been reports of pharmacists refusing to fill prescriptions for birth control pills.

There have been reports in at least twenty-four states across the nation including: Arizona, Massachusetts, Washington and Missouri. These refusals are based on personal or religious beliefs, not on legitimate medical or professional concerns related to quality of patient care. In some cases, pharmacist have kept and refused to transfer a prescription, refused to sell over-the-counter emergency contraception, or given the customer false medical information about the requested birth control. Pharmacists have taken it upon themselves to decide whose prescription they will fill and which over-the-counter medication they will provide.

This bill is particularly timely as just last week, the Institute of Medicine, IOM, recommended that family-planning services, including the full range of FDA-approved contraceptive methods, be recognized as a preventive-health service that must be covered by insurance plans without additional costs.

This recommendation from the IOM marks an important first step toward near-universal contraceptive coverage in America, but if women are denied the actual contraceptives when they go to their pharmacist, having no-cost contraceptives is rendered meaningless. We must ensure that American women do not face obstacles when seeking doctor prescribed, legal medications.

The Access to Birth Control Act, ABC ACT, is an important step in protecting a woman's right to contraception. Birth control and emergency contraception are part of a women's basic health care and pharmacists should not have the right to interfere.

IMPROVING CONSUMER PROTECTIONS FOR MEDIGAP INSURANCE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. STARK. Mr. Speaker, I rise to introduce the Medigap Medical Loss Ratio Improvement Act. The legislation improves consumer protections in the Medigap marketplace by raising the minimum percentage of premium dollars that must go toward medical care. I'm joined by my colleagues HENRY WAXMAN, Ranking Democrat on the Energy and Commerce Committee, and FRANK PALLONE, Ranking Democrat on the Energy and Commerce Health Subcommittee as original cosponsors of the legislation. Senator KERRY (D–MA) is introducing the companion bill in the Senate.

The medical loss ratio, MLR, is the percentage of premium dollars an insurance plan spends on the provision of medical care, rather than administrative costs, profits, executive compensation, or other expenses. It is an important point of information for consumers because it is a concrete way for people to measure the value of a health insurance product and to compare among other plans in the marketplace.

As part of the new health reform law, insurers in the private health insurance marketplace must now meet a minimum medical loss

ratio percentage of 80 percent in the individual market and 85 percent in the group marketplace. The law also requires all Medicare Advantage plans, private plans offered through Medicare, to meet an 85 percent MLR standard by 2014.

In 1990, Congress first passed legislation standardizing Medigap policies and instituting minimum MLR standards in reaction to evidence of widespread sale of duplicative policies with high overhead. Today, more than nine million Medicare beneficiaries purchase private supplemental Medigap policies to help cover cost sharing and deductibles in traditional Medicare.

The Medigap Medical Loss Ratio Improvement Act updates the MLR standards for Medigap insurers—increasing the percentages to levels put forth in health reform for other products. Specifically, it will raise the MLR from 65 percent to 80 percent in the individual market and from 75 percent to 85 percent in the group marketplace. To give insurers time to prepare for this change, it would not become effective until 2014.

It is endorsed by organizations representing millions of senior citizens and consumers of all ages, including: AARP, AFSCME, Alliance of Retired Americans, Center for Medicare Advocacy, Community Catalyst, Families USA, Health Care for America Now, Medicare Rights Center, National Council on Aging, and the National Senior Citizens Law Center.

In endorsing the bill, AARP highlights that, ''AARP supports this change because it will provide greater transparency and accountability for expenditures made by health insurance issuers, and encourage them to become more efficient in their operations to help ensure that consumers receive fair value for their premium dollars.''

This bill should garner bipartisan support. At a February 10, 2011 hearing in the Ways and Means Committee, a Republican Member questioned CMS Actuary Rick Foster about this issue: ''. . . Medigap policies that seniors purchase to supplement traditional Medicare are only required to meet a medical loss ratio of 65 percent . . . do you think that the MLR policy should be applied equitably across the line?'' He answered that ''. . . you could probably make a good case that if it makes sense in general then it would make sense for the broader spectrum, including Medigap policies.'' The Member responded, ''Well, I would think that most people would agree that if we are going to do something we should do it equally.''

I agree. That's exactly what we're doing with the Medigap Medical Loss Ratio Improvement Act today—we are extending a commonsense consumer protection to private Medigap plans. I encourage our colleagues on both sides of the aisle to join us to enact this sensible improvement to existing law for those who purchase private Medigap insurance.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 636, I was not present to vote. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Ms. RICHARDSON. Mr. Speaker, yesterday I was honored to be one of the featured speakers at an important session of the 102nd Annual Convention of the NAACP, which is being held in Los Angeles, California. My participation in this important event necessitated my remaining in my congressional district on Monday, July 25, 2011. Consequently, I was unable to return in time for rollcall votes Nos. 630, through 636.

Had I been present, I would have voted as follows:

1. On rollcall No. 630, I would have voted ''no'' (July 25)—(H. Res. 363, Providing for consideration of H.R. 2584, making appropriations for the Department of the Interior, Environment, and Related Agencies for the Fiscal Year Ending September 30, 2012, and for other purposes).

2. On rollcall No. 631, I would have voted ''aye'' (July 25)—(On Approving the Journal).

3. On rollcall No. 632, I would have voted ''aye'' (July 25)—(Moran Amendment to H.R. 2584, Interior and Environment Appropriations Act for FY 2012).

4. On rollcall No. 633, I would have voted ''no'' (July 25)—(Huelskamp Amendment to H.R. 2584, Interior and Environment Appropriations Act for FY 2012).

5. On rollcall No. 634, I would have voted ''aye'' (July 25)—(Cleaver Amendment to H.R. 2584, Interior and Environment Appropriations Act for FY 2012).

6. On rollcall No. 635, I would have voted ''aye'' (July 25)—(Richmond Amendment to H.R. 2584, Interior and Environment Appropriations Act for FY 2012).

7. On rollcall No. 636, I would have voted ''aye'' (July 25)—(Hochul Amendment to H.R. 2584, Interior and Environment Appropriations Act for FY 2012).

PERSONAL EXPLANATION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to explain my absence from votes cast on the afternoon of July 25, 2011. My voting percentage is 98 percent for the 112th Congress, and I rarely miss votes, but yesterday, I was absent due to a prior commitment scheduled before we knew the House would be in session on Monday.

On the votes I missed: on the rule providing for consideration of H.R. 2584—Interior, Environment, and Related Agencies Appropriations Act, 2012, had I been present, I would have voted ''no''; and on the Journal vote, had I been present, I would have voted ''yes.''

TRIBUTE TO THE VERY REVEREND KENNETH F. GADDY, C.Ss.R.

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mrs. CHRISTENSEN. Mr. Speaker, I rise to pay tribute to an outstanding faith and community leader from my congressional district in the U.S. Virgin Islands, The Very Reverend Kenneth F. Gaddy, C.Ss.R., a Redemptorist priest who has served the St. Croix community for 21 years.

On Sunday, July 31, 2011, the Holy Cross Catholic Church will honor Father Gaddy for his years of bountiful service to the Church and the parish before he leaves the Virgin Islands for a new assignment. Born to the late John and Beatrice Gaddy, Father Gaddy was the third of six children. He attended Catholic school for elementary and part of his secondary education. In 1977, Father Gaddy entered the Redemptorist Formation system, in Northeast, Pennsylvania. He went on to further his studies and in 1984, he graduated from St. Alphonsus College in Suffield, Connecticut, with a Bachelor of Arts degree in philosophy. Father Gaddy completed his theological studies at Washington Theological Union in 1988 and on May 14, 1988, he was ordained to the priesthood.

Father Gaddy's first assignment was to St. Boniface Church, in Philadelphia, Pennsylvania. In January of 1990, he was reassigned to St. Patrick's Catholic Church on the island of Saint Croix, U.S. Virgin Islands, and arrived in the Virgin Islands during a tremendously challenging time in our history—just months after Hurricane Hugo devastated the island of Saint Croix. He served as an Associate Pastor for six years, and then in August of 1996 he was appointed Pastor of St. Patrick's Catholic Church. Father Gaddy served as Pastor for 9 years before he was appointed director of the Blessed Peter Donders Formation Residence in July of 2006.

Mr. Speaker, in July of 2008, Father Gaddy was appointed pastor of Holy Cross Catholic Church on Saint Croix, where he is currently serving. He credits two Redemptorists, The Rev. Jerome Moody and The Rev. Henrique Schulterbrandt, for encouraging and supporting him in his decision to pursue his studies to the priesthood. Several years later he was introduced to Rev. Carlyle Blake, another Redemptorist, whose friendship and mentorship continue to this day.

Father Gaddy believes firmly that we stand on the shoulders of those who precede us and it is our responsibility to keep their memory and contributions alive and to provide shoulders for those who come behind us to stand on. He also believes that we are all responsible for building upon what has been entrusted to us and that we are to leave our community better than as we inherited it.

The Saint Croix community will not soon forget the ministry of Father Gaddy, his impassioned sermons, his wise and down-to-earth demeanor, and most certainly we will not forget his infectious laughter and kind-hearted smile. He is a great listener who exudes sincerity and humbleness.

He has shared our ups and our downs, our trials and our triumphs, our grief and our joys and has become a much beloved and integral

part of our community. We wish that Father Gaddy were not being reassigned, but wherever he goes, however far, he will always be a Virgin Islander and more so a Crucian.

Mr. Speaker, on behalf of the people of the U.S. Virgin Islands and a grateful flock, I wish Father Gaddy continued success, and on behalf of the Congress of the United States, thank him for his long, dedicated and bountiful service to the parish of Holy Cross, the community of St. Croix and the Diocese of the U.S. Virgin islands. May God continue to richly bless him with good health and long life in service to the Almighty God.

PERSONAL EXPLANATION

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 26, 2011

Mr. BRALEY of Iowa. Mr. Speaker, I regret missing floor votes on Monday, July 25, 2011. Had I registered my vote, I would have voted:

(1) "Nay" on rollcall 630, On Agreeing to the Resolution H. Res. 363—Providing for consideration of H.R. 2584, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

(2) "Yea" on rollcall 631, On Approving the Journal.

(3) "Yea" on rollcall 632, On Agreeing to the Amendment to H.R. 2584—Moran of Virginia Amendment.

(4) "Nay" on rollcall 633, On Agreeing to the Amendment to H.R. 2584—Huelskamp of Kansas Amendment.

(5) "Yea" on rollcall 634, On Agreeing to the Amendment to H.R. 2584—Cleaver of Missouri Amendment.

(6) "Yea" on rollcall 635, On Agreeing to the Amendment to H.R. 2584—Richmond of Louisiana Amendment.

(7) "Yea" on rollcall 636, On Agreeing to the Amendment to H.R. 2584—Hochul of New York Amendment.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4883–S4915

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1414–1421, and S. Res. 238–239. **Page S4911**

Measures Passed:

Christopher S. Bond United States Courthouse: Senate passed S. 846, to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse. **Pages S4914–15**

Myron Donovan Crocker United States Courthouse: Committee on Environment and Public Works was discharged from further consideration of S. 1406, to designate the United States courthouse under construction at 510 19th Street, Bakersfield, California, as the Myron Donovan Crocker United States Courthouse, and the bill was then passed. **Page S4915**

Flood Insurance Reform Act—Agreement: A unanimous-consent agreement was reached providing that 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, be discharged from the Committee on Banking, Housing and Urban Affairs, and that it be returned to the House of Representatives, pursuant to their Message on July 25, 2011, requesting its return. **Page S4915**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 98 yeas (Vote No. EX. 117), Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York. **Pages S4893–94, S4915**

Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands for a term of ten years. **Pages S4893–94, S4915**

Nominations Received: Senate received the following nominations:

Robert S. Mueller III, of California, to be Director of the Federal Bureau of Investigation for a term expiring September 4, 2013.

2 Air Force nominations in the rank of general.

29 Army nominations in the rank of general. **Page S4915**

Messages from the House: **Page S4908**

Measures Read the First Time: **Pages S4908, S4915**

Enrolled Bills Presented: **Page S4908**

Executive Communications: **Pages S4908–09**

Petitions and Memorials: **Pages S4909–10**

Executive Reports of Committees: **Pages S4910–11**

Additional Cosponsors: **Pages S4911–12**

Statements on Introduced Bills/Resolutions: **Pages S4912–14**

Additional Statements: **Page S4907**

Notices of Hearings/Meetings: **Page S4914**

Authorities for Committees to Meet: **Page S4914**

Privileges of the Floor: **Page S4914**

Record Votes: One record vote was taken today. (Total—117) **Page S4894**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:48 p.m., until 9:30 a.m. on Wednesday, July 27, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4915.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of General Martin E. Dempsey, USA for reappointment to the grade of general and to be Chairman of the Joint Chiefs of Staff, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Martin J. Gruenberg, of Maryland, to be Chairperson and to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation, who was introduced by former Senator Paul Sarbanes; Thomas J. Curry, of Massachusetts, to be Comptroller of the Currency, Department of the Treasury; and S. Roy Woodall, Jr., of Kentucky, to be a Member of the Financial Stability Oversight Council, who was introduced by Senator Nelson (NE), after the nominees testified and answered questions in their own behalf.

DEFICIT REDUCTION

Committee on Finance: Committee concluded a hearing to examine perspectives on deficit reduction, focusing on a review of key issues, after receiving testimony from Lawrence B. Lindsey, former Director, National Economic Council, Fairfax, Virginia, on behalf of the Lindsey Group; Robert Greenstein, Center on Budget and Policy Priorities; Michael Ettlinger, Center for American Progress Action Fund; and Chris Edwards, Cato Institute; all of Washington, DC.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 1280, to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, and the establishment of a Sexual Assault Advisory Council, with an amendment in the nature of a substitute;

S. Res. 216, encouraging women's political participation in Saudi Arabia, with an amendment in the nature of a substitute;

S. Con. Res. 17, expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO);

S. Res. 175, expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders;

Treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110–23);

Convention between the Government of the United States of America and the Government of the Republic of Hungary for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 4, 2010, at Budapest (the ''proposed Convention'') and a related agreement effected by an exchange of notes on February 4, 2010 (Treaty Doc. 111–07);

Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the ''proposed Protocol'') and a related agreement effected by the exchange of notes also signed on May 20, 2009 (Treaty Doc. 111–08);

Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009 (Treaty Doc. 112–01);

Treaty between the Government of the United States of America and the Government of Bermuda relating to Mutual Legal Assistance in Criminal Matters, signed at Hamilton on January 12, 2009 (Treaty Doc. 111–06);

The nominations of Derek J. Mitchell, of Connecticut, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador, Frankie Annette Reed, of Maryland, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati, Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia, William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova, Thomas M. Countryman, of Washington, to be Assistant Secretary of State for International Security and Non-Proliferation, Jeffrey DeLaurentis, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico, Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala, Sung Y. Kim, of California, to be Ambassador to the Republic of Korea, David S.

Adams, of the District of Columbia, to be an Assistant Secretary for Legislative Affairs, all of the Department of State; and

Routine lists in the Foreign Service.

SMALL BUSINESS CONTRACTS

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine small business contracts, focusing on how oversight failures and regulatory loopholes allow large businesses to get and keep small business contracts, after receiving testimony from Joseph G. Jordan, Associate Administrator for Government Contracting and Business Development, Small Business Administration; Mauricio P. Vera, Chief, Interagency Council of Federal Office of Small and Disadvantaged Business Utilization Directors, and Director, Office of Small and Disadvantaged Business Utilization, United States Agency for International Development; and Mindy Connolly, Chief Acquisition Officer, General Services Administration.

FEDERAL WORKERS' COMPENSATION PROGRAM FOR INJURED EMPLOYEES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine Federal workers' compensation program for injured employees, including S. 261, to amend chapter 81 of title 5, United States Code, to provide for reform relating to Federal employees workers' compensation, focusing on questions to consider in changing benefits for older beneficiaries, after receiving testimony from Christine M. Griffin, Deputy Director, Office of Personnel Management; Gary Steinberg, Acting Director, Office of Workers' Compensation Programs, Department of Labor; Andrew Sherrill, Director, Education, Workforce, and Income Security Issues, Government Accountability Office; Joseph A. Beaudoin, National Active and Retired Federal Employees Association (NARFE), Alexandria, Virginia; Gregory Krohm, International Association of Industrial Accident Boards and Commissions, Madison, Wisconsin; and Ron Watson, Washington, DC, on behalf of the National Association of Letter Carriers (NALC).

AMERICAN DREAM AND MIDDLE CLASS FAMILIES

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine building a ladder of opportunity, focusing on what's working to make the American dream a reality for middle class families, after receiving testimony from Hilda L. Solis, Secretary of Labor; Tom Prinske, T. Castro Produce Company, Chicago, Illinois; Deborah King, 1199SEIU Training and Employment Funds, and Sarah Corey, IceStone, both of New York, New York; and Kenneth P. Green, American Enterprise Institute, Washington, DC.

ECONOMIC IMPERATIVE FOR ENACTING IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Refugees and Border Security concluded a hearing to examine the economic imperative for enacting immigration reform, after receiving testimony from Mayor Laurent F. Gilbert, Sr., Lewiston, Maine; Mayor David R. Roefaro, Utica, New York; Mayor Paul Bridges, Uvalda, Georgia; Bob Greifeld, NASDAQ OMX, New York, New York; David J. Skorton, Cornell University, Ithaca, New York; Brad Smith, Microsoft Corporation, Redmond, Washington; Puneet Arora, Immigration Voice, Los Angeles, California; and Ronil Hira, Rochester Institute of Technology, Rochester, New York.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Matthew G. Olsen, of Maryland, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence, after the nominee, who was introduced by Senator Conrad, testified and answered questions in his own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 2642–2662; and 3 resolutions, H.J. Res. 74; and H. Res. 373–374 were introduced.

Pages H5579–80

Additional Cosponsors: **Pages H5580–81**

Reports Filed: Reports were filed today as follows:

H.R. 2056, to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures, and for other purposes, with an amendment (H. Rept. 112–182) and

H. Res. 372, providing for consideration of the bill (H.R. 2587) to prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance (H. Rept. 112–183). **Page H5579**

Speaker: Read a letter from the Speaker wherein he appointed Representative Ross (FL) to act as Speaker pro tempore for today. **Page H5493**

Recess: The House recessed at 11:07 a.m. and reconvened at 12 noon. **Page H5500**

Chaplain: The prayer was offered by the guest chaplain, Reverend Miroslaus Stelmaszczyk, Holy Family Church, Creighton, Pennsylvania. **Page H5500**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 313 yeas to 111 nays with 2 voting "present", Roll No. 639.

Pages H5500, H5508–09

Recess: The House recessed at 1:02 p.m. and reconvened at 1:11 p.m. **Page H5507**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated yesterday, July 25th:

Restoring GI Bill Fairness Act of 2011: Concurred in the Senate amendments to H.R. 1383, to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, by a 2/3 yea-and-nay vote of 424 yeas with none voting "nay," Roll No. 638.

Pages H5507–08

Recess: The House recessed at 1:50 p.m. and reconvened at 1:55 p.m. **Page H5509**

Official Photograph of the House in Session: The official photograph of the House in session was taken pursuant to the provisions of H. Res. 299.

Page H5509

North American-Made Energy Security Act: The House passed H.R. 1938, to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, by a recorded vote of 279 ayes to 147 noes with 1 voting "present," Roll No. 650.

Pages H5504–07, H5509–39

Rejected the Sutton motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 181 ayes to 248 noes, Roll No. 649. **Pages H5537–38**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

Page H5518

Agreed to:

Jackson Lee (TX) amendment (No. 10 printed in H. Rept. 112–181) that adds a sense of Congress that the United States must decrease its dependence on oil from countries that are hostile to the interests of the United States of America and that Canada has long been a strong trading partner and increasing access to their energy resources will create jobs in the United States. **Pages H5527–29**

Rejected:

Christensen amendment (No. 4 printed in H. Rept. 112–181) that sought to include a finding stating that the Supplemental Draft Environmental Impact Statement estimates that the Keystone XL pipeline would increase carbon pollution associated with United States fuel use by up to 23,000,000 metric tons of carbon dioxide; **Pages H5521–22**

Welch amendment (No. 1 printed in H. Rept. 112–181) that sought to add language to the findings section that states that the Keystone XL pipeline would run through the Ogallala Aquifer and explain the risk involved with this route (by a recorded vote of 164 ayes to 260 noes, Roll No. 640);

Pages H5518–19, H5531

Rush amendment (No. 2 printed in H. Rept. 112–181) that sought to strike paragraph 15 of the findings section (by a recorded vote of 164 ayes to 261 noes with 1 voting "present," Roll No. 641);

Pages H5519–20, H5531–32

Eshoo amendment (No. 3 printed in H. Rept. 112–181) that sought to include a finding stating

the PHMSA Administrator testified at a Congressional hearing and stated that the PHMSA had not done a study analyzing the risks associated with transporting diluted bitumen; also require PHMSA to complete a review of the risks associated with transporting diluted bitumen, and whether current pipeline regulations are sufficient (by a recorded vote of 163 ayes to 264 noes, Roll No. 642); **Pages H5520–21, H5532–33**

Cohen amendment (No. 5 printed in H. Rept. 112–181) that sought to strike finding 16 and replace it with language that outlines TransCanada's recent pipeline safety issues with the Keystone pipeline (by a recorded vote of 155 ayes to 272 noes, Roll No. 643); **Pages H5522–23, H5533**

Murphy (CT) amendment (No. 6 printed in H. Rept. 112–181) that sought to add findings language noting that construction of the pipeline would permit a new source of oil exports to China and other nations (by a recorded vote of 152 ayes to 275 noes, Roll No. 644); **Pages H5523–25, H5533–34**

Rush amendment (No. 7 printed in H. Rept. 112–181) that sought to extend the deadline for permit decision to 120 days after final environmental impact statement or until January 1, 2012 (by a recorded vote of 161 ayes to 265 noes, Roll No. 645); **Pages H5525–26, H5534–35**

Hanabusa amendment (No. 8 printed in H. Rept. 112–181) that sought to require that a Presidential Permit approving the construction and operation of the Keystone XL pipeline will not be issued unless the Secretary of Energy in consultation with the Pipeline and Hazardous Materials Safety Administration (PHMSA), certify that the applicant has calculated a worst-case oil spill scenario for the proposed pipeline; and has demonstrated to the satisfaction of the Secretary and the PHMSA that the applicant possesses the capability and technology to respond immediately and effectively to such a worst case scenario (by a recorded vote of 168 ayes to 260 noes, Roll No. 646); **Pages H5526, H5535**

Johnson (GA) amendment (No. 9 printed in H. Rept. 112–181) that sought to require a study on the health impacts of increased air pollution in communities surrounding the refineries that will transport diluted bitumen through the proposed Keystone XL pipeline (by a recorded vote of 163 ayes to 263 noes, Roll No. 647); and **Pages H5526–27, H5535–36**

Kucinich amendment (No. 11 printed in H. Rept. 112–181) that sought to require an analysis of the effect of the proposed pipeline on manipulation of oil markets and increased gas prices for American consumers (by a recorded vote of 164 ayes to 261 noes, Roll No. 648). **Pages H5529–30, H5536**

H. Res. 370, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 246 yeas to 171 nays, Roll No. 637, after the previous question was ordered without objection. **Page H5507**

Moment of Silence: The House observed a moment of silence in honor of the men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan, their families, and all who serve in the armed forces and their families. **Page H5531**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Small Business Program Extension and Reform Act of 2011: H.R 2608, amended, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Pages H5539–41**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Instructing the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures: H.R. 2056, amended, to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures. **Pages H5541–43**

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012: The House resumed consideration of H.R. 2584, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012. Consideration of the measure began yesterday, July 25th. **Pages H5543–78**

Agreed to:

Bass (NH) amendment that increases funding, by offset, for several land acquisition accounts by a total of $20 million; **Pages H5546–48**

Tipton amendment that increases funding, by offset, for the land acquisition accounts of the Bureau of Land Management and the Forest Service by $2,500,000 each; **Pages H5549–50**

Griffin (AR) amendment that increases funding, by offsest, for the North American Wetlands Conservation Fund by $3 million; **Pages H5561–62**

Carter amendment that redirects $1 million in funding with respect to National Park Service, Construction; **Pages H5565–66**

Gosar amendment that allows use of funds in the bill to operate charter schools; and **Pages H5569–70**

Gosar amendment that increases funding, by offset, for Indian Health Services by $4,367,000. **Pages H5575–78**

Rejected:

Lamborn amendment that sought to eliminate funding for several land acquisition accounts and apply $50,721,000 to the spending reduction account and **Pages H5548–49**

Jackson Lee (TX) amendment that sought to increase funding, by offset, for Environmental Programs and Management by $5 million. **Pages H5573–75**

Withdrawn:

Norton amendment that was offered and subsequently withdrawn that would have redirected $300,000 in funding with respect to National Recreation and Preservation and **Pages H5564–65**

Mica amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for National Park Service, Construction by $2 million. **Pages H5566–69**

Proceedings Postponed:

Clarke (MI) amendment that seeks to increase funding, by offset, for Environmental Programs and Management by $10 million; **Pages H5544–46**

Dicks amendment that seeks to strike the proviso relating to funding limitations for carrying out certain subsections of the Endangered Species Act; **Pages H5550–61**

Tonko amendment that seeks to increase funding, by offset, for National Recreation and Preservation by $8,408,000; **Pages H5562–63**

Amash amendment (No. 5 printed in the Congressional Record of July 25, 2011) that seeks to striking funding for the National Capital Performing Arts/Capital Concerts and apply the savings to the spending reduction account; **Pages H5563–64**

Dold amendment that seeks to increase funding, by offset, for Environmental Programs and Management by $24,700,000; **Pages H5570–71**

Reed amendment (No. 44 printed in the Congressional Record of July 25, 2011) that seeks to increase funding, by offset, for State and Private Forestry by $8,291,000; and **Pages H5571–72**

Scalise amendment, as modified, that seeks to reduce funding for the Office of the Secretary, Departmental Operations by $420,000. **Pages H5572–73**

H. Res. 363, the rule providing for consideration of the bill, was agreed to yesterday, July 25th.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5581–82.

Quorum Calls—Votes: Three yea-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H5507, H5508, H5508–09, H5531, H5531–32, H5532–33, H5533, H5533–34, H5534, H5535, H5535–36, H5536, H5538, H5538–39. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:34 p.m.

Committee Meetings

TEN YEARS AFTER THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Committee on Armed Services: Full Committee held a hearing on Ten Years After the 2001 Authorization for Use of Military Force: Current Status of Legal Authorities, Detention, and Prosecution in the War on Terror. Testimony was heard from Michael B. Mukasey, Partner, Debevoise and Plimpton, LLP, former Attorney General of the United States, former Chief Judge of the United States District Court for the Southern District of New York; Daniel Dell 'Orto, Senior Vice President and General Counsel, AM General LLC, former Principal Deputy General Counsel and Acting General Counsel, Department of Defense; Steven Engel, Partner, Dechert LLP, former Deputy Assistant Attorney General, Department of Justice, Office of Legal Counsel; and public witnesses.

DEPARTMENT OF DEFENSE INVESTMENT IN TECHNOLOGY AND CAPABILITY TO MEET EMERGING SECURITY THREATS

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a hearing on Department of Defense investment in technology and capability to meet emerging security threats. Testimony was heard from public witnesses.

TOTAL FORCE READINESS

Committee on Armed Services: Subcommittee on Readiness held a hearing on total force readiness. Testimony was heard from GEN Peter W. Chiarelli, Vice Chief of Staff, U.S. Army; ADM Jonathan W. Greenert, Vice Chief of Naval Operations, U.S. Navy; Gen. Joseph F. Dunford, Jr., Assistant Commandant of the Marine Corps, U.S. Marine Corps; and Gen. Philip M. Breedlove, Vice Chief of Staff, U.S. Air Force.

ASSESSING THE IMPACT OF THE LABOR DEPARTMENT'S PROPOSAL ON WORKERS AND RETIREES

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor, and Pensions held a hearing entitled "Redefining 'Fiduciary': Assessing the Impact of the Labor Department's Proposal on Workers and Retirees." Testimony was heard from Phyllis Borzi, Assistant Secretary, Employee Benefits Security Administration; and public witnesses.

CYBERSECURITY: AN OVERVIEW OF RISKS TO CRITICAL INFRASTRUCTURE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations, hearing is entitled "Cybersecurity: An Overview of Risks to Critical Infrastructure." Testimony was heard from Bobbie Stempfley, Acting Assistant Secretary, Office of Cyber Security and Communications, Department of Homeland Security; Sean P. McGurk, Director, National Cybersecurity and Communications Integration Center (NCCIC) in the Office of Cybersecurity and Communications, Department of Homeland Security; and Gregory Wilshusen, Director of Information Security Issues, GAO.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health held a markup of the following: H.R. 2405, the "Pandemic and All-Hazards Preparedness Reauthorization Act"; H.R. 1254, the "Synthetic Drug Control Act"; and H.R. 1852, the "Children's Hospital GME Support Reauthorization Act." The following were forwarded, as amended: H.R. 2405 and H.R. 1254. H.R. 1852 was forwarded without amendment.

EXAMINING RENTAL PURCHASE AGREEMENTS AND THE POTENTIAL ROLE FOR FEDERAL REGULATION

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Examining Rental Purchase Agreements and the Potential Role for Federal Regulation." Testimony was heard from Charles Harwood, Deputy Director, Bureau of Consumer Protection, Federal Trade Commission; and public witnesses.

IMPACT OF MONETARY POLICY ON THE ECONOMY

Committee on Financial Services: Subcommittee on Domestic Monetary Policy and Technology held a hearing entitled "Impact of Monetary Policy on the Economy: A Regional Fed Perspective on Inflation, Unemployment, and QE3." Testimony was heard from Thomas M. Hoenig, President, Federal Reserve Bank of Kansas City.

EASTERN EUROPE

Committee on Foreign Affairs: Subcommittee on Europe and Eurasia held a hearing on Eastern Europe: The State of Democracy and Freedom. Testimony was heard from Thomas O. Melia, Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State; and public witnesses.

REASSESSING AMERICAN GRAND STRATEGY IN SOUTH ASIA

Committee on Foreign Affairs: Subcommittee on Oversight and Investigations held a hearing on Reassessing American Grand Strategy in South Asia. Testimony was heard from public witnesses.

COORDINATING AFRICA POLICY

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights and the Subcommittee on Terrorism, Nonproliferation, and Trade held a joint hearing on Coordinating Africa Policy on Security, Counterterrorism, Humanitarian Operations and Development. Testimony was heard from Donald Y. Yamamoto, Principal Deputy Assistant Secretary, Bureau of African Affairs, Department of State; Vicki Huddleston, Deputy Assistant Secretary of Defense, Office of the Secretary of Defense, Department of Defense; and Sharon Cromer, Senior Deputy Assistant Administrator, Bureau for Africa, U.S. Agency for International Development.

FEDERAL, STATE, AND LOCAL EFFORTS TO PREVENT NUCLEAR AND RADIOLOGICAL TERRORISM WITHIN THE UNITED STATES

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies held a hearing entitled "The Last Line of Defense: Federal, State, and Local Efforts to Prevent Nuclear and Radiological Terrorism Within the United States." Testimony was heard from Warren M. Stern, Director, Domestic Nuclear Detection Office, Department of Homeland Security; Carl Pavetto, Deputy Associate Administrator, Office of Emergency Operations, National Nuclear Security Administration, Department of Energy; Richard Daddario, Deputy Commissioner for Counterterrorism, New York City Police Department; Mark Perez, Homeland Security Advisor, Florida Department of Law Enforcement; and David C. Maurer, Director, Homeland Security and Justice Issues, GAO.

LEGISLATIVE MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held a hearing on H.R. 2572, the "Clean Up Government Act of 2011." Testimony was heard from Mary Pat Brown, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and public witnesses.

LEGISLATIVE MEASURES

Committee on the Judiciary: Subcommittee on Immigration Policy and Enforcement held a hearing on H.R. 2497, the "Hinder the Administration's Legalization Temptation Act." Testimony was heard from Sen. Vitter; and public witnesses.

NOAA'S FISHERY SCIENCE

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing entitled "NOAA's Fishery Science: Is the Lack of Basic Science Costing Jobs?" Testimony was heard from Rep. Mica; Rep. Jones; Eric Schwaab, Assistant Administrator, National Marine Fisheries Service, National Oceanic and Atmospheric Administration; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following: H.R. 2578, to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; and H.R. 1581, the "Wilderness and Roadless Area Release Act of 2011." Testimony was heard from Sen. Barrasso; Rep. McCarthy of California; Rep. Pearce; Robert V. Abbey, Director, Bureau of Land Management, Department of the Interior; Harris Sherman, Under Secretary of Agriculture for Natural Resources and Environment, U.S. Forest Service, Department of Agriculture; Bruce Babbitt, Former Secretary of the Interior; Mike Noel, Utah House of Representatives, District 73; Kent Connelly, County Commissioner, Lincoln County, Wyoming; and public witnesses.

OPERATION FAST AND FURIOUS: THE OTHER SIDE OF THE BORDER

Committee on Oversight and Government Reform: Full Committee held a hearing entitled "Operation Fast and Furious: The Other Side of the Border." Testimony was heard from Carlos Canino, ATF Acting Attaché to Mexico; Darren Gil, former ATF Attaché to Mexico; Jose Wall, ATF Senior Special Agent, Tijuana, Mexico; Lorren Leadmon, ATF Intelligence Operations Specialist; William Newell, former ATF Special Agent in Charge, Phoenix Field Division; and William McMahon, ATF Deputy Assistant Director for Field Operations (West, including Phoenix and Mexico).

LIGHTS OUT: HOW EPA REGULATIONS THREATEN AFFORDABLE POWER AND JOB CREATION

Committee on Oversight and Government Reform: Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a hearing entitled "Lights Out: How EPA Regulations Threaten Affordable Power and Job Creation." Testimony was heard from Robert W. Perciasepe, Deputy Administrator, EPA; and public witnesses.

PROTECTING JOBS FROM GOVERNMENT INTERFERENCE ACT

Committee on Rules: Full Committee held a hearing on H.R. 2587, the "Protecting Jobs from Government Interference Act". The Committee granted, by record vote of 7 to 4, a closed rule providing one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. Finally, the rule provides one motion to recommit with or without instructions. Testimony on H.R. 2587 was heard from the following: Chairman Kline; Rep. George Miller of California; and Rep. Andrews.

FASTER FOIA ACT OF 2011 (BUDGET CONTROL ACT OF 2011)

Committee on Rules: Full Committee began a hearing on S. 627 the "Faster FOIA Act of 2011" (Budget Control Act of 2011). Testimony on S. 627 was heard from Rep. Van Hollen. The Committee plans to continue the hearing on S. 627 at a date and time to be determined.

ENSURING LIMITED FEDERAL RESOURCES ARE INVESTED IN THE BEST SCIENCE

Committee on Science, Space, and Technology: Subcommittee on Research and Science Education held a hearing entitled "The Merit Review Process: Ensuring Limited Federal Resources are Invested in the Best Science." Testimony was heard from Cora Marrett, Deputy Director, National Science Foundation; and public witnesses.

HOW TO IMPROVE OPERATIONS AND IMPLEMENT EFFICIENCIES FOR THE UNITED STATES COAST GUARD

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled "How to Improve Operations and Implement Efficiencies for the United States Coast Guard." Testimony was heard from Rep. Farr; Vice Admiral John Currier, Deputy Commandant for Mission Support, United States Coast Guard; Vice Admiral Brian Salerno, Deputy Commandant for Operations, United States Coast Guard; and Holly Bamford, Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration.

ALTERNATIVE TAX SYSTEMS

Committee on Ways and Means: Full Committee held a hearing on alternative tax systems, with a focus on tax systems that are based on taxing consumption rather than income. Testimony was heard from Mike Huckabee, former Governor, Arkansas; Jim White, Director, Tax Issues, GAO; and public witnesses.

Joint Meetings

BOSNIA

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine Bosnia, focusing on obstacles to progress and recommendations for the international response, after receiving testimony from Clifford Bond, former U.S. Ambassador to Bosnia-Herzegovina, Department of State, and Nida Gelazis, Woodrow Wilson International Center for Scholars, both of Washington, D.C.; and Kurt Bassuener, Democratization Policy Council, Sarajevo, Bosnia-Herzegovina.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 27, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Education, 10 a.m., SD–124.

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings to examine financial management and business transformation at the Department of Defense, 2 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine defending United States economic interests in the changing arctic, focusing on if there is a strategy, 10:30 a.m., SR–253.

Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine improving highway and vehicle safety, focusing on reauthorization of the National Highway Traffic Safety Administration, 2:30 p.m., SR–253.

Committee on Finance: to hold hearings to examine chief executive officer (CEO) perspectives on how the tax code affects hiring, businesses and economic growth, 10 a.m., SD–215.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine ten years after 9/11, focusing on emergency communications, 10 a.m., SD–342.

Committee on the Judiciary: to hold hearings to examine fulfilling our treaty obligations and protecting Americans abroad, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Edgardo Ramos, of Connecticut, Andrew L. Carter, Jr., and Jesse M. Furman, all to be a United States District Judge for the Southern District of New York, James Rodney Gilstrap, to be United States District Judge for the Eastern District of Texas, and Jennifer Guerin Zipps, to be United States District Judge for the District of Arizona, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine the lifetime costs of supporting the newest generation of veterans, 10 a.m., SD–562.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing on Agricultural Program Audit: Examination of Title I and the SURE Program, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Programs, markup of the FY 2012 State and Foreign Operations Appropriations Bill, 10 a.m., H–140 Capitol.

Committee on Armed Services, Full Committee, hearing on the Way Ahead in Afghanistan, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on The Reserve Components as an Operational Force: Potential Legislative and Policy Changes, 1:30 p.m., 2212 Rayburn.

Subcommittee on Strategic Force, hearing on sustaining nuclear deterrence after New START, 3 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Full Committee, hearing entitled "Education Reforms: Exploring Teacher Quality Initiatives." 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power, markup of the following: discussion draft of the "Pipeline Infrastructure and Community Protection Act of 2011"; and H.R. 2054, the "Energy and Revenue Enrichment Act of 2011." 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled "Oversight of the Credit Rating Agencies Post Dodd-Frank." 10 a.m., 2128 Rayburn.

Subcommittee on International Monetary Policy and Trade, hearing entitled "The Impact of the World Bank and Multi-Lateral Development Banks on National Security and U.S. Job Creation." 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and South Asia, hearing on Axis of Abuse: U.S. Human Rights Policy toward Iran and Syria, Part 1, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled "Al Shabaab: Recruitment and Radicalization within the Muslim American Community and the Threat to the Homeland." 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Courts, Commercial and Administrative Law, hearing entitled "Chapter 7 Bankruptcy Trustee Responsibilities and Remuneration." 9:30 a.m., 2141 Rayburn.

Full Committee, begin markup of the following: H.R. 1981, the "Protecting Children From Internet Pornographers Act of 2011"; H.R. 1433, the "Private Property

Rights Protection Act of 2011''; H.R. 2633, the ''Appeal Time Clarification Act of 2011''; H.R. 83, the ''Bullying Prevention and Intervention Act of 2011''; and H.R. 2189, the ''Death in Custody Reporting Act of 2011.'' 11:15 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled ''State Perspectives on Offshore Revenue Sharing.'' 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Disposal of Federal Real Property: Legislative Proposals.'' 10 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy, hearing entitled ''The Thrift Savings Plan: Helping Federal Employees Achieve Retirement Security.'' 1:30 p.m., 2154 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Bureaucratic Obstacles for Small Exporters: Is our National Export Strategy Working?'' 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing entitled ''The European Union's Emissions Trading Scheme: A Violation of International Law.'' 10 a.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''The Economic Development Administration: How to Improve Effectiveness through Reforms and Consolidations.'' 10:30 a.m., 2253 Rayburn.

House Permanent Select Committee on Intelligence, Subcommittee on Terrorism, HUMINT, Analysis, and Counterintelligence, hearing on Preventing Violent Radicalization in America, 3 p.m., B–318 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine maximizing America's prosperity, focusing on how fiscal rules can restrain Federal overspending, 10 a.m., SH–216.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 27

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business for one hour.

Next meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 27

House Chamber

Program for Wednesday: Consideration of H.R. 2587—Protecting Jobs From Government Interference Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Braley, Bruce L., Iowa, E1413
Christensen, Donna M., The Virgin Islands, E1412
Conyers, John, Jr., Mich., E1410
Davis, Geoff, Ky., E1408
Eshoo, Anna G., Calif., E1411
Frelinghuysen, Rodney P., N.J., E1411
Green, Gene, Tex., E1409, E1412
Hirono, Mazie K., Hawaii, E1408
Hunter, Duncan, Calif., E1410
King, Steve, Iowa, E1407, E1408, E1409, E1410, E1411, E1411, E1412
Kucinich, Dennis J., Ohio, E1407
McDermott, Jim, Wash., E1409
Maloney, Carolyn B., N.Y., E1411
Peters, Gary C., Mich., E1407
Poe, Ted, Tex., E1407
Richardson, Laura, Calif., E1412
Rogers, Mike, Ala., E1410
Stark, Fortney Pete, Calif., E1411
Towns, Edolphus, N.Y., E1407

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.