the region and to all those who are disenfranchised. The rights of religious minorities matter, and we will not look askance during this perilous time.

Mr. VAN HOLLEN. Mr. Speaker, I rise as a cosponsor of H.R. 440, a bill to establish a Special Envoy to promote religious freedom for minorities in the Near East and South Central Asia, because no one should be made to feel that the practice of their religion is a crime or a source of shame.

Around the world, people are persecuted in the name of one religion against another. Such persecution not only violates their inalienable right to worship as they choose; it also creates instability in many places around the world. Many conflicts are rooted in sectarian differences and rivalries. To the extent the United States can promote religious tolerance, we advance the cause of human rights, justice and peace around the globe.

This bill creates a special envoy in order to monitor and combat acts of religious intolerance and incitement targeted against religious minorities and to work with foreign governments to address laws that are inherently discriminatory toward religious minority communities.

As we speak, there are minorities all over the world who live in fear for their lives merely because they practice a different religion than those around them. I encourage my colleagues to join me in support of H.R. 440.

Mr. SMITH of New Jersey. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 440, 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. SMITH of New Jersey. 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 and the Chair's prior announcement, further proceedings on this motion 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 12 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1315

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of New Jersey) at 1 o'clock and 15 minutes p.m.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore (Mr. SMITH of New Jersey). 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.

□ 1316

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. ROGERS of Alabama (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, July 26, 2011, the bill had been read through page 56, line 22.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. CLARKE of Michigan.

An amendment by Mr. DICKS of Washington.

An amendment by Mr. TONKO of New York.

Amendment No. 5 by Mr. AMASH of Michigan.

An amendment by Mr. DOLD of Illinois.

Amendment No. 44 by Mr. REED of New York.

An amendment, as modified, by Mr. SCALISE of Louisiana.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 251, not voting 8, as follows:

[Roll No. 651]

AYES—173

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Benishek
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Camp
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doyle
Duffy
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huizenga (MI)
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
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McDermott
McGovern
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reed
Rogers (MI)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—251

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Cummings
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
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
Heinrich
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
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
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant

Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Pearce
Pence
Perlmutter
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Scalise
Schiff
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Bachmann
Buerkle
Costa
Giffords
Hinchey
Landry
McCotter
Stark

□ 1340

Messrs. CONNOLLY of Virginia, MORAN, Ms. CASTOR of Florida, Messrs. ROHRABACHER, and McINTYRE changed their vote from ''aye'' to ''no.''

Messrs. BECERRA, DUFFY, Ms. WILSON of Florida, and Ms. LEE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DICKS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 224, noes 202, not voting 6, as follows:

[Roll No. 652]

AYES—224

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Harris
Hastings (FL)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
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 (NJ)
Smith (WA)
Speier
Stearns
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—202

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

NOT VOTING—6

Bachmann
Costa
Giffords
Hinchey
McCotter
Stark

□ 1345

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) 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 184, noes 238, not voting 10, as follows:

[Roll No. 653]

AYES—184

Ackerman
Alexander
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boustany
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doyle
Edwards
Ellison
Engel
Farr
Filner
Fitzpatrick
Fleming
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibbs
Gibson
Goodlatte
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn

Hanna
Hayworth
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly
Kildee
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lowey
Luján
Lynch
Maloney
Marino
Markey
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Palazzo
Payne
Pelosi
Peters
Price (NC)
Quigley
Rahall
Rangel
Reichert
Renacci
Richardson
Richmond
Roskam
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schwartz
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Speier
Stivers
Sutton
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walberg
Walz (MN)
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NOES—238

Adams
Aderholt
Akin
Amash
Bachus
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Culberson
Cummings
Davis (KY)
DeFazio
Denham
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fattah
Fincher
Flake
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Issa
Jackson (IL)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Keating
Kind
King (IA)
Kline
Labrador
Lamborn
Landry
Lankford
Larsen (WA)
Latham
Latta
Lewis (CA)
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Miller, George
Moore
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tipton
Upton
Walden
Walsh (IL)
Wasserman Schultz
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Crenshaw
Giffords
Hinchey
McCotter
Schrader
Smith (WA)
Stark
Terry
Waters

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1349

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. AMASH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. AMASH) on which further proceedings were postponed and on which the 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 131, noes 294, answered ''present'' 1, not voting 6, as follows:

[Roll No. 654]

AYES—131

Altmire
Amash
Bartlett
Benishek
Berg
Bilbray
Bishop (NY)
Bishop (UT)
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Carney
Cassidy
Chabot
Chaffetz
Coffman (CO)
Conaway
Costello
Denham
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Flores
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Hall
Hartzler
Hayworth
Heinrich
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Landry
Lankford
Latta
Lipinski
LoBiondo
Long
Luetkemeyer
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McHenry
Miller (FL)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nunnelee
Olson
Palazzo
Paul
Pearce
Pence
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Renacci
Ribble
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Royce
Ryan (WI)
Scalise
Schilling
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stearns
Stivers
Stutzman
Thornberry
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Wittman
Yoder

NOES—294

Ackerman
Adams
Aderholt
Akin
Alexander
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Heck
Herrera Beutler
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
King (NY)
Kissell
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Reyes
Richardson
Richmond
Rigell
Rivera
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush

Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—1

Johnson (IL)

NOT VOTING—6

Bachmann
Becerra
Giffords
Hinchey
McCotter
Stark

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1353

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DOLD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. DOLD) 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 137, noes 291, not voting 4, as follows:

[Roll No. 655]

AYES—137

Ackerman
Altmire
Baldwin
Bass (NH)
Benishek
Biggert
Bishop (NY)
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Chabot
Cicilline
Clarke (MI)
Coble
Conyers
Cooper
Costello
Critz
Crowley
Cummings
Davis (IL)
Denham
Dent
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Engel
Farr
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Griffin (AR)
Griffith (VA)
Grimm
Hahn
Hanna
Heinrich
Higgins
Hochul
Honda
Huizenga (MI)
Hultgren
Hunter
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kline
Kucinich
Lance
Landry
LaTourette
Latta
Levin
Lipinski
LoBiondo
Loebsack
Manzullo
Marino
McCarthy (CA)
McCarthy (NY)
Michaud
Miller (MI)
Moore
Murphy (PA)
Nadler
Nunes
Owens
Paulsen
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Price (GA)
Quayle
Quigley
Rangel
Reichert
Renacci
Ribble
Rogers (MI)
Rooney
Roskam
Rush
Ryan (OH)
Ryan (WI)
Sarbanes
Schakowsky
Schilling
Schock
Schrader
Scott (VA)
Sensenbrenner
Serrano
Shimkus
Shuster
Slaughter
Smith (TX)
Stivers
Sutton
Tiberi
Tonko
Towns
Turner
Upton
Velázquez
Visclosky
Walberg
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Welch
Wilson (FL)
Wu
Yarmuth
Yoder
Young (AK)

NOES—291

Adams
Aderholt
Akin
Alexander
Amash
Andrews
Austria
Baca
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
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)
Chaffetz
Chandler
Chu
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Costa
Courtney
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
DesJarlais
Deutch
Diaz-Balart
Dicks
Doyle
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Hirono
Holden
Holt
Hoyer
Huelskamp
Hurt
Inslee
Issa
Jackson Lee (TX)
Jenkins
Johnson, E. B.
Johnson, Sam
King (IA)
Kingston
Kissell
Labrador
Lamborn
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Matheson
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunnelee
Olson
Olver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pearce
Pelosi
Pence
Perlmutter
Pitts
Poe (TX)
Pompeo
Posey
Price (NC)
Rahall
Reed
Rehberg
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schiff
Schmidt
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tsongas
Van Hollen
Walden
Watt
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Young (FL)
Young (IN)

NOT VOTING—4

Bachmann
Giffords
Hinchey
McCotter

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1356

Mr. CUMMINGS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 44 OFFERED BY MR. REED

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. REED) 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 237, noes 189, not voting 6, as follows:

[Roll No. 656]

AYES—237

Ackerman
Adams
Aderholt
Akin
Altmire
Baldwin
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cardoza
Carnahan
Carney
Carson (IN)
Chabot
Chaffetz
Chandler
Coble
Cohen
Cooper
Costa
Cravaack
Crawford
Critz
Crowley
Cuellar
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (TN)
Engel
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hanna
Harris
Hartzler
Hastings (FL)
Hayworth
Heinrich
Hensarling

Herger
Herrera Beutler
Higgins
Hochul
Holden
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lance
Landry
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McHenry
McIntyre
McKeon
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Murphy (PA)
Nadler
Noem
Nugent
Nunes
Nunnelee
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pingree (ME)
Platts
Polis
Price (GA)
Quigley
Rangel
Reed
Reichert
Ribble
Richardson
Rigell
Rivera
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schakowsky
Schilling
Schmidt
Schock
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Shuler
Shuster
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Thompson (PA)
Tiberi
Tonko
Tsongas
Turner
Upton
Velázquez
Walz (MN)
Webster
Welch
West
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Wu
Yarmuth
Yoder
Young (AK)
Young (IN)

NOES—189

Alexander
Amash
Andrews
Austria
Baca
Bachus
Barletta
Bartlett
Bass (CA)
Becerra
Berman
Bilirakis
Black
Blackburn
Blumenauer
Boustany
Broun (GA)
Brown (FL)
Burgess
Butterfield
Campbell
Cantor
Capito
Capps
Capuano
Carter
Cassidy
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Costello
Courtney
Crenshaw
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duncan (SC)
Edwards
Ellison
Ellmers
Eshoo
Farenthold
Farr
Fattah
Filner
Fleischmann
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Hanabusa
Harper
Hastings (WA)
Heck
Himes
Hinojosa
Hirono
Holt
Hoyer
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
King (IA)
Kingston
Lamborn
Langevin
Lankford
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Long
Lucas
Lynch
Markey
McCaul
McDermott
McGovern
McKinley
McNerney
Miller (NC)
Miller, George
Moran
Mulvaney
Murphy (CT)
Myrick
Napolitano
Neal
Neugebauer
Olson
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Pitts
Poe (TX)
Pompeo
Posey
Price (NC)
Quayle
Rahall
Rehberg
Renacci
Reyes
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schiff
Schwartz
Schweikert
Scott (SC)
Sessions
Sewell
Sherman
Shimkus
Simpson
Sires
Speier
Stark
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Tipton
Towns
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Wasserman Schultz
Waters
Watt
Waxman
Westmoreland
Wilson (FL)
Wolf
Woolsey
Young (FL)

NOT VOTING—6

Bachmann
Emerson
Giffords
Hinchey
McCotter
Meeks

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1402

Messrs. PERLMUTTER and CLEAVER changed their vote from ''aye'' to ''no.''

Messrs. RIGELL and WITTMAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Louisiana (Mr. SCALISE) 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 215, noes 213, not voting 4, as follows:

[Roll No. 657]

AYES—215

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
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)
Kline
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
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Rehberg
Reichert
Renacci
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—213

Ackerman
Altmire
Andrews
Baca
Baldwin
Barletta
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
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
Fitzpatrick
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
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
Kissell
Kucinich
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall

Rangel	Scott (VA)	Tonko
Reyes	Scott, David	Towns
Ribble	Serrano	Tsongas
Richardson	Sewell	Van Hollen
Rogers (KY)	Sherman	Velázquez
Ross (AR)	Shuler	Visclosky
Rothman (NJ)	Simpson	Walz (MN)
Roybal-Allard	Sires	Wasserman Schultz
Ruppersberger	Slaughter	Waters
Rush	Smith (NJ)	Watt
Ryan (OH)	Smith (WA)	Waxman
Sánchez, Linda T.	Speier	Welch
Sanchez, Loretta	Stark	Wilson (FL)
Sarbanes	Sutton	Wolf
Schakowsky	Thompson (CA)	Woolsey
Schiff	Thompson (MS)	Wu
Schrader	Thompson (PA)	Yarmuth
Schwartz	Tierney	Young (FL)
	Tipton	

NOT VOTING—4

Bachmann	Hinchey
Giffords	McCotter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 1406

Ms. BERKLEY changed her vote from ''aye'' to ''no.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. THORNBERRY). The Clerk will read.

The Clerk read as follows:

YUKON-CHARLEY NATIONAL PRESERVE

SEC. 116. None of the funds made available by this Act may be used by the Secretary of the Interior to implement or enforce regulations concerning boating and other activities on or relating to waters located within Yukon-Charley National Preserve, including waters subject to the jurisdiction of the United States, pursuant to section 3(h) of Public Law 91–383 (16 U.S.C. 1a–2(h)) or any other authority. This section does not affect the authority of the Coast Guard to regulate the use of waters subject to the jurisdiction of the United States within the Yukon-Charley National Preserve.

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:

Page 56, beginning on line 23, strike section 116.

□ 1410

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. Section 116 would prohibit the National Park Service from carrying out boat inspection or safety checks on the Yukon River within the Yukon-Charley National Preserve in Alaska. This provision was put in at the request of Mr. YOUNG from Alaska who is upset with the National Park Service law enforcement at the preserve.

Last summer, two park rangers arrested a 70-year-old following an altercation during a boat safety inspection. This case is still before the courts, but it has stirred considerable local anger, especially when it was learned that the rangers had handcuffed but later released another local resident who refused to speak to rangers when approached.

Mr. YOUNG of Alaska is a long-time friend of mine, and I am very hesitant to offer this amendment to strike his provision, but I think he has already won the case. The people there, the two rangers, have been reassigned to another duty, and the Park Service does have jurisdiction. I have discussed this with Chairman YOUNG, and the Park Service always has jurisdiction within the national park.

Now, the gentleman from Alaska suggested that the Coast Guard had jurisdiction or the State had jurisdiction, but we have checked this carefully. The Park Service has jurisdiction within the national preserve to look at safety on the river. I think it is wrong to prohibit a safety inspection for people whose lives are at risk up there.

I have been to Alaska many times. These rivers can be very dangerous, and to make sure that the people who are being conveyed—this is a commercial endeavor—the people who are being moved around in these boats are safe, the people who own the boats are safe, whether it is commercial or not.

So I would like to yield to the ranking member and discuss this amendment and the importance of it.

Mr. MORAN. Well, first of all, I would like to ask my good friend: Why is this not an earmark? Why is this not an earmark for one particular national preserve?

While we are considering that, perhaps Mr. YOUNG can come up with an explanation. And I share the ranking member's great affection for Mr. YOUNG. He is a good friend. But this also creates a precedent. Any time something happens on a national preserve or park land, they could come to the Congress and say, all right, no more inspections, and we could get a proliferation of these kinds of things specific to individual national reserves or parks.

The fact is that if the Park Service has jurisdiction, then they have responsibility. And I'll bet you anything that if we were to say there were to be no boat inspections, something's going to happen and some serious accident is going to occur, and then people are going to ask why in gosh name wasn't the Park Service there to do inspections? And it's going to go back to this, where we set a precedent of not allowing any boat inspection or safety check.

Mr. DICKS. Reclaiming my time, the thing is this has happened before. I can remember one of our colleagues putting in a provision in one of these bills, I think it was the Merchant Marine and Fisheries bill years ago, about one of the boats that was going up to Alaska to fish in these very dangerous waters. This wasn't in the river; it was in the ocean. And that boat went down, and there were many questions raised about why that Member had prohibited boat and safety inspections of that boat.

Now, I think the gentleman is completely right. This is a bad precedent. The gentleman from Alaska has already won. He has already gotten his view across with the Park Service. They have taken these rangers away. It's time to leave this. We're doing this amendment in the best interests of Mr. YOUNG. And if Mr. YOUNG would like to get up and explain this, I would like to hear his explanation.

I yield back the balance of my time.

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

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

Mr. YOUNG of Alaska. Mr. Chairman, Members of the body, with all due respect, this is about the State's rights. This bill does not preclude the State of Alaska, the Coast Guard, or any other entity from enforcement on the Yukon River. The Park Service can still move on the river. But it does not allow them to enforce inspections of boats on the river that are private. Not in business, but private.

And I have to tell you a little story about this. This is the reason I'm very adamant about it. The Park Service is for the people; it's not for the Park Service. The Park Service in Alaska has become, very frankly, I'd say, like an occupying army of a free territory. To give you an example, this man that was arrested was 70 years old with his wife, who happened to be from Germany—I'm going to bring that up a little later—and a couple. So 70 years old, 69 years old, 68 years old, on a cruise on the Yukon River in a very seaworthy boat, Coast Guard inspected. And there was another boat on the river and there was a distress signal given by the Park Service. Being a good Samaritan, they went over to help them out. As they approached the boat, they flashed their badges and said: We're the Park Service. We're going to board your vessel and inspect you for safety and registration.

Think about this. A distress signal, and then: We're going to board your boat.

And maritime law says you will not board a boat on a moving river. You have to put it to shore.

And the guy said: Up yours; I'm going to go to shore. And that's what he did.

And he gets to shore, he gets out of the boat. The rangers have already got a shotgun on a 70-year-old man, and carrying a pistol out of the holster. And as the guy walked toward them, they started to say something. He turned around and walked back. They tackled him and rolled him in the mud, a 70-year-old man. These are two young bucks—cowboys—and handcuffed this man, this 70-year-old man, and made him sit on the shore. And they took him a great distance down the river to a village and flew him to Fairbanks—drove him to Fairbanks—handcuffed.

This is your Park Service? This is not my Park Service.

Well, it did go to trial and the judge hasn't rendered his decision yet. In the first place, the State never gave them the authority to do any inspection. In the second place, they never gave them the authority—by the way, the Coast Guard did not give them authority. And they do not have jurisdiction over that water; that's State water. In every State in this Union, it's the State's water. To have the Park Service act like that is dead wrong.

So I'm asking you not to support this amendment. This is an amendment that shouldn't be adopted because we have agencies today who are acting, very frankly, like occupiers. The lady I brought up was from Germany. And during the trial they asked her, the prosecution: Did you ever have a gun pointed at you? And she said: Yes, by the SS troops.

Now, that gives you an idea. A 70-year-old lady and have them point a shotgun. Now, that's wrong.

You say it sets a precedent; yes, it sets a precedent because it's State's waters. This amendment should not be accepted. We should leave it in the bill as it is. It's the right thing to do.

I say vote down the amendment. Think about the little people. Quit thinking about these agencies. These agencies aren't God. Think about the little people. People are abused by agencies, and you're paying for them.

And by the way, the one ranger, the one ranger, had a record longer than my arms, and they hired him to enforce the so-called park regulations.

So I'm asking you to think about this a moment. It's the wrong amendment. This is the right thing to do. It's time we start telling these agencies: Think of the people, not the parks themselves.

□ 1420

This is about parks and partners. And they're certainly not partners in Alaska. They say: We're going to educate Alaskans about Alaska. Now, this is a 70-year-old man that had been living there all his life. And to have that happen is dead wrong.

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. Mr. Chairman, in response to my very good friend, it appears that the conduct—it appears—the conduct of these park rangers was wrong. So they have been reassigned. And I'm sure that whoever has responsibility now in that jurisdiction has been told you don't do this.

Now, these kinds of things happen all over the country, if not all over the world, clearly. Some people in authority abuse their power. It happens with local police departments. It happens with State police. It happens with other people with a badge. And so they get disciplined. Sometimes they get taken to court. But normally we don't change national policy to deal with misconduct, if that's what it was, on the part of certain individuals. We don't change national policy. And that's what you're trying to do.

Let me put into this discussion and deliberation the fact that they had to go through national park land to get to that State water. They do. And the National Park Service runs the concessions. So the National Park Service does have responsibility for some of the vehicles on this water. They don't know if there's contraband stuff coming. They don't know what's on the vessel.

My guess is—I don't know for sure—my guess is it's very seldom that they're going to stop and board any boat. They would probably have to have some reason. I'm sure now, after this incident, they have to have very substantial reason. But it's entirely conceivable that at some point in the future they're going to have very substantial reason to stop and board a boat. And we have precluded their ability to carry out their responsibility.

So that's why we're concerned about the precedent. We're not concerned about the fact that if there was misconduct, that these folks have been reassigned. We're sure that the instructions that have been given by superiors have changed now to ensure that this incident is never repeated. But we really don't think that the solution is to change national policy, which would have repercussions for other national preserves around the country, and it might have very serious ramifications on this particular one in the future. We can't tell right now.

Mr. DICKS. Will the gentleman yield?

Mr. MORAN. I would be happy to yield to the gentleman from Washington.

Mr. DICKS. Again, I plead with my friend from Alaska. You have made your case. You have gotten the relief for your constituents. The rangers have been reassigned. Accept victory and don't give us an amendment that would undermine boat safety inspections. That's what this amendment does.

Let me read this amendment: No other funds made available by this Act may be used by the Secretary of the Interior to implement or enforce regulations concerning boating and other activities on or relating to waters located within Yukon Charlie National Preserve, including waters subject to the jurisdiction of the United States. Pursuant to section 3(h) of public law, or any other authority.

Mr. MORAN. Reclaiming my time, it's clear that's not just the waterway. That includes all of the land. The entire park on this national preserve, they can't carry out their responsibilities. We're not just talking about the water.

Mr. YOUNG of Alaska. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. It is not their responsibility. This is the State waters.

Mr. DICKS. It's within a national park.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman from Virginia has the floor. Members will yield time appropriately to each other.

The gentleman from Virginia is recognized.

Mr. MORAN. I yield to my very good friend from Alaska to try to clarify what seems to be inextricable.

Mr. YOUNG of Alaska. Again, this is Yukon Charlie, the Yukon River that was used by the Gold Rush people, has been used by Alaskans all these years without the Park Service. The State has authority over the waters. The Coast Guard has the authority for inspection. The State has the authority for registration, not the Park Service. This is navigable water that is our water. Now, the land is there on one side. But this is our water.

I have not won because I may have won a temporary battle, but there can be another park ranger—rangers. There can be another park superintendent that does not listen to anyone. Then where are we?

Mr. MORAN. Reclaiming my time, the language is clear it applies to all waters, not just navigable waters.

Mr. YOUNG of Alaska. The only navigable water is the Yukon.

Mr. MORAN. It's possible if the language was more specific, we wouldn't have quite the trouble with it.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. Again, relating to waters located within Yukon Charlie National Preserve, including waters subject to the jurisdiction of the United States.

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

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. MORAN was allowed to proceed for 2 additional minutes.)

Mr. MORAN. I would be happy to yield to the chairman of the Natural Resources Committee.

Mr. HASTINGS of Washington. I appreciate my friend from Washington reading the section, but he left out the last sentence of that section.

I think this is a pertinent part and this is the point that the gentleman from Alaska is making, and it regards safety inspection.

I will quote the last sentence: ''This section does not affect the authority of the Coast Guard to regulate the use of waters subject to the jurisdiction of the United States within the Yukon Charlie Preserve.''

I would interpret that as saying the safety part of that is taken care of. But the gentleman from Alaska certainly is right on the part that these are State waters.

I appreciate the gentleman for yielding.

Mr. MORAN. I was happy to yield.

Reclaiming my time, I would respond to the gentleman, the Coast Guard really doesn't spend much time on rivers. It's normally coastal waters. It may have responsibility, but the fact is the Coast Guard normally doesn't apply much in the way of resources.

I would like to know how large is this national preserve, because I suspect it's a very expansive national preserve that we're talking about. Do we know?

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. If the Park Service doesn't have jurisdiction, how does the Coast Guard have jurisdiction? That's another Federal agency. The gentleman changed his story and told me it was the State that had authority. I wonder who in the hell has authority.

Mr. YOUNG of Alaska. Will the gentleman from Washington yield?

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Again, the Chair requests that Members use proper yielding to each other for time. The gentleman from Virginia has the floor.

Mr. MORAN. I thank the Chair.

I think a number of very good questions have been raised by the ranking member of the full committee—Appropriations Committee—and we are concerned about this precedent. We're also concerned about the safety of people who use this national preserve. We can understand Mr. YOUNG's angst, but nevertheless we have a responsibility not to establish precedent that may come back to haunt us.

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. Thank you, Mr. Chairman.

I just want to point out that the staff clearly researched the language here and applicable laws that relate to these waters. That's what we do when we put this language in here.

With that, I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. To answer the gentleman, the Coast Guard has all the authority for enforcement on all waters, including all rivers. In fact, sometimes the Coast Guard is too active on the river, as far as I'm concerned. I have been on that river. Like I say, I'm a tugboat captain, a licensed mariner, and my biggest challenge to this is excessive use of the Park Service.

Now, you say I won that battle. Like I said before, that doesn't keep them from trying to enforce this again over the State's objection. The State didn't give them the right to register the boats or check registrations. The Coast Guard didn't give them the right to inspect the boat.

And remember this now: Here are two guys giving a distress signal and a good citizen tried to help them and they flash a badge. This sounds like you know what to me. That's not a good thing. I get very frustrated. Leave this in the bill. Let the Park Service know they no longer can trod over the people of Alaska because they are part of the Federal Government. They are the Park Service—You better listen to us—when this man was breaking no laws. This is wrong.

Now, you say I have won the battle. Maybe I have. But it took a lot of effort to do it. But I haven't won the war. And they will come back. So I'm suggesting this stay in the bill as it is. It's very, very important.

Mr. HASTINGS of Washington. I yield back the balance of my time.

□ 1430

Mr. MARKEY. I move to strike the requisite number of words.

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

Mr. MARKEY. I rise in support of the amendment.

We understand that this is a huge 2.5 million-acre park and that what we're talking about here is a 158-mile-long river in the middle of this park, so we're talking about a huge area.

Mr. YOUNG of Alaska. Will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. The river is 2,800 miles long. This is one little tiny section. This is a river that's 5 miles wide and 2,800 miles long. It's the third largest river in the United States of America that carries transportation.

Mr. MARKEY. I reclaim my time to say that the 158-mile area is a portion of the inside of the park, of the 2.5 million-acre park. So it seems to me what the gentleman is suggesting is that he believes—and I understand—that the National Park Service or that an individual officer made a mistake here, that they abused their authority, and I understand that.

When I was a boy, my favorite television show when I was 9, 10, 11 was ''Sergeant Preston of the Yukon.'' He had his faithful horse, Rex, and his dog, Yukon King. Each week at 5 o'clock on Friday, he would come out to patrol the Yukon. He worked for the Canadian Royal Mounties. I would like to think that, if he ever made a mistake—if he ever overstepped his boundaries, if he ever improperly treated anyone he was in the process of arresting—that the punishment wouldn't be that the Mounties could never again, any of them, go into the Yukon, because that would seem to me to kind of result in a less fully implemented set of law enforcement principles in that area.

What we're learning here is that the punishment to the National Park Service for potentially something that one or two officers engaged in is that none of them can continue their policing, which the Coast Guard says they need. In fact, this is, in many ways, such a remote part of the Yukon that the Coast Guard right now relies upon the Park Service police to police these areas.

The answer which we're getting from the gentleman of Alaska—and I understand the example that he's trying to make of this one particular incident—is that you're using this as something that, I think, is illustrative—okay?—and perhaps just the highlight, but I don't think you really want the result to be a reduction in the overall enforcement of the laws inside of the park, because that's what would result here. The partnership between the Coast Guard and the Park Service on this river and all that abuts the river is something that is seamless and has worked for generations, and it is something that everyone seems to support.

Perhaps you could target this a little bit more narrowly but not punish the entire Park Service and every officer in the Park Service. It's like every person who works there is now going to suffer as a result of this amendment, and I don't think that's what you intend.

So I will support the amendment of the gentleman from Washington State. It will, I think, make it possible for us to come back to maybe take another look at but not in a way that undermines this partnership that has existed up there for a generation, which has worked. By the way, if there is an exception in any police department, the action of that person who did something wrong should not lead to that entire police department never again being able to enforce the laws. That would be an indictment of everyone; okay?

I think, to the extent to which the Dicks amendment seeks to delete the provision which is in the bill, it doesn't mean that you can't come back and talk about something that might be more specific.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. Again, what I worry about here is we're talking about safety. We're talking about inspecting boats that may be unsafe. I think that is an important issue that we should not deal with in an across-the-board way here in this bill.

I think the gentleman from Alaska has made his point. I think he should support our amendment to strike this in order to make sure that the people of Alaska are protected. I know he cares about them.

Mr. MARKEY. Reclaiming my time, the effect of this amendment could be, because the Coast Guard relies upon the Park Service, that we wind up with an entire area without any law enforcement. Because the Coast Guard does not reach that area, the Park Service is there. If you take out the Park Service, it becomes much more of a dangerous place for everyone, and I don't think that's really what the gentleman intends.

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. It has been a fascinating debate to listen to the gentleman from Massachusetts and the gentleman from Virginia tell the gentleman from Alaska how it works in Alaska. I will tell you that he knows more about Alaska than any of you ever thought of knowing. The problem is, you say you're trying to save Mr. YOUNG from himself by offering this amendment. We're trying to save the Park Service from itself and the actions that it has taken.

Now, logically, your argument says if people have problems in their own areas, then you might see other amendments come up like this and we'll be setting a precedent. Exactly. If we can't have oversight about what goes on and about what the Park Service does, why are we even here?

You heard the story, which I won't repeat, of what happened to this gentleman, Mr. Wilde, on the river. We all agree that it's a problem. In fact, when the Park Service stops the gentleman in the middle of the river and tells him to shut down his boat, to shut down his motors—and as they testified in court, they refused to shut down theirs because it was unsafe—who is being protected? That's the point. The safety inspections of these boats will not stop. The statutory authority is given to the Coast Guard. That's who has the statutory authority, not the Park Service. That's the debate that's going on here.

This language is intended to only limit the Park Service's authority to engage in boater safety checks on the Yukon River within the Yukon Charley National Preserve, the only non-ocean navigable waterway within Alaska's national parks. It is important to note that this language will not have any effect on the ability of the Coast Guard to conduct the statutorily granted power of conducting boater safety checks. It is intended to avoid similar incidents between the Park Service and the public.

Yes, when Mr. YOUNG brought this up originally, the manager of the Park Service could have said, ''You're right. There is a problem there, and I'll get rid of these people.'' They didn't do that. It took this to bring about the actions that have finally occurred: that they've been dismissed from that region. We're trying to prevent the Park Service from harming itself.

Mr. YOUNG of Alaska. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Just keep in mind that the Coast Guard has its authority. As soon as this happened, I called the Coast Guard because the Park Service said the Coast Guard had granted them that authority. The Coast Guard said, No way. That's our authority.

Secondly, they said, with registration, only the State has the right to register a boat—that's the same thing in your State—not any Federal agency.

Remember, this is the highway of Alaska. The highway of Alaska has been used for hundreds of years, and we've gotten along very well without any Park Service all these years. By the way, I don't think there was a drowning because of a boat accident on that section of the river—in history. So why all of a sudden you're wanting me to protect the Alaskan people who do not like this, I do not understand.

Very frankly, I think you're meddling. You're meddling in something that a State has a great interest in, that has said before, This is our waterway. We have a right to traverse it from Canada through Alaska, all the way down to the Bering Sea. By the way, it had an illegal boat. According to the Coast Guard, the boat they were driving was overpowered. So just leave this in the bill as it should be.

I ask all of my colleagues to think about this very carefully. Do you want an agency that does not respect the rights of individuals because they work with the government or an agency that does not respect the rights of history? I don't think you do.

So I'm asking for the amendment to be defeated, and I'm asking for my colleagues to understand this is a big issue in my State. It is very, very important, not only to me, but to my people—the people of the State of Alaska, who have been using that river for centuries. So let's just leave it in the bill.

□ 1440

So let's just leave it in the bill.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. We have people in the law enforcement area who make mistakes, but we don't get rid of law enforcement. We don't say we're no longer going to protect people, the other people. We go through a process to see what that officer did. I think the gentleman gets the gist.

Mr. SIMPSON. Reclaiming my time, we're not getting rid of law enforcement here. The Coast Guard will still do the safety inspections which they are statutorily authorized to do. The Park Service is not statutorily authorized to do that. They say they have been given that authority from the Coast Guard. I don't think that's the case.

So we're not getting rid of anything. What we're doing is clearing up a jurisdictional problem here.

Mr. DICKS. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman.

Mr. DICKS. I would hope we could clarify this. There seems to be a misunderstanding here. I hope that we can, if my amendment doesn't prevail, that we could try to work together to clarify this before conference.

Mr. SIMPSON. I'll guarantee there is a misunderstanding here.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would again remind all Members that they should direct their comments to the Chair, not to others.

Ms. JACKSON LEE of Texas. I move to strike the last word.

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

Ms. JACKSON LEE of Texas. There is no doubt, Mr. YOUNG, that you are the renowned expert on Alaska. So I don't rise to counter that. And in fact, I come from the other open, wild State that likes their own self-determination, and they just associated you with the State of Texas.

I remind my colleagues that there is water in Virginia, there's water in Massachusetts, and there's water all along. But I rise to support the gentleman's amendment because frankly, the last time I talked to the very important Coast Guard, they're short on money. Frankly, I want the Coast Guard to be in the port of Houston doing their job as it relates to protecting the coastline of America from terrorists. They are involved in that. They are not, in essence, an agency that can just expand its resources.

I would just raise the question. I think the gentleman from Washington was very engaging and cooperative by saying how can we work this out.

My interpretation is, in opposing the language that's in the bill and supporting Mr. DICKS, is that we have, in essence, a legislative earmark, and that means that all of us can rise up and try to solve our problems in that way.

I would like to get back to regular order.

And I cite for all of you just another example. We've got a legislative earmark when one of our Republican colleagues has decided to shut down the FAA. That's an example.

And lost in the doing of that is $2.5 billion in construction projects, 87,000 American construction jobs, 3,000 FAA aviation engineers furloughed, safety analysts, career professionals in 35 States and in my own city of Houston. I want to get on the floor and put an amendment on the floor to get that Member out of the business of stopping the FAA from doing its work—$200 million per week is being lost.

Nobody is saying anything because we're also not doing regular order by fooling around with the debt ceiling. Nobody can come together and act like adults and say, Let's just raise the debt ceiling so the American people can go on with their business.

Now we've got a Member that says ''my way or the highway'' and shutting down the FAA. You can't run the government like this.

And I think the message of the amendment that is on the floor is not that we don't respect Members' personal knowledge of their States, it's

just that we can't go willy nilly and change laws just for isolated incidences.

And I apologize to Mr. Wild, but you can see I'm pretty agitated about a situation where we're quietly allowing the FAA not to work. And as a member of the Homeland Security Committee, who knows what danger is around because the FAA is not functioning? Who knows what jeopardy we're putting for seniors and students and families and people trying to buy a home because we're fooling around with the debt ceiling?

So I just think we're in a pattern here. Do what you want to do and forget the heck of the American people and forget that we live in a big country and that we should be for all of the people. And if we need safety on our waterways, we need to find a way to work through our issues. I don't like the way individuals were handled. I agree on that issue.

But I certainly don't like the way we're handling our business with the debt ceiling when we are literally putting ourselves under jeopardy. And I encourage the President to do anything he needs to do to save the American people and to be able to move forward so that we don't lose all of our resources and opportunities for the Medicare, Medicaid, and Social Security recipients of America. And I hope he stands up and recognizes this is a ridiculous position to be in when the FAA is not even functioning.

And my Bush Intercontinental Airport can't even continue doing its construction work, and the people who need the work are thrown out on the streets because they can't work because one lone Member wants to get up and talk about the FAA and foolishness about not protecting small airports and not allowing our airport employees or our employees such as air traffic controllers and others to be able to confer about the quality of work issues.

So I would just suggest that you might be able to find a solution, Mr. YOUNG. I know you know all of the issues about that. We have a lot of water from where I come from. I think Mr. DICKS has put forth a perfect question and then an answer to the idea of whether or not your amendment or language would have a far-reaching impact beyond Mr. Wild and the unfortunate behavior of two individuals that I understand may not be here.

Let's look at this holistically, as we need to look at this Nation. Let's come together as adults representing the American people.

I thank the gentleman for the time. I ask support for Mr. DICKS' amendment.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are again reminded to direct their remarks to the Chair and not to others.

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.

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

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

Mr. PASCRELL. Mr. Chairman, I rise today in strong opposition to the underlying bill H.R. 2584, a bill which irresponsibly slashes funding for many of our Nation's most important environmental and infrastructure programs. If it's passed, the overall legislation would cause grave harm to the health and safety of our communities and in addition removes protections for our wildlife and environment.

I'll take a few issues at hand.

Clean water infrastructure. Ensuring our families have clean water is under attack in this bill. It cuts 55 percent, almost $1 billion, from the Clean Water State Revolving Fund. This program enables the States to invest in much-needed repairs and improvements to aging water infrastructure.

Mr. Chairman, an estimated 25 percent of all treated water in the United States of America is lost due to leakage from water systems that are in disrepair—25 percent of the water that's already been treated. What a waste of money in supposedly an austere Congress.

We're facing a $500 billion funding gap to bring aging water and wastewater infrastructure back to par. Our pipes are literally crumbling beneath our feet, out of sight, out of mind until the next major water main break disrupts our lives and our towns.

This investment in water infrastructure has the potential to generate thousands and thousands of American jobs since every $1 billion in infrastructure investment supports 28,500 jobs.

Second issue: air quality. The bill that's before us takes us further backwards to an era where polluters poisoned our atmosphere at will by preventing the EPA from implementing two important air quality rules—the power plant air toxics rule and the transport rule, irresponsibly putting the health of our communities at risk. We're going backward instead of forward.

□ 1450

Air pollution disproportionately impacts the urban areas in my district, such as Paterson, New Jersey, where we see much higher incidences of asthma and other respiratory ailments due to the concentrations of harmful pollutants. It is terrible. Go to our hospitals. It is out of control not just in Paterson, New Jersey, but across the United States. These pollutants can become lodged in the tissues of the lungs and interfere with the respiratory system. This needs to be controlled.

And the National Park Service itself, referred to in the last debate, this proposed legislation would cripple the operation of the National Park Service. This service takes care of our parks. We fought for this, all of us, Democrats, Republicans in whatever State it was in this Union. They want to slash this by $409 million from the President's request. Our national parks are visited by 275 million people each year. They come from all over the world to appreciate our country's natural and historic wonders. In my district, the Park Service is hard at work on the Great Falls National Historic Park right in my home city of Paterson, the only historic park in the entire Nation that has aesthetic value as well as historical importance, as it was the first industrial city of the United States.

The investment we make in our parks pays for itself many times over in economic development in the surrounding areas and the enjoyment and education they provide to Americans of all ages. We must ensure that the Park Service has the resources they require to ensure that parks all over the country are properly operating.

How about the arts and humanities in this legislation? Besides the huge cited cuts to our health, infrastructure, and environment, the bill before us drastically cuts funding to the National Endowment for the Arts and the National Endowment for the Humanities. As a former teacher, as a member of the Congressional Arts Caucus, as many of us are, I have seen firsthand the positive impact that arts and humanities education has on the success of our students. In my district, as a result of the economic crisis, many schools have been forced to cut back on arts programs and to lay off arts teachers. They're the first to go.

In conclusion, I would say, Mr. Chairman, that this legislation leaves a lot to be desired. We are seeing our colleagues on the other side of the aisle attempting to legislate through the appropriations process, selectively imposing deep cuts to programs which their special interest constituencies don't approve of. The draconian cuts in this bill are truly unacceptable, and I urge my colleagues to join me in opposing it.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

DIRECT HIRE AUTHORITY

SEC. 117. (a) DIRECT HIRE AUTHORITY.—During fiscal year 2012 and thereafter, the Secretary of the Interior may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly to a position with a land managing agency of the Department of the Interior for which the candidate meets Office of Personnel Management qualification standards.

(b) QUALIFIED CANDIDATES DESCRIBED.—Subsection (a) applies with respect to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who—

(1) completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the National Park Service Business Plan Internship;

(2) successfully fulfilled the requirements of the internship program; and

(3) subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.

(c) DURATION.—The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the 2-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

REVIEW PROCESS FOR CERTAIN BUREAU OF LAND MANAGEMENT ACTIONS

SEC. 118. (a) EXHAUSTION OF ADMINISTRATIVE REVIEW REQUIRED.—Hereafter, a person may bring a civil action challenging a proposed action of the Bureau of Land Management concerning grazing on public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))) or an amendment to a land use plan proposed under section 202 of such Act (43 U.S.C. 1712) in a Federal district court only if the person has challenged the action or amendment at the agency level and exhausted the administrative hearings and appeals procedures established by the Department of the Interior.

(b) ISSUE LIMITATION.—An issue may be considered in the judicial review of an action or amendment referred to in subsection (a) only if the issue was raised in the administrative review process described in such subsection.

(c) EXCEPTION.—An exception to the requirement of exhausting the administrative review process before seeking judicial review shall be available if a Federal court finds that the agency failed or was unable to make information timely available during the administrative review process for issues of material fact. For the purposes of this subsection, ''timely'' means within 120 calender days from the date that the challenge to the agency action or amendment at issue is received for administrative review.

AMENDMENT OFFERED BY MR. DICKS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 58, beginning on line 13, strike section 118.

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 in support of my amendment. This would strike section 118, which amends administrative appeals procedures for grazing decisions on public lands to require parties to exhaust all administrative appeals before they may file suit in Federal court.

This is a back-door attempt to curtail the use of court injunctions to stop grazing decisions made by the BLM. Without the ability to seek injunctive relief, opponents of a grazing decision are handicapped because irreparable damage to a resource may occur while the administrative appeals process is being exhausted.

I yield to the gentleman from Virginia (Mr. MORAN), the ranking member, to further discuss this amendment.

Mr. MORAN. I thank the distinguished gentleman for yielding.

We hear from a number of people and organizations around the country who are concerned about this because without the ability to seek injunctive relief from the courts, opponents of a grazing decision are very much handicapped. Meanwhile irreparable damage to a resource may occur while the administrative appeals process is being exhausted. So that's our concern. I know that's the concern of the ranking member of the full committee.

But let me share another concern that I think underlies this whole issue of grazing. Currently—I know the ranking member's aware of this—the Federal Government charges $1.35 per month, per cow to graze on federally owned lands. In the meantime, States like Idaho charge four times that, $5.12; Montana, $6.12. Nebraska can charge up to $41 per acre to graze on State-owned land. Texas—I know the gentleman is aware of this—Texas will charge $65 to $150 per acre per cow. But the Federal Government charges $1.35.

Now that's the kind of Federal subsidy that we really think we ought to go after. When we're cutting deeply into the bone programs for people who are destitute, programs that are absolutely necessary to protect our environment or needed infrastructure in this country, we're giving this kind of a subsidy, $1.35 to graze on Federal land versus as much as $65 to $150 that the great State of Texas charges to graze on State land. And then private land is oftentimes even more expensive. So that's the kind of subsidy that I don't think passes the test of fairness, if the taxpayer was really aware of the kind of subsidy they're providing some grazers on their federally owned land. It ought to be rectified. But this particular issue simply rubs salt into that wound.

Mr. DICKS. Again, I ask for support for my amendment, and 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 Virginia's concern about the cost or the subsidies or whatever he wants to call it, but it has absolutely nothing to do with this amendment. It's a whole different issue. Should the Resources Committee be looking at the prices charged for cattle grazing, or mining, other things? Sure, they should be. It's not the purpose of this bill. It's not the purpose of this amendment.

All this amendment says is that in the past, BLM regulations have required that litigants exhaust the administrative review before litigating in Federal court. That means they have to go through the review process that's been set up administratively before they can go to court.

Recently, numerous lawsuits over grazing have been filed in Federal courts before the administrative review process had been completed. That means they haven't gone through to find out whether they would win or lose on the administrative side. This ties up the BLM field offices because they must respond to both an administrative process on one side and a litigation process on the other side. This provision simply requires litigants to first exhaust the administrative review before litigating grazing issues in Federal court. Litigants could still file for temporary restraining orders, contrary to what you said. They have to show irreparable harm, and they can still file for temporary restraining orders. Nothing in this provision prevents that.

I would hope—and I know the ranking member of the full committee, Mr. DICKS, because we've talked about this before—if we could spend more money actually managing the lands rather than in court, we would all be better off. All this says is, follow the administrative procedures, and exhaust them before you go to court. You still have that option after those administrative procedures have been exhausted. As I said, you can still get a restraining order if there's irreparable harm. This, I think, will cut down on the lawsuits, and I think this is a good provision in the bill.

And I would hope that the gentlemen from Washington and Virginia would recognize how well the underlying bill is written and would withdraw the amendment.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. I am told that the ability to offer a temporary restraining order is very narrowly drafted. So irreparable harm, that wouldn't do it.

□ 1500

Mr. MORAN. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Virginia.

Mr. MORAN. It's only if a Federal court finds that the agency failed, or was unable to make information timely available during the administrative review, according to this language. So it's probably an unreal situation.

Mr. SIMPSON. Reclaiming my time, that's the standard that exists now, as I understand it. We're not changing that.

Mr. MORAN. Will the gentleman again yield?

Mr. SIMPSON. I yield to the gentleman from Virginia.

Mr. MORAN. I would like to make two points. One is that this is clearly authorizing language on an appropriations bill. If we're going to change the law, then it ought to be done by the authorizing committee.

But, secondly, I know the gentleman is aware, you can only get an injunction from a Federal judge if you can prove that you are likely to win your case, or if there is imminent harm. So I don't know why the gentleman is so concerned about the existing legal situation.

Mr. SIMPSON. Reclaiming my time, to answer your question, the reason I'm concerned is the extraordinary amount of money that we are spending in court instead of on managing public lands. That's the real issue here. And we have a process set up where, if you have problems, you can go through an administrative process. Go through it. At the end if you don't like the outcome, go to court. That's all we're saying.

And is this legislating on an appropriation bill? Well, I guess funding unauthorized programs is legislating on an appropriations bill also, which we've done in several provisions in this bill which you support. I hope my colleagues will vote against this amendment.

I yield back the balance of my time.

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

GRAY WOLVES

SEC. 119. Hereafter, any final rule published by the Department of the Interior that provides that the gray wolf (Canis lupus) in the State of Wyoming or in any of the States within the range of the Western Great Lakes Distinct Population Segment of the gray wolf (as defined in the rule published on May 5, 2011 (76 Fed. Reg. 26086 et seq.)) is not an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including any rule to remove such species in such a State from the list of endangered species or threatened species published under that Act, shall not be subject to judicial review if such State has entered into an agreement with the Secretary of the Interior that authorizes the State to manage gray wolves in that State.

AMENDMENT OFFERED BY MR. DICKS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, beginning on line 16, strike section 119.

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

Mr. DICKS. Section 119 exempts from judicial review any final rule of the Secretary of the Interior that delists wolves in Wyoming or the Western Great Lakes States, provided the Fish and Wildlife Service has entered into an agreement with the State for it to manage the wolves.

The irony here is that the majority does not trust any action of Secretary Salazar except if it involves the delisting of wolves. The rider undercuts the public's right to petition a Federal court to review an agency's decision and blocks the court's ability to carry out its customer authority to review executive branch decisions.

Now, I have been a strong proponent of the re-introduction of the gray wolf into Yellowstone and in other areas. This has been one of the most successful operations in restoring a species that had been nearly wiped out in our country. And today we're seeing all of the benefits of this. So I don't think we should undercut the people's right to go to court if they don't think the agency has done this according to the law. And I have great respect for Secretary Salazar, and I'm sure he would agree with me that there should not be a prohibition on judicial review.

And I'd like to yield to the distinguished ranking member for any comments he would have on this.

Mr. MORAN. My only observation is it's ironic that the majority doesn't seem to trust anything that Secretary Salazar does, except if it involves the delisting of wolves. This rider does undercut the public's right to petition a Federal court to review an agency's decision. So, we're establishing a precedent here with regard to wolves. It blocks the court's ability to carry out its customary authority to review executive branch decisions.

That's the way the system's supposed to work. The executive branch makes a determination and, in our system, if there are individuals or organizations that don't agree, they have recourse to the judicial system. This says, no, we're going to suspend that part of the Constitution. No, you don't, you can't go to the courts. The executive branch is inviolate here. They make a decision, that's it. Permanent.

We like Secretary Salazar, and we support Secretary Salazar far more consistently than the majority does, if the majority supports him on anything. But we don't really see why we need to suspend the constitutional process in this particular specific unique circumstance.

So I would support the gentleman's amendment.

Mr. DICKS. Again, I ask for support for my amendment. I think it corrects a flaw in this bill. And believe me, there are a lot of flaws.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the last word.

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

Mr. HASTINGS of Washington. Mr. Chairman, I rise to oppose my friend's amendment. I hope this isn't a pattern long term, but on this particular bill it seems to be a pattern at any rate.

His amendment would strike the important language in H.R. 2584 that addresses the administration's confusing policies involving Endangered Species Act-listed populations of gray wolves nationwide.

As I mentioned on the House floor during a colloquy with Chairman SIMPSON on Monday, the Obama administration has created a confusing and impractical result with its recent announcement to delist the gray wolves in some States, but leave other States, such as Washington, Oregon and Utah with mixed management. H.R. 2584, as written, and as clarified in my colloquy with the chairman, would help remedy this flawed policy.

Problems with the Federal management of gray wolves are nearly as old as the Endangered Species Act itself. Five years after ESA's passage in 1978, the gray wolf was listed as endangered or threatened in all of the lower 48 States. In the mid-1990s, the Clinton administration ordered an experimental introduction of wolves into the Yellowstone area, central Idaho, and the Mexican wolf into Arizona, New Mexico and Texas. It also established a new definition to identify the population of listed species. As a result, wolves multiplied. But, unfortunately, because they can't read maps, they moved into areas where they weren't supposed to go.

In 2003, the Fish and Wildlife Service divided gray wolves into geographical boundaries that made more sense. It included the entire States of Washington, Oregon, Utah and other areas so that States would eventually be able to develop their own State management plans to remove wolves from the endangered species list.

Then, in 2009, the Obama administration reversed course and adopted the theory that wolves should be delisted in Idaho, Montana, and only parts of certain other States, but would leave other areas where wolves likely populate still. This is under ESA.

As a result, in my own Fourth Congressional District in central Washington, and I'll put up a map here, the wolves are delisted on the eastern side of Highways 97, 17, and 395. Highway 97, Highway 17, and 395.

Delisted over here, listed over here. This makes absolutely no sense, and it shows how the ESA is badly in need of updating and how ineffective the U.S. Fish and Wildlife Service is in managing wolves. And I might add, this is true in Oregon, in parts of Oregon and parts of Utah.

So I oppose this amendment because the colloquy that I had with the chairman is one that sets the stage for properly managing these wolves in the States that I associate with.

I just might add on a personal level, I live very, very close to here. But I live in the listed area.

Now, we do fish marking. I know my friend is very well aware of fish marking, and I'm not opposing the authorizing on this bill, as the gentleman knows—this year, anyway. But there is no listing here for the gray wolf. Now, I have no idea if a wolf crosses down here into my area, if it is, in fact, a listed or a delisted wolf.

□ 1510

But apparently Fish and Wildlife think that they know where Highway

97 ends, where 17 comes down here and connects with Highway 395, because that's what their arbitrary rule says. It doesn't make any sense at all.

And so as a result of this, the colloquy I had with Chairman SIMPSON clarified this, that it includes the whole areas that are within that geographic boundary. And for that reason, I oppose my friend's amendment.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I move to strike the last word.

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

Mrs. LUMMIS. I also rise in opposition to the amendment by the gentleman from the State of Washington.

The best way to manage wolves is to let State experts do the job. Now, that's true whether you want to increase the number of wolves in your State, like the gentleman from the State of Washington wants to do, or you want to maintain a recovered population, which is what we want to do in my State of Wyoming.

Now, the truth about current wolf management is that if Washington wants to try to increase the wolf population in western Washington, they cannot do it under the current rules. And in my State of Wyoming, when asked at our committee meeting whether the wolf was fully recovered in the State of Wyoming, the U.S. Fish and Wildlife Service testified that, yes, the gray wolf is fully recovered in the State of Wyoming, has been for a long time.

Mr. DICKS. Will the gentlelady yield?

Mrs. LUMMIS. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate that very much.

I think the problem is that the State of Wyoming, unlike Idaho and Montana, has not come up with a plan where the State would protect the wolf if it were delisted.

Mrs. LUMMIS. Reclaiming my time, I'm coming to that.

The State of Wyoming has a wolf management plan that was approved by the U.S. Fish and Wildlife Service as adequate. And then subsequently, through litigation upon litigation upon litigation, the courts changed their mind, the U.S. Fish and Wildlife Service changed its mind, the court changed its mind again, the U.S. Fish and Wildlife Service changed its mind again. So this is a process that is driven by litigation, not by science, because the science and the numbers both say that the gray wolf is recovered in Wyoming.

Wyoming has a wolf management plan on the books. However, what we are saying here with this amendment is that the State of Wyoming, through its Governor, will negotiate changes to that management plan which, when agreed to with the U.S. Fish and Wildlife Service and submitted to the Wyoming Legislature, will not then be subject to additional whipsaw litigation—that will be the end of it—returning management of wolves to the State experts that should be doing this job.

Wolf management is frozen, and it need not be. By trying to strip this language, the gentleman from the State of Washington emboldens the people who don't want Washington State—or Oregon or Wisconsin or Michigan or Wyoming or any other State—to make its own decisions using its own wildlife biologists. I believe that State wildlife experts, not D.C. cube dwellers, have the expertise and the knowledge and the passion to manage the wolf anywhere they roam.

It is the intent of this legislation as currently written to make sure that the people who have the science, the background, the knowledge to make sure that the wolf, which has admittedly been recovered—admittedly by the U.S. Fish and Wildlife Service recovered—to be managed in a way that ensures that ongoing recovered status and ensures it at the very level where you're able to do it, where the boots are on the ground of the wildlife biologists and the paws are on the ground of the wolf that is already recovered but that needs to be maintained pursuant to a wolf management plan.

Let's trust our States, their wildlife biologists. Let's trust my Wyoming Game and Fish Department that has been recognized as one of the best wildlife management agencies in the country.

I'm stunned that people in Washington really believe that they can do it better and make decisions for wolves they've never seen, in places they've never been, and don't trust wildlife biologists they've never met. It is much better if the people on the ground are where the wildlife are on the ground, where the interaction is on the ground, where the conditions are understood, where the geography is known, where the life expectancy, where the birthrates, where the survivability of the species can be witnessed and determined.

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. I'll be brief, Mr. Chairman, or as brief as I can.

I appreciate this discussion on wolves because it is something that is near and dear to the people of Idaho.

I was the speaker of the house in Idaho when the gentleman from Washington supported wolf reintroduction in Yellowstone and Idaho and Montana and Wyoming—something that Idaho, Wyoming, and Montana frankly didn't want but, nevertheless, the Fish and Wildlife Service said that's what we're going to do and that's what they did. Since that time, Idaho, Montana, and Wyoming have been doing the right thing in restoring these wolf populations.

In Idaho and Montana, they came up with a wolf management plan that was approved by the Fish and Wildlife Service—it was approved—but then it was taken to court because it didn't include Wyoming. And a judge said—not based on science. We're trying to get back to science. But a judge said, You can't just delist in Idaho and Montana; you have to include Wyoming, and Wyoming didn't have a State management plan approved then. Since that time, I understand that the Fish and Wildlife Service and Wyoming have come up with a plan in principle—and they're still working out the details, but I believe that they will have a plan by the end of this year—to delist in Wyoming.

All we're saying is that when they're delisted by Fish and Wildlife Service, they have an approved plan, then it is not subject to judicial review. Because, frankly, there are people who don't think we ought to have any wolf management plan that would include, guess what? Hunting wolves. I know the gentleman from Washington is astounded by that. Our Governor has indicated that he likes to hunt wolves. The problem is wolves have no natural predator out there except hunger. When they've done away with the food supply, some wolves die; otherwise, they just continue to grow in population.

Anybody that thought we were going to reintroduce wolves into the Rocky Mountains and there wasn't going to be some type of control—a hunt or whatever—were living on a different planet. But those same people now that wanted the wolves reintroduced, that oppose any type of wolf management, go to court to try to stop the delisting.

The gentleman from Washington has explained the problem that exists when you have mixed management of wolves that get confused. They don't know which side of the line they live on, whether they're protected or whether they're not protected, whether they can go out and eat your puppy dog or not. So they're confused wolves. We're trying to clear that up for them.

And in the Great Lakes, the Great Lakes have had a population that is greater than in the Rocky Mountains and have been deserving of delisting for a number of years but have just not gotten it done.

And contrary to what the gentleman from Virginia said, I actually think the Secretary of the Interior is doing a good job. There are many things I agree with him on. Many of my westerners would disagree with that. I happen to think he's doing a good job as Secretary of the Interior. I don't agree with everything he does, but you know what? When I call him up and say we've got some real problems with this, he listens—he might not agree after he listens, but he listens to us. That's all I ask from a gentleman in that position.

So don't believe that we are critical of the Secretary. We do have some differences of opinion, and I realize that he works in an administration that

makes it difficult for him sometimes. He's from Colorado. He knows western issues. But I have enjoyed working with him.

And I trust the Fish and Wildlife Service and the science that they provide to delist wolves better than I do adjudge. That's why this language is here. Wolves will still be protected in Idaho, Montana, Wyoming, Washington, Oregon, Utah, where they have expanded to, and in the Great Lakes.

□ 1520

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. As I recall, the fact was that Montana and Idaho had plans that would protect the wolves if they were delisted, and then at some point they would take further action if necessary to protect the wolves if too many of them were killed.

The problem with Wyoming was Wyoming's plan didn't have credibility. Now I understand that it does. But what the judge was saying is that you have to protect the wolf throughout the area, which included Wyoming. That's why they couldn't delist it without dealing with Wyoming, and Wyoming wasn't ready. So, I hope that Wyoming will come up with a credible plan at the State level to keep the wolf going.

Mr. SIMPSON. Reclaiming my time, the gentleman is right. If wolf populations get below acceptable levels, then they go back on the endangered list. Guess what. Wyoming and Montana and Idaho are not going to let that happen.

I think this is a good way to go for proceeding with the Endangered Species Act and making sure it does what it's intended to do.

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

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. SIMPSON was allowed to proceed for 2 additional minutes.)

Mr. HASTINGS of Washington. Will the gentleman yield?

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

Mr. HASTINGS of Washington. I asked the gentleman to yield because this is precisely the point that this debate and discussion on the Endangered Species Act is having.

If you recall in the CR, the Endangered Species Act was amended to allow Idaho and Montana to delist, because the way ESA was written, unless the whole identified population could have been managed, nobody could manage, and that was the flaw. And that's what we have been saying—as we had last night and we will probably have later discussions on this—why ESA needs to be looked at in a comprehensive way, because it was clearly a flaw. It was clearly a flaw. I'm glad that the CR amended the Endangered Species Act to take care of this provision.

The colloquy that we had regarding Washington, Oregon, and Utah was simply to recognize these larger populations but recognize States are moving in a direction of managing their populations.

Mr. SIMPSON. I thank the gentleman for his comments.

I would just say to the gentleman from Washington that was supportive of the reintroduction of wolves in Idaho and Montana and Wyoming that put us in this situation, several wolves——

Mr. DICKS. I want to say to the chairman, if you would yield, I also tried to reintroduce the wolf in western Washington, but the chairman of the Interior Committee in the other body disagreed with me.

Mr. SIMPSON. Reclaiming my time, western Washington.

I just want you to know that there have been several wolves that have come to my house, and they presented me with a petition that they would like to visit the Cascades.

Mr. DICKS. We'd like to have them.

Mr. SIMPSON. You're welcome.

Mr. HASTINGS of Washington. Will the gentleman yield real quickly?

Mr. SIMPSON. I would be happy to yield.

Mr. HASTINGS of Washington. As a matter of fact, the gray wolves are showing up in the Cascades now, the eastern side of the Cascades. So you'll get them.

Mr. DICKS. The Olympics too.

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

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:

TRAILING LIVESTOCK OVER PUBLIC LAND

SEC. 120. During fiscal years 2012 through 2014, the trailing of livestock across public land (as defined by section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) and the implementation of trailing practices by the Bureau of Land Management shall not be subject to review under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

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:

Page 60, beginning on line 6, strike section 120.

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

Mr. DICKS. Section 120 provides that for 2012 through 2014, the movement of livestock across public land shall not be subject to NEPA review.

Proponents of this provision will argue that moving cattle from one location to another shouldn't require a NEPA review. However, this movement of cattle can be across wide swaths of public lands and take weeks, not just days. The impact on water, plants and other wildlife species, including bighorn sheep, can be significant.

I would like to yield to the ranking member to further discuss this amendment.

Mr. MORAN. I thank the gentleman for yielding.

Some on the other side may be thinking, well, what's a guy from a heavily residential suburban area in the Washington area and with no cattle in his district know? So I would have thought this would have been a perfectly fine amendment: What do you need to have restrictions for livestock moving from one place to another?

But upon further investigation, what is not immediately apparent becomes very important. As the gentleman has said, we're talking about very wide swaths of land that are covered by these livestock movements, and they don't just take a few hours or a few days to cross. Sometimes they can take weeks. When you've got very large herds of cattle, you can cause quite a bit destruction to the soil, to the brush, to waterways, to any number of environmental resources in the process of major transfers from one area to another of very large herds of cattle. There can be very substantial environmental destruction. That's why those who are involved in this feel there ought to be a NEPA review. The National Environmental Policy Act will review it, it will tell us what the ramifications will be, what are the consequences, and then based upon that information it empowers those who have land or interests that would be adversely affected by large movements of cattle from one place to another. That's why the NEPA review has an appropriate place and role to play in this, and that's why I think the gentleman's amendment makes a lot of sense and I would support it.

Mr. DICKS. 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. Referring my remarks to the Chairman, I've got to get the gentleman from Virginia on a horse out with some cattle.

Mr. Chairman, I rise in opposition to this amendment. ''Trailing'' is the process of moving a livestock herd from one grazing area to another. It generally doesn't take weeks. It certainly doesn't take weeks in the same location. You're moving from one location to another. Trailing has no significant impact on the environment, so

while in the past it has been generally considered part of the process of grazing on public lands, the BLM has rarely conducted environmental assessments on or issued permits for trailing itself, focusing instead on the impacts of grazing.

Recently—and this is the problem and this is why this amendment is before us—environmental activists that want to get cattle off of public lands, and they have a right to try to do this—I disagree with them—have focused their attention on trailing as a way to shut down grazing on public lands.

Congress, not the courts, has the authority to determine public land policies, and today responsible grazing is an important and legitimate use of public lands. Unfortunately, because activists have tied local BLM offices up in knots with litigation, judges are now determining how public lands can be used in the West.

This provision—and this is the important part—attempts to get ahead of this issue by exempting trailing from NEPA requirements for 2011 through 2014. The Forest Service on their grazing permits require permits on trailing. The Forest Service does. The BLM has not in the past. But, instead, these litigations are tying this up in knots. The BLM is going through a process to include trailing when they issue their grazing permits, so that the NEPA process on trailing will be included. The problem is between now and when they get that completed, we're going to be in court spending all our money in court rather than getting this process moving forward.

We're not opposed to requiring NEPA process on trailing permits just like the Forest Service does, but what this does is exempt this through 2014 while BLM, for lack of a better term, gets their act together. That's all this does.

I yield back the balance of my time.

□ 1530

Mrs. LUMMIS. Mr. Chairman, I move to strike the last word.

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

Mrs. LUMMIS. I rise to oppose the amendment as well, Mr. Chairman.

There is a gentleman who is a wildlife biologist by the name of Allan Savory, and Allan Savory studied the way that the buffalo grazed on the sweeping landscapes of the American West. Buffalo grazed in a manner that cut wide swaths. Concentrated numbers of buffalo would move through and graze literally everything down to the nubs, both the weeds, the buffalo grass, and all of the very nutritious hard grasses and the grasses of the Sandhills of Nebraska, very different, very nutritious grasses that we call hard grasses. Some short hard grass, and others the tall grass. But they'd take everything out. They would at the same time, through their split hooves knead the soil in a way that allowed those lands to regrow more healthy, stronger, more filled in than they were prior to this intensive short-term grazing. That's how buffalo grazed the plains of the United States before people were here.

So Allan Savory took those same practices to Rhodesia and studied the manner in which grazing occurred there, and created something called the Savory system. The Savory grazing system is now used in a number of places throughout the West, and it actually emulates the way that buffalo grazed. And that is what happens when you trail cattle and sheep across public lands in a manner which keeps them concentrated for very short periods of time where they do very intensive grazing for very short periods of time, and then get off that land quickly so grass can regenerate so you don't have the type of runoff that happens when you have some charismatic megafauna overgrazing repeatedly day after day after day in the same place.

That's why these grazing practices are appropriate, these trailing practices are appropriate, and actually create a healthier grazing situation that carries a long-term, studier, stronger, healthier grass resource to be used by wildlife and domestic animals.

That is why on a scientific basis there is great rationale for relieving people who trail livestock across public lands from the onerous, expensive obligations of the NEPA process. I appeal to the desire to use sound science in the manner in which we approach these issues and not the type of emotional arguments that are raised by people who are just philosophically opposed to grazing.

I yield back the balance of my time.

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 121. The Secretary of the Interior shall—

(1) log and track the specific reasons for the Bureau of Ocean Energy Management, Regulation and Enforcement returning to an applicant, without approval, any exploration plan, development and production plan, development operations coordination document, or application for permit to drill submitted with respect to any oil and gas lease for the Outer Continental Shelf; and

(2) provide quarterly reports to the Committee on Appropriations and Committee on Natural Resources of the House of Representatives and the Committee on Appropriations and Committee on Energy and Natural Resources of the Senate that include—

(A) the date of original submission of each document referred to in paragraph (1) received by the Bureau in the period covered by a report;

(B) for each such document—

(i) the date the document was returned to the applicant;

(ii) the date the document is treated by the Bureau as submitted; and

(iii) the date of final agency action the document.

AMENDMENT OFFERED BY MR. DICKS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, beginning on line 15, strike section 121.

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

Mr. DICKS. Section 121 requires the Bureau of Ocean Energy Management, Regulation and Enforcement to keep detailed records and provide quarterly reports on any oil and gas permit or plan that was not approved by the agency. They don't ask for the ones that were approved, just the ones that were not approved.

This is the majority's attempt to try to speed up the approval of oil and gas permits and plans, and I have no objection to that. Here we are 16 months after Deepwater Horizon, and the Congress hasn't enacted a single significant safety reform. Despite the serious safety and environmental shortcomings found as a result of the Deepwater Horizon tragedy, the majority wants BOEMRE to return to the good old days of lax reviews and quick approval of oil and gas permits and plans.

I think this provision should be stricken.

I yield to the ranking member for his comments on this provision.

Mr. MORAN. I thank the gentleman. Not surprisingly, I fully agree with the gentleman that this language again is inappropriate in here. It's punitive. It requires excessive record-keeping, and ironically, because normally we are getting complaints there is too much record-keeping. Well, now what we do is we're requiring in this bill even more detailed records that are not now required. It is going to expand the bureaucracy. They have to provide quarterly reports on any oil and gas permit or plan that wasn't approved by the agency.

So in other words, the intention is to discourage the agency from not approving anything even if they feel that the oil and gas drilling operation might not be a safe one, that they don't have the requisite rules in place to prevent a Deepwater Horizon tragedy.

It says for each such document that the bureau receives, they have to provide the date the document was returned to the applicant, the date the document is treated by the bureau, and the date of final agency action, and on and on. More and more records that are not necessary.

We know what the intent of this is. It's to tell BOEMRE, the new Bureau of Ocean Energy Management Regulation and Enforcement, it's in your interest to just speed these along. Don't hold up any of these permits because if you do, you're going to have this very burdensome requirement on you. Here it's 16 months after Deepwater Horizon, and the Congress hasn't enacted a single significant safety reform. And the majority wants us to return to the good old days of very lax reviews, quick approvals of every oil and gas permit and

plan. And if you don't, we're going to impose this very burdensome requirement on BOEMRE. That's just not in the interest of safety. It works against our resolve not to let a Deepwater Horizon tragedy occur again.

I'm using this acronym BOEMRE. For those who don't know what it means, it's the Bureau of Ocean Energy Management, Regulation and Enforcement. It's the new agency that was set up to prevent any future Deepwater Horizon tragedies. So here we're seeing language that is intended to mitigate against BOEMRE being able to do its job. I strongly support the intention of the ranking member of the full committee in striking this burdensome language.

Mr. LATOURETTE. I move to strike the last word in opposition to the amendment.

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

Mr. LATOURETTE. Mr. Chairman, you know, if a little green man from outer space came and landed and watched this debate, he'd be puzzled. If the gentlemen on the other side were so concerned about the Culberson amendment, I'm puzzled why they didn't request a recorded vote in the committee. This was adopted in the committee, full committee markup, by a voice vote.

But beyond that, nobody wants another Deepwater Horizon. But this language that the gentlemen are objecting to says that this new agency will report quarterly to Congress on the status of permitting and why permits were rejected. Now why would the gentleman not want to have transparency and oversight over an agency to which we appropriate dollars?

Now this wouldn't puzzle me if we just hadn't come off of 4 years of a majority that was preaching to us about transparency and oversight and openness. Why wouldn't you want some report issued by the agency that tells us what they are doing with the money that we appropriate to them and what's the status and why a permit was rejected. That's a reasonable question.

□ 1540

Just to move to a different agency—you may not know this, Mr. MORAN. I've lived in Mr. MORAN's district for a period of time when I'm here in Washington, D.C., and I never saw anybody grazing and I never saw anybody moving livestock. But in my area, I will tell you that we're the nursery capital of the world. We are very much concerned with the guest worker program.

Under this administration, applications for guest worker applications have been denied at an alarming rate. When we ask the Department of Labor how many have been denied and how many have been appealed and how many appeals have been successful, they keep those records. You know why? Because that's a reasonable inquiry by a Member of the Congress, a member of the public, a guy who's growing arbor vitae in Perry, Ohio. So to describe this as somehow burdensome and crippling and somehow going to lead to a another Deepwater Horizon disaster is just ridiculous.

The guys on the other side, Mr. Chairman, are great Members and great advocates for a lot of things, but this argument doesn't even pass the straight face test. And I would respectfully urge that it be defeated.

Mr. MORAN. Will the gentleman yield?

Mr. LATOURETTE. I yield to my former Congressman, the gentleman from Virginia.

Mr. MORAN. Thank you.

You have this deep-seated concern about why we did not ask for a vote; so I can clarify that. The reason is we were overwhelmed with more than 40 amendments and we were trying to look to the welfare of the rest of the committee. There's only so many of these issues that you can call a recorded vote on, so we tried to be reasonable.

Mr. LATOURETTE. Reclaiming my time, I can appreciate the pressure that the gentleman found himself under. There are over 200 amendments. We're approaching 200 amendments on this particular piece of legislation.

I recall sitting in another full committee markup where the gentleman asked for a recorded vote on whether or not we could use Styrofoam containers in the House cafeteria. So clearly, the gentleman has to be as concerned about knowing what it is this new agency is doing relative to permits as he is about Styrofoam containers in the cafeteria.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. This year, I'm sure the gentleman has noticed, we've been trying to reestablish regular order—having a subcommittee markup and a full committee markup and amendments on the floor, which is welcomed by our side. So we have to kind of make a decision: Are we going to ask for a vote on every single issue? We never do that. We try to cooperate. This is comity, something that the gentleman from Ohio understands quite well.

So I would just remind him that we're trying to get through these bills, and that's why we try to not ask for a vote on everything. We wanted to save this one for the floor so the American people would hear about what's going on.

Mr. LATOURETTE. Reclaiming my time, I appreciate it. I know the gentleman said "comity," not "comedy." I think it's comedy with a "d" that reigns here. I trust that the gentleman has had his tongue firmly implanted in his cheek as he made that observation.

I yield back the balance of my time.

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

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

Mr. FLEMING. Thank you, Mr. Chairman.

I hail from Louisiana, which of course is a very big part of what this section 121 is about and certainly what the amendment is about. Just bringing everyone back, we had the Deepwater Horizon spill, which was a tragic situation which has hurt Louisiana in several ways, one being, of course, oil in the water. That's obvious. But then, of course, the many jobs that have been lost.

Going back over history, what we found is that in response to this the President brought together 10 experts to determine whether or not drilling should be stopped in deep water off the shores of Louisiana—in the Gulf of Mexico, in fact. This board of experts came together and said, no, that should not happen. We should continue forward. We can solve this problem. We can prevent it from happening. Nonetheless, the President came out and said, no, let's shut down drilling.

Well, when that didn't work, the President and Secretary Salazar slapped a moratorium on drilling. Then there were lawsuits. Then we had a de facto moratorium. Then we had a permitorium after there was a stay placed by a judge. Today, we have what I would call a "slowitorium" on permits and leasing in the Gulf of Mexico.

So it's very clear what's going on is the fact that even though the administration can't get the courts to stop drilling in the Gulf of Mexico, even though the other side can't advance legislation, they're trying to do it administratively by slowing the process down. So all we ask, the people of Louisiana, is some transparency on this issue.

Section 121 does some very simple things. It just says the Secretary of the Interior shall log and track the specific reasons for BOEMRE returning to an applicant without approval any exploration plan, development and production plan, development operations, coordination document, or application, et cetera, et cetera.

We're getting reports continuously from drillers, from contractors who are out there trying to drill, that they put in applications. Weeks, months go by; they hear nothing. Finally, they get it back and an "i" was not dotted, so now they've got to start the process all over again.

So all we're asking is that integrity be brought back into this process, that there be accountability back into this process.

And the gentleman is absolutely right. We do want to get drilling back up in the Gulf of Mexico. We were at a peak of 1.7 million barrels a day before this incident. It has dropped now to 1.59 million barrels a day. And it's going to continue to drop because we have a process in which permits and leasing are still way off track. They're not back to the levels they were. And production is going to net down. As a result of that, we're going to continue to see oil and gas prices going up.

So despite what is coming out of the Secretary of the Interior, drilling and production is not up; it's down. And it's continuing down and will continue to do so for the foreseeable future until we get the permits and the leases back up.

I certainly suggest, Mr. Chairman, that my colleagues and I should oppose this amendment. We do need to have transparency and accountability in BOEMRE when it comes to offshore drilling

Mr. MORAN. Will the gentleman yield?

Mr. FLEMING. I yield to the gentleman from Virginia.

Mr. MORAN. The gentleman is quite right that there are now 1.6 billion barrels per day being drilled. Today, 67 new shallow water well permits have been issued since the implementation of these new standards. They're averaging six per month. The average before the disaster had been eight. So they're catching up. Just three of these permits are currently pending. Eight have asked for more information, have not been denied.

In terms of deep water, 75 permits have been issued. There are 25 pending. Twenty-two have been asked for additional information. Mostly, that information is with regard to containment, which is exactly what we instructed the Bureau of Ocean Energy Management to do: are they sure, can they assure us that they can contain any spill.

So things are not quite as dire as you might believe.

Mr. FLEMING. Reclaiming my time, I would just suggest that we're still well off pace. And accountability is not going to be a factor in that.

I yield back the balance of my time.

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

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

Mr. CULBERSON. Mr. Chairman, in the 7 months before the blowout, there were 49 deepwater permits issued. And in the 7 months since the moratorium was allegedly lifted, there's only been seven deepwater permits issued. We in the committee adopted this amendment, which I was proud to offer, simply to shine sunlight on the process. All the language in this bill requires is that the agency report to the American people and report to Congress the reasons why a permit for exploration or for drilling has been slowed down or delayed.

We're all committed to transparency. We all want to know where and how our tax dollars are being spent. And the slowdown in drilling in the Gulf of Mexico has had a catastrophic effect on employment. We've lost 60,000 jobs since 2008 in the Gulf of Mexico area. If we would get back to the levels of drilling, of permitting, both shallow and deepwater, that we were before the blowout, it's estimated that as many as 190,000 jobs could be created in the Gulf of Mexico in about 18 months, with about 400,000 industry-supported jobs across the United States supplying equipment to the offshore oil industry.

No one has a stronger stake in protecting the environment than we have that live there. These folks that work for these great companies are my friends and my neighbors. I'm proud to represent so many of these companies. Houston, Texas, is to the oil industry what Silicon Valley is to the computer industry.

□ 1550

These are engineers. These are the scientists. These are people who live and work in and around the Gulf of Mexico, who fish there, whose kids play on the beaches. Being a Houstonian and growing up along the gulf, I remember tarballs were common on the beach in Galveston. You just don't see it anymore.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. I just wanted to say that the gentleman and I have worked together, and I have great regard for him. I just wanted to mention a couple of facts and that, if we take up time, I'll try to get you extra time.

''To date, 67 new shallow water well permits have been issued since the implementation of new safety and environmental standards on June 8, 2010. Permits have averaged more than six per month over the past 8 months compared to an average of eight permits per month in 2009. Just three of these permits are currently pending, with eight having been returned to the operator for more information.'' Now, the question I have is:

Why don't we ask them to give, when they're doing the report, not just the ones that they've turned down but the ones that they've approved? I mean, wouldn't the gentleman want to have all that information instead of just the negative side of this?

Mr. CULBERSON. In reclaiming my time, as for the permits that have been approved, of course that's a matter of public record; but as for the permits that have been rejected and that are not yet a matter of public record, we want to see those and know why they've been rejected, why they've been delayed. That's all this language requires is that they shine sunlight on every corner of the process. Many of these permits have been rejected for reasons that are not directly tied to the substance of the application. I've seen permits that are rejected because the typeface wasn't, in the opinion of the permitter, correct. It is clear that there has been a slow-down and that this administration overreacted to the spill. It has deliberately slowed down the permitting process and has made it more difficult for Americans to find American oil and gas.

We are committed to drill here and drill now in a way that is safe and clean, that protects the environment but yet takes advantage of the natural resources that God has so abundantly blessed this continent with. The Gulf of Mexico demonstrated that it can be done cleanly and safely; and there is no quicker way to generate high-paying jobs than to open up drilling in the continental United States, particularly in the Gulf of Mexico. Those rigs are gone, by the way, Mr. DICKS. Once those rigs leave the Gulf of Mexico, they don't come back.

Mr. LATOURETTE. Will the gentleman yield?

Mr. CULBERSON. I would be happy to yield to my friend from Ohio.

Mr. LATOURETTE. I thank the gentleman very much for yielding.

The reason that this is the greatest deliberative body in the world is that sometimes during the course of a very intelligent discussion the truth and facts come out. Now, both the gentleman from Washington and the gentleman from Virginia have been able to cite chapter and verse of how many applications have been applied for, where they are, and what has happened to them. So, to suggest that somehow this is going to create some additional burden, you've got to add a line: ''We denied it because . . . ''

So I trust that, based upon the sunshine that has now been brought forth to the good facts by the distinguished ranking member, perhaps we can get past this amendment, in the interest of comity, without a recorded vote as we did in the committee.

Mr. CULBERSON. I thank the gentleman from Ohio, and I urge the House to defeat this amendment.

Mr. DICKS. Will the gentleman yield again just briefly?

Mr. CULBERSON. I would be happy to yield to my friend from Washington.

Mr. DICKS. Now we get to deepwater: Since an applicant first successfully demonstrated containment capabilities in mid-February of this year, BOEMRE has approved 75 permits for 21 unique wells, with 25 permits pending and 22 permits returned to the operator with the request for additional information, particularly information regarding containment.

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

(On request of Mr. DICKS, and by unanimous consent, Mr. CULBERSON was allowed to proceed for 1 additional minute.)

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

Mr. DICKS. Now, we want them to do this safely. We don't want to go through what we went through, which was one of the greatest disasters in the history of the country.

Mr. CULBERSON. Cleanly and safely.

Mr. DICKS. I just hope that we can have reports not only about the ones that are turned down. As you say, it may be that the other ones are part of the public record, but I think the report should come back with both of these if it's going to come to the Congress. You know how this place works. Not everybody sees these public

records. If these reports are going to be used by the committee, we ought to have both sides of the equation.

Mr. CULBERSON. Reclaiming my time, I couldn't agree more. We find ourselves in agreement that sunshine is a healthy thing, and that's the purpose of the language in the bill.

With all due respect, Mr. DICKS, it is important that the House reject this amendment so that we can have sunlight in every corner of the permitting process and so that the public and the Congress can know why these permits have been delayed or denied so that we can open up the Gulf of Mexico to drill here and drill now—cleanly and safely.

I yield back the balance of my time.

Ms. BROWN of Florida. I move to strike the last word.

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

Ms. BROWN of Florida. I feel, I guess, like a lot of Americans in that I just can't act like it's business as usual. I am very upset that the FAA has shut down. Let me just tell everyone that H.R. 2644, by Representative COSTELLO, was filed yesterday. It is a clean reauthorization of the FAA bill.

Saturday morning at midnight, following 20 previous clean extensions, funding for the Federal Aviation Administration was allowed to expire. Why did this happen? Simply because the Republican Party's lack of leadership over the debt ceiling debate is the same as their position with the FAA. Over 4,000 people have been laid off and over 3,000 in Florida—good construction jobs.

Just last night, I spoke with a single mother of two children, a woman from Kansas, who received an eviction notice at her apartment because she is not going to be able to pay her bills because of this impasse. These are real people. I repeat:

The reason the FAA extension has not been renewed is because the House Transportation Committee chairman inserted language in the FAA extension bill that would end a program that provides subsidies to rural airports.

So, yes, this is another example of the Republican Party's, ''if you don't do it my way, then we'll just shut it down, shut it down.''

Let me be clear. There are people here in the Capitol who flew up. They paid, let's say, $500 for their tickets. The aviation still charged the $500, but the money that goes to fix up the airport, that money is going now to the airline industry. In fact, they have raised the ticket price. This is an example that, if we don't do our job, the people get hurt, and that goes back to what everybody is so nervous about as far as what we should do about raising the debt ceiling.

I spoke to the longshoremen on Monday. I asked them: Have you ever heard of it before? Not one person. Do you know I voted for it seven times under President Bush? They didn't know that. Four times under President Clinton and 19 times under Ronald Reagan? Yet, we've got people who will bring down the United States Government if they don't have their way:

It's our way or not at all.

I was here under President Bush when we had 8 years of what I call ''reverse Robin Hood''—robbing from the poor and working people to give tax breaks to the rich. We did the same thing in December. We gave $70 billion to the millionaires and billionaires, and now people are calling my office, wanting to know whether or not they're going to get their Social Security checks. There is something wrong with that. There is something wrong in the people's House that we are having senior citizens worrying about whether they're going to get their Social Security checks or whether they're going to get their veterans' checks. We can include the billionaires and millionaires, and we've got people over here from Louisiana to whom we've given billions of dollars; yet we want to close the opportunities to help other areas when we have disasters. That's what a budget is about. The budget determines your priorities.

It's a sad day in the people's House when we have people in this House who do not care about the American people; they only care about the next election. I can truly say that you can fool some of the people some of the time, but you can't fool all of the people all of the time. So the people who have lost their jobs at the FAA because of politics, wake up. The people who think that it's okay to rob Social Security, Medicaid, Medicare—education—wake up.

□ 1600

You know, elections have consequences, and we are going to have another election. And the people in this country are going to wake up, and they're going to realize that we're going to move forward or move behind. And clearly we've got people in charge that are only interested in pushing us behind.

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

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

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

Mr. LANDRY. I find it very amusing that the gentleman from Virginia and the gentleman from Washington would use an argument that we are overburdening a Federal agency when it is that side of the aisle that has a tendency to overburden and overregulate and demand reporting from our private sector. They have no problem asking the private sector to report things to the government so that they can discern whether or not the private sector is conducting its business accordingly.

And when this amendment comes up—and we're simply asking for transparency in order to see whether or not my constituents are being disingenuous or whether it is the government that is being disingenuous in the permitting process. That is simply all we're asking here.

This allows us to help separate fact from fiction as to whether or not BOEMRE is rejecting permits for ridiculous reasons or legitimate reasons.

And so, again, it just amazes me that when we have an opportunity to shed a little light on a Federal agency that the party who has claimed that it's all about transparency and open government is now trying to shield that agency.

Therefore, Mr. Chairman, I believe this amendment should fail.

I yield back the balance of my time.

The Acting CHAIR (Mr. POE of Texas). The question is on the amendment offered by the gentleman from Washington (Mr. DICKS).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

LEASE AUTHORIZATION

SEC. 122. (a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the ''Secretary'') may lease to the Savannah Bar Pilots Association, or a successor organization, no more than 30,000 square feet of land and improvements within Fort Pulaski National Monument (referred to in this section as the ''Monument'') at the location on Cockspur Island that has been used continuously by the Savannah Bar Pilots Association since 1940.

(b) RENTAL FEE AND PROCEEDS.—

(1) RENTAL FEE.—For the lease authorized by this Act, the Secretary shall require a rental fee based on fair market value adjusted, as the Secretary deems appropriate, for amounts to be expended by the lessee for property preservation, maintenance, or repair and related expenses.

(2) PROCEEDS.—Disposition of the proceeds from the rental fee required pursuant to paragraph (1) shall be made in accordance with section 3(k)(5) of Public Law 91–383 (16 U.S.C. 1a–2(k)(5)).

(c) TERMS AND CONDITIONS.—A lease entered into under this section—

(1) shall be for a term of no more than 10 years and, at the Secretary's discretion, for successive terms of no more than 10 years at a time; and

(2) shall include any terms and conditions the Secretary determines to be necessary to protect the resources of the Monument and the public interest.

(d) EXEMPTION FROM APPLICABLE LAW.—Except as provided in section 2(b)(2) of this Act, the lease authorized by this Act shall not be subject to section 3(k) of Public Law 91–383 (16 U.S.C. 1a–2(k)) or section 321 of Act of June 30, 1932 (40 U.S.C. 1302).

SELF-DETERMINATION DEMONSTRATION PROJECT

SEC. 123. The Director of the Bureau of Indian Affairs shall reinstate the Demonstration Project that was in place from 2004 until 2008 for the Indian tribes within the California Tribal Trust Reform Consortium, the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, and the Chippewa Cree Tribe of the Rocky Boys Reservation; shall thereby ensure that the participating tribes shall be able to continue operations independent of the Department of the Interior's trust reform and reorganization; and shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in title IV of Public Law 93–

638 (25 U.S.C. 458aa–458hh): *Provided*, That the California Trust Reform Consortium and any other participating Indian tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior, including complying with section 102 of Public Law 103–412 (25 U.S.C. 4011): *Provided further*, That participating Indian tribes shall timely transfer funds and supply sufficient data to enable the Secretary of the Interior to comply with section 102 of Public Law 103–412 (25 U.S.C. 4011) for accounts that are maintained by the Department of the Interior when funds are being collected by the Indian tribes: *Provided further*, That such Indian tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to do so: *Provided further*, That the Secretary of the Interior shall provide funds to the Indian tribes in an amount equal to that required by section 403(g) of Public Law 93–638 (25 U.S.C. 458cc(g)(3)), including funds specifically or functionally related to the provision of trust services to the Indian tribes or their members.

WILD LANDS FUNDING PROHIBITION

SEC. 124. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

AMENDMENT OFFERED BY MR. MORAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 64, beginning on line 15, strike section 124.

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

Mr. MORAN. Mr. Chairman, as the amendment states, I seek to strike section 124 of this bill because section 124 prohibits expenditures for the Bureau of Land Management to carry out its lawful duties under the Federal Land Policy and Management Act of 1976.

Secretary Salazar issued an order appropriately. It was called 3310. It stated the policy that BLM, the Bureau of Land Management, should act consistently with the law. Section 201 of the law, the Federal Land Policy and Management Act, requires that the Interior Department maintain a current inventory of land under its jurisdiction and that it identify within that inventory of land the resource values including wildernesses of those lands.

Now, section 101 of the Federal Land Policy Act also says that certain public lands should be maintained in their natural state. Now, that's the law, the law since 1976. Secretary Salazar is simply attempting to implement that law.

Despite what some have claimed, Secretary Salazar's order does not create any de facto wilderness. One of the reasons that I would strike section 124 is that it will then return BLM wilderness policy to the way that it has operated for 27 years until it was unilaterally changed by then-Interior Secretary Gale Norton in 2003 in the Bush administration.

Now, the order that Secretary Salazar has issued directs BLM to develop recommendations to the Congress regarding wilderness land designations. And it directs public involvement in the development of those recommendations. Now what could be wrong with that—make recommendations to the Congress and have public involvement?

But section 124 of this bill removes the requirement for public involvement. Why are we afraid of public involvement? And it also removes the requirement for the Bureau of Land Management to provide recommendations to the Congress.

Why does this bill want to prevent the Secretary of the Interior from making recommendations to the Congress and for having public involvement?

It's not going to prevent the Congress from designating wilderness. What it does do is to prevent the Congress from being properly informed before we can consider those designations.

The Secretary's order is the kind of good government process that encourages public involvement and forward thinking. As a demonstration of that forward thinking, Secretary Salazar reached out to the Congress in June, just a short while ago, and asked for Members' input into the wilderness characteristics of lands within their districts. Isn't that what we want them to do, reach out to the Congress, ask for our input?

I don't know what more we can ask from the Secretary or from the Bureau of Land Management but an open, public process with congressional input.

But this section that I think should be struck, this section 124, wants to foreclose that process, foreclose that open, public process with recommendations to the Congress.

It was a process that the majority and the committee report applauded.

Let me say further that wildlands do have real benefits. They have economic, they have environmental, and they have aesthetic benefits. It's important that we protect not only public land in its natural state but that we protect our ability to make informed decisions about which areas should or should not be designated as wilderness areas.

I do think we need the secretarial order so that we can be informed so that we can make the right decisions with regard to those designations. Wilderness areas are important, but it's also important that we maintain our responsibility. The Secretary makes recommendations to us for us to make these designations within the context of a public process.

I yield back the balance of my time.

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

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

Mr. BISHOP of Utah. I appreciate very kindly the gentleman from Virginia and his explanation of this particular provision that's in the bill. Unfortunately, it's not quite that way. Your recommendation of this is that in June the Secretary asked for our input as to wilderness, which is indeed exactly what he should do if he wants to obey the law. That is the proper course. Only Congress has the ability to designate wilderness areas.

□ 1610

You said that the provision that's in the bill would foreclose that process. In fact, you're arguing the exact opposite. This provision in the bill does not allow the Secretary to go around that process but insists that he does come and work with Congress to do any kind of land designation as it is written in the law.

Secretary Salazar and Deputy Secretary Hayes and BLM Director Abbey have all assured us that they have no plans to implement this ill-advised policy they established just before Christmas, a Secretarial order that usurped congressional authority and congressional responsibility. I'm going to take them at their word. Unfortunately, though, the order has never been withdrawn officially. It has been superseded.

The Solicitor General's opinion to clarify the legal status of that superseding of the opinion has been promised us. It was promised to the chairman, promised to the chairman of the authorizing committee. Yesterday at a hearing we asked where that was, and we were told once again, well, it's on its way. What was said at that hearing, obviously, is what they will do is nothing contrary to the provision that was placed in the CR. Therefore, if we are going to take their word for it—in the old Reaganesque form, ''Trust, but verify''—continue this language in here and make sure that what they claim they will do will be done and there is no legal way of getting around it.

Now, I say that legal process for a purpose. Even if I trust the word of the Secretary—and I do—if this provision is in some way legally in doubt—now, once again, until the Solicitor General's opinion is clear with us, it is in doubt—in a litigation-prone society like we have, any kind of radical activist may ask a renegade judge for political purposes to contravene what the policy states it's supposed to be. That's why I support Congresswoman LUMMIS' inclusion of this language in here. It would oppose any kind of roundabout process of going around Congress and allowing the administration to go around NEPA and around FLPMA, which is actually what the original order did.

It is not that we don't have confidence in this process; it's simply that we want to make sure it is very clean. And if, indeed, we all agree and believe what the Secretary is saying, then this language in here has no impact whatsoever. It should be accepted by all of us. If, though, you want to try to have some kind of dangling aspect out there so that somebody can sue someone

somewhere and maybe change the entire process, then create doubt and actually withdraw language that was in the CR that was approved by the House and the Senate and signed by the President.

What we're asking for is consistency so that what the gentleman from Virginia said will indeed happen, that if wilderness is designated, it will be done by Congress—it is our legal responsibility to do it—and that no one can do these evaluations, which are legal under FLPMA, with only one criterion. That, once again, was admitted by Director Abbey in our committee that that is not the way the law is written, and indeed if you do that, that is abrogation of the law.

Now, once again, you have a process here. If you leave the language in there, it's no harm, no foul. It is consistent with the law, and it is consistent with what the Department of the Interior said their policy will be. You take this language out, and all of a sudden you have created a doubt. Find somebody who has a good attorney, and all of a sudden that doubt creates a major problem for the Department of the Interior, and especially for us in Congress.

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. The amendment that's being offered is perfectly appropriate. It's the duty of the Department of the Interior to carry out the law. The law requires the Secretary to review, from time to time, the status of public land.

All too often, I hear my colleagues on the Republican side say that this is government land. No, no, no, this is not government land. This is our land. This is the land of the American people, owned in common for the common good. And the Secretary, carrying out that responsibility, reviews the attributes of the land. Is it good for oil? How about gas development or coal development? Or maybe it's useful as grazing land, or perhaps it should be wild and scenic land and preserved for the purpose of remaining in its most natural state. So my Republican colleagues come up and say, No, you can't look at the land. You can't study the land. We just won't want to know anything about the land, except to allow for the destruction of the land.

This particular amendment doesn't come in a vacuum. This amendment leads to the House floor another bill that is likely to move out of the Resources Committee and soon be on the floor, which would take the previous work done over the last 30 years that would quantify the values of the land, scenic, natural, wilderness, and push all of that aside and say, Open all the land, all the land to what was euphemistically—I hope euphemistically—called mechanized conservation. Hmm, ''mechanized conservation.'' Sounds to me like bulldozer, drilling rigs, a stampede of cattle and the like over any and all land.

Understand that this particular line in this appropriation bill goes hand in hand with a piece of legislation that went through, that was heard in the Resources Committee just yesterday, that would take all of the land that has been designated as wild and scenic some 30 years ago—some of which is said, no, it's not perfect for a wild and scenic designation—and take all of that land and open it for development. We ought not do that.

Therefore, this amendment that's been brought forward by the ranking member is appropriate in that it allows the Department of the Interior to upgrade some 30-year-old studies, taking into account new scientific information, new information about the land, and making that information available to us in Congress so that we can make an informed decision about whether land should or should not be wild and scenic or whatever designation might be appropriate, including opening some land for development. But I suppose it's best to know nothing.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. GARAMENDI. I would love to yield briefly to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding.

I understand the gentleman's comments. And I know the hearing yesterday addresses the issue, which is separate from this. Listen, we should have that debate; we should have that discussion.

This issue is an administrative Secretarial order that, to the credit of Secretary Salazar, they withdrew. It was confirmed, by the way, to be withdrawn because of the CR we passed that takes us through September 30. The Secretary, to his credit, said, I'm going to abide by that. As a result, the order has not been withdrawn.

This debate here is about next year's funding. So until we get clarification on that order or the order is withdrawn, this language is appropriate. And that's simply all we're saying.

Now, we can get into a discussion of whether wild lands is, in fact, a designation or not. And as a matter of fact, wild lands has no definition whatsoever administratively. So there's a question on our side, obviously, if they can even do that because wild lands may be synonymous with wilderness, but wilderness can only be designated by the Congress.

And that is the concern that we have. And that's why I think the language that was put into the appropriation bill takes care of next year. And I say, to the credit of the Secretary——

Mr. GARAMENDI. Reclaiming my time, sir, my apologies for interrupting you.

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

(On request of Mr. HASTINGS of Washington and by unanimous consent, Mr. GARAMENDI was allowed to proceed for 1 additional minute.)

Mr. GARAMENDI. Thank you for that accommodation.

I think the underlying problem was well described by you, and that is that the language prohibits the Secretary from going forward with the study of the wild lands. I think that's wrong. I think it's appropriate for us to always update our studies, always to understand what has changed and what is appropriate as we go forward.

Mr. HASTINGS of Washington. Will the gentleman yield?

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

□ 1620

Mr. HASTINGS of Washington. If the gentleman remembers, because he was in a committee hearing, under direct questioning, I think it was Director Abbey said that there is no authority to make any designation under law of wild lands because that was a made-up term. There's no designation.

Can they inventory? Yes. Nobody argues with that. But you can't make up administratively a new designation, and that's what the issue was. And he testified that he had no authority to do that.

Mr. GARAMENDI. I think you're down to parsing words here. The study that was attempted to be undertaken by the Secretary was to study the lands for their wild land values. He obviously could not designate a wild land that doesn't exist. But that study could give us information that we would need to open land to more drilling or other purposes, or to hold it aside for scenic and other values.

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. Mr. Chairman, this debate is always fascinating. I've got to tell you, if rhetoric were fast food, there'd be golden arches over all these doors because I've never heard so much rhetoric in my life. And I hope that the gentleman from California actually read the report. Maybe he did and maybe these pages got stuck together. I don't know.

But if you look at the report—he said that we don't care about the lands and the designations, that we just want to use them up and all that kind of stuff.

Let me read, for the RECORD, what the report says: As mentioned in the introduction of this report, the committee lauds the Department of the Interior for its significant changes in wild lands policy and notes that the Bureau of Land Management has, to this date, been in compliance with the fiscal year 2011 continuing resolution prohibiting funds for the use of Secretarial order 3310, which was to designate, and as the gentleman said, he couldn't designate wild lands because

that policy didn't exist, and he can't. And he's in compliance with that.

It continues: While the Department is now rightly requesting the input of Members of Congress, Senators, and the public, the committee is concerned about the internal direction given by the Bureau of Land Management regarding the inventory of lands managed by the Bureau. As the Department has stated, inventories of bureau lands are required under the Federal Land Policy and Management Act of 1976, FLPMA, and the committee agrees. The committee agrees with this reading of the act.

The committee points out that inventories should, however, cover all land uses, multiple use, not just lands with wilderness character. The values to be assessed include wildlife, fish habitat, nonmotorized and motorized recreation, hunting, fishing, grazing, conventional and renewable energy development, mining, wilderness character, forest management, and aesthetics. All of these values are important, and one value does not supersede the other.

The committee also directs the Bureau to use the definition of wilderness as defined in the 1964 Wilderness Act, as directed by section 603 of FLPMA. The committee will continue its oversight of this issue.

The Secretary has done the right thing by withdrawing his policy of wild lands designation, a designation that he made up. Only Congress can designate a new land designation. That's what Congress does. The Secretary agreed with that, withdrew it.

We have no problem, and encourage them to go on with the inventories for all of the characteristics of public lands. So the gentleman's comments relative to oh, all we care about is mining and flattening the land, or whatever he said, is just rhetoric.

I urge my colleagues to oppose this amendment. The reality is, if the Secretary carries out what he says he's going to do, this amendment probably isn't necessary. If they decide to reverse course, then it was necessary. If they do what they said they are going to do, it absolutely won't have any effect, as the gentleman from Utah said.

Mr. GARAMENDI. Will the gentleman yield?

Mr. SIMPSON. I would be happy to yield to the gentleman from California.

Mr. GARAMENDI. When I was the Deputy Secretary at the Department of the Interior, I thought that the Department of the Interior should do what it needed to do. Now that I'm here I would agree with you that they should do what we tell them to do. Just a change in jobs.

However, the point here is that the language that you have put into this bill would preclude the Secretary from moving forward, even to carry out the words that are in the document itself. And I did read the document.

We need to know what is on the land, and we need to know its potential uses. As I understand the amendment that you have put forward that is in this bill, it would deny the funding for those purposes to do the study. Now if I am wrong about that intent and effect of the amendment, then we've had a wonderful debate in which we all agree that the Secretary and the Department of the Interior should continue to always study the land and to take into account new information, new science, new knowledge, new GPS or satellite photos of the land. So I think, as I understand the amendment, and the intent of the amendment, it is to stop the Department from continuing to study these multiple attributes.

Mr. SIMPSON. Reclaiming my time, the Secretarial order which is in question needs to be withdrawn, and then he needs to issue a new one which doesn't include this new designation of wild lands because that still stands out there even though he says he's not going to designate any new wild lands.

Mr. BISHOP of Utah. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Utah.

Mr. BISHOP of Utah. Is it not true that the ability to designate and study and do these inventories comes under FLPMA regulation which is not changed by this amendment?

Mr. SIMPSON. That's exactly correct.

Mr. BISHOP of Utah. This amendment only deals with the category that was called wild lands, which is a made up category that has nothing to do with any kind of law.

Is it not true that the Secretary and the Interior Department can still do inventories on any consequence, but they are not allowed only to do inventory for one characteristic. They can inventory for all characteristics they're supposed to, and that comes in FLPMA.

Mr. SIMPSON. The amendment deals with the Secretarial order, not just wild lands.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. Section 124 prohibits expenditures for the Bureau of Land Management to carry out its duties under section 201 of the Federal Land Policy and Management Act of 1976. Secretarial order 3310 states a policy that the Bureau of Land Management should act consistently with section 201 of the Federal Land Policy and Management Act and maintain a current inventory of land under its jurisdiction, and identify within that inventory the resource values, including wilderness, of those lands.

Despite what some have claimed, it does not create de facto wilderness. It returns BLM wilderness policy to the way it operated for 27 years before being unilaterally changed by then Interior Secretary Gale Norton in 2003. It directs the BLM to develop recommendations to Congress regarding wilderness land designation, and it directs public involvement in the development of those recommendations.

Section 124 removes the requirement for public involvement and removes the requirement for the BLM to provide recommendations to Congress. Section 124 doesn't prevent Congress from designating wilderness; it just prevents us from being properly informed before we consider these designations.

Secretarial order 3310 is the kind of good government process that encourages public involvement and forward thinking. As a demonstration of that forward thinking, the Secretary reached out to Congress in June asking for Members' input into the wilderness characteristics of land within their districts. I'm not sure what more we can ask for from the BLM and the Secretary but an open public process, as Mr. MORAN has stated.

Section 124 seeks to foreclose that process, a process that the majority in the committee report on H.R. 2584 applauded. These wild lands have real benefit—economic, environmental, and aesthetic. It's important that we protect not only public land in its natural state but our ability to make informed decisions about what areas should or should not be designated wilderness. We need the Secretarial order, and we need to be informed.

I yield to the gentleman from California if he would like to make a final comment here.

Mr. GARAMENDI. It's useful to read, and the characteristic of order No. 3310, which is the subject matter, was well described by the gentleman from Washington—if one were to read the order, the order basically directs the Bureau of Land Management to continue to do its studies for the purpose of identifying those lands that have wilderness characteristics. This is exactly what I was talking about when I raised my first point, that this particular section that is in this appropriation bill, section 124, fits directly with the piece of legislation that was authored by Mr. MCCARTHY and was heard in the subcommittee yesterday, and that is to terminate efforts to create wilderness areas in the United States. That's what this is all about. This is about opening lands to development, and to prohibit the Department from exercising its authority under the law to continue to investigate and to analyze our land for the value of its wilderness characteristics.

□ 1630

Therefore, this particular clause, 124 in the appropriation bill, runs directly counter to the requirement under the existing law that's been there for more than three decades for the Department of the Interior, through the Bureau of Land Management, to carry out its responsibilities.

Mr. SIMPSON. Will the gentleman yield?

Mr. DICKS. I yield to the distinguished chairman, who I just heard a few minutes ago praising Secretary Salazar for the way he conducts himself, that he's a good man. And now 3310 is like the Communist Manifesto.

Mr. SIMPSON. Part of the reason I was praising him is because he came over and sat down and listened to us and realized that there was a problem with Secretarial order 3310.

Mr. DICKS. Well, then why don't we trust him?

Mr. SIMPSON. I trust him.

Mr. DICKS. Well, then why do we have this amendment?

Mr. SIMPSON. What does it hurt? It doesn't hurt a thing.

What the gentleman is suggesting is because we are essentially saying you can't follow Secretarial order 3310, that means you can't follow FLPMA, which requires the inventory of these lands. They still have to do the inventory of the lands under FLPMA whether or not there is a Secretarial order 3310.

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

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

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

Mr. GARAMENDI. I thank the gentleman from Washington and our colleague on the other side.

It's useful to read the Secretarial order rather than all of the hullabaloo of what this is all about. The Secretarial order follows the law. It says that the BLM shall do an analysis as to the wilderness characteristics. That is in FLPMA; that's the law. And so it says that's what it's doing.

Mr. DICKS. Are you suggesting that this provision says that he shouldn't follow the law?

Mr. GARAMENDI. I believe that's precisely what they're trying to do is tell the Secretary not to follow the law.

Mr. SIMPSON. Will the gentleman yield?

Mr. DICKS. I yield to the distinguished chairman.

Mr. SIMPSON. It is absurd to think that repealing a Secretarial order which does not supercede Federal law somehow changes the underlying Federal law. It does not. FLPMA still exists whether the Secretarial order is there or not.

Mr. DICKS. Secretary Norton did it.

I yield to the gentleman from California.

Mr. GARAMENDI. In fact, the Secretarial order does follow the law. It precisely follows the law.

Mr. DICKS. Let's vote on the amendment.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I move to strike the last word.

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

Mrs. LUMMIS. I yield to the gentleman from Utah.

Mr. BISHOP of Utah. I didn't want it, but thank you.

Let me just simply try and come up with this one last time. The idea of inventory is covered in FLPMA; that doesn't change. The Secretarial order that established wild lands is a new policy. That has been superseded by another Secretarial order. It doesn't have an impact on this, which is one of the reasons why the administrative policy says it is unnecessary, given the Department's policy that includes collaboration with stakeholders, to identify public lands that may be appropriated.

The administration is not fighting this thing; they're on board with us. All we're saying is the reason you want to keep this language in here—until the supersession has taken place and the entire thing is repealed and you go back to FLPMA—is in case someone wants to litigate outside of it and try and force the Department of the Interior to do something it has said it will not do. That's what we're about here.

All these other arguments are extraneous. Its relationship to other legislation. It does not have any impact whatsoever. This is simply saying what the policy is, and the policy they're going to continue will be substantiated in the statute in case someone else wants to play around with it.

Mrs. LUMMIS. Reclaiming my time, Mr. Chairman, so the point is this: The administration does not object, as I understand it, to the language of my amendment. The executive order, if it were repealed, would allow FLPMA to function as it is designed in the law. The problem that has been called to my attention is that the executive order has not been repealed. Secretary Salazar communicated privately with Chairman SIMPSON and Chairman BISHOP that he did not intend to enforce the wild lands order, but the order is still in place. So until the order is withdrawn, this amendment is necessary.

Democrats strongly opposed including this language in the committee level. They've offered this amendment today. And then the President has threatened veto because this language might be in the bill. Now given that development, my initial skepticism on including this language is long gone. I'm not even skeptical anymore. Clearly, there are those who still want the Secretary to operate outside his legal authority and declare wilderness or wild lands areas without Congress. Only Congress can do that.

I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentlelady for yielding.

I'm glad the gentleman brought up Secretarial order 3310 because that's what we're talking about here.

Now the first sentence under section one, Purpose, it says: The Secretarial order affirms the protection of wilderness characteristics. Nobody is arguing about that at all. Then you go to page 2 of the Secretarial order, section 4, Policy, and it goes on through the process of inventorying and so forth.

And the last sentence is the problem where we have our heartburn. It says: ''Where the BLM concludes that protection of wilderness characteristics''—which nobody argues about—''is appropriate, the BLM shall designate these lands as 'Wild Lands.' ''

Now that is a made-up definition. Nobody argues about the inventory part, but now all of a sudden they're superseding and suggesting that there should be a new designation called wild lands. That is what the problem is. They have no authority to do that. And they affirmed that, by the way, in testimony in front of our committee. This part of the Interior bill simply says we're not going to fund that. And until the Secretarial order is withdrawn—this one here that says wild lands—once this is withdrawn, you're right, there's no issue. But it hasn't been withdrawn. That's why that language needs to stay in there. It's nothing more complicated than that.

I thank the gentlelady for yielding.

Mrs. LUMMIS. Reclaiming my time, this issue is not just an academic discussion on this floor. People in the West are terrified that the Department of the Interior is going to create a new category of lands called ''wild lands'' that will be managed differently than the law provides.

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

Mrs. CAPPS. Mr. Chair, I want to speak in favor of Mr. MORAN's amendment to strike an irresponsible provision in the underlying spending bill.

Sec. 124 puts our wild lands in harm's way by prohibiting funds from being used to implement, administer, or enforce Secretarial Order 3310, or the "wild lands" policy.

This policy is a reasonable, well-grounded approach that will facilitate public participation and will restore balance to our public lands management policies.

Most importantly, it will protect cherished natural icons from development.

I commend the Secretary on his Order to resume the Interior Department's compliance with Wilderness Act and other existing laws that guarantee wilderness preservation.

The Secretarial Order overturns a flawed decision made by former Interior Secretary Norton during the Bush Administration to halt all assessment or new protection of public land with wilderness characteristics.

In effect, the Bush Administration stopped complying with the statutory requirements of the Wilderness Act and other laws.

The Salazar Order reverses that decision.

As a Member of Congress who understands the value of preserving wild places I fully support Salazar's decision to restore balance to public land management and any other measures taken to ensure the protection of ecologically important spaces.

Clearly, some of my colleagues do not agree with me.

Once again, the majority is trying to block BLM's and Congress' ability to manage public lands for the people.

They are breaking with years of bipartisan tradition of protecting these important spaces.

But we've witnessed these same tactics before with H.R. 1 earlier this year.

Blocking funds for the "wild lands policy" will have the immediate effect of despoiling thousands of acres of wild lands.

Destroying what could have been a legacy for future generations.

It allows the American people, through their elected representatives, to decide which lands should be permanently preserved as wilderness.

It is supported by the millions of Americans who are committed to the preservation of our wilderness heritage.

Without the policy, many of our nation's pristine wild and public lands remain at risk.

Don't take nature away from the American people.

Vote "yes" on Mr. MORAN's amendment to strike this irresponsible provision from the Interior spending bill.

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $754,611,000, to remain available until September 30, 2013.

AMENDMENTS EN BLOC OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Chairman, I have an amendment at the desk occurring on page 65, line 5. I actually have three amendments all on the same subject, but one amendment touches line 21 and one amendment touches line 73. In the interest of comity, I would ask unanimous consent that I be permitted to offer all of those amendments en bloc.

The Acting CHAIR. Is there objection to considering all three amendments en bloc at this point in the reading?

Hearing none, the Clerk will report the amendments.

The Clerk read as follows:

Page 65, line 5, after the dollar amount, insert "(reduced by $20,000,000)".

Page 65, line 19, after the dollar amount, insert "(increased by $13,000,000)".

Page 65, line 21, after the dollar amount, insert "(increased by $50,000,000)".

Page 73, line 19, after the dollar amount, insert "(increased by $50,000,000)".

□ 1640

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

Mr. LATOURETTE. I thank the Chair.

There's a lot going on in Washington, Mr. Chairman, and I would tell you that people back home think we can't get along, but this is a great example of how we're going to get along, and I'm going to become the second member of this subcommittee to say something nice about a member of the Democratic Party, and that's the President of the United States, Barack Obama.

President Obama became the first President of the United States in history to recognize that we needed to put real money into Great Lakes restoration. Those of us who live in the region selfishly know it, and those around the world know it as about 20 percent of the world's freshwater.

We've nickeled-and-dimed and sort of moved along with some nice legislation in this House, some of it written by one of our former colleagues, Mr. Ehlers of Michigan, the Great Lakes Legacy Act, but it wasn't until President Obama, and I suspect that his then-Chief of Staff, the new mayor of Chicago, Mr. Emanuel, was whispering in his ear because he was certainly conversant with these issues, that we need to address the Great Lakes as an ecosystem and make sure that we deal with it appropriately.

So President Obama proposed $475 million a couple of years ago for the Great Lakes Restoration Initiative. However, as so many things occur around here, that went from 475 to 300, and now in this bill we find it to be $250 million. The Great Lakes Restoration Initiative is designed to mitigate toxic substances in the Great Lakes, to reduce the impact of invasive species, to improve nearshore health and reduce nonpoint source pollution, improve habitat and reduce species loss, and improve information engagement and accountability in the program overall.

I just want to focus on one of those, and that is the invasive species, and not the invasive species that come in ballast water. This is an invasive species that is swimming up the Mississippi River, the Asian carp. The Asian carp and I have something in common: The Asian carp can eat 20 percent of its body weight a day, and this Asian carp, if it is successful in breaking through the electronic barrier and getting into the Great Lakes, will devastate that entire ecosystem. This is important.

I know that there are some Members who are going to say, well, I love the Great Lakes; I love the fact that the President made this designation; you're right, we need more money, but what doesn't need more money in this bill, and the account from which I'm taking it, climate change, but if we don't take care of the Great Lakes, 20 percent of the world's freshwater, we're not going to have to worry about climate change because we're all going to be dead. We need to make sure that we protect this valuable resource. And on this instance, Ms. Jackson, the administrator at the EPA, has been really a great partner in implementing these programs. She has over 300 projects under way at this current time.

I know this is a heavy lift, I know that it's selfish, but I would tell you that it's not selfish because the Great Lakes continue to be the treasure of the world, and there's going to come a time when water is the new oil when it comes to an important resource. I urge Members of the House to please support this amendment.

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. This is really hard, Mr. Chairman, but given our allocation, we had to cut many EPA programs, including programs we support like the clean water and drinking water State revolving funds. In the base bill, we reduced nearly every EPA geographic program below the 2011 enacted level, in addition to providing none of the requested increases.

Despite the cuts, restoration of the Great Lakes remains a committee priority as demonstrated by the fact that the Great Lakes program is the largest recipient of funds in the geographic programs. It's the largest geographical area, also, so you would probably expect that.

While I appreciate the intent of the gentleman's offset, where he offset this from, we cut EPA's climate budget by $23 million—and it's easy to vote against funding for climate change or the increased funding that we have put into climate change—in the chairman's mark, and, believe it or not, there are some EPA programs we support under the climate change heading, including research and development of new automotive technologies, including the hydraulic hybrid technology for trucks, carbon capture and sequestration, and initiatives to increase methane transmission.

The reality is that over a period of time, because "climate change" is now kind of the key phrase, that if you want to get money for your basic science, you call it "climate change." Just like after 9/11, if you wanted money for some program, you called it "homeland security." That was the key phrase. Now "climate change" is the key phrase. A lot of the requests from the administration have been basic science programs that have been going on for a long time but have been shifted over and called climate change.

While we looked at the funding for climate change and the increases that had occurred in this budget over the years and that have been substantial, the fact is, when we looked at them, many of them were just basic science that needed to be continued. So we couldn't just go out and eliminate all the climate change or reduce it, I believe, any more than we did, and climate change took an $83 million hit in this bill.

We see the same thing happening in the Department of the Interior, where base programs have been reclassified as climate change. So we really need to be

careful about what we are using as an offset under the administration's classification of a ''climate change program.''

In addition, funding for the Great Lakes restoration efforts grew from $60 million in 2009 to $475 million in 2010. Therefore, at the chairman's mark of $250 million, funding for the Great Lakes is still four times above its historical levels. And, again, it continues to be a committee priority as evidenced by the fact that the Great Lakes program is the largest recipient of funds in the EPA's geographic programs.

If I felt we could fund the Great Lakes at a higher level within our allocation, then believe me, I would have done so. I would have done anything to avoid this debate with the gentleman from Ohio, but, unfortunately, even though the gentleman makes a good point and I agree with him and if we had more money in the allocation I would be more than happy to do it, it's the offset and where it comes from that causes me some concern.

Mr. LATOURETTE. Will the distinguished chairman yield?

Mr. SIMPSON. I would be more than happy to yield.

Mr. LATOURETTE. If I seek to amend my amendment to say ''Great Lakes Restoration Fund/Climate Change,'' will the gentleman give me my 50 bucks?

Mr. SIMPSON. Well, that would be one of the overall problems with the title, Climate Change, but I would have to oppose the amendment and urge my colleagues to vote ''no'' on it.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I move to strike the last word to speak against the amendment.

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

Ms. MCCOLLUM. I thank the gentleman from Ohio for his work on the Great Lakes.

I represent a Great Lakes region in Minnesota. As the chairman pointed out, the climate change has been cut, Great Lakes have been cut, and I'm here to tell the gentleman from Ohio, I think we can have a win-win even without supporting your amendment. The reason being is, by leaving the dollars where they are in the climate change, I think we can count on and, through our work, make sure that what is happening to the Great Lakes is documented and proven so that the facts are out there about what we need to do about climate change, and I'm going to refer to two examples. One is from a local paper of mine, the Star Tribune, from July 13:

It talks about how, with climate change, that they're seeing that Isle Royale in Lake Superior used to be too cold for deer ticks, but not anymore. Scientists are watching the effects of climate change and what is happening to the Great Lakes region. The ticks that carry Lyme disease have been found for the first time on the island off the coast of northern Minnesota. At the end of the century, nesting loons may disappear altogether from most of the Great Lakes. These are findings from a report on the effects of climate change on the Great Lakes. It talks about, also, its effect on five of the largest national parks and public waters that we share in our region.

The series of studies has concluded that the current and future effects of warming, global climate change on national parks from California to Virginia and the consequences of it. But if people think that that is not hard enough to really kind of get, to make sure that we do climate change, that we look at what is going on in the Great Lakes, let me speak from another report that dealt with shipping on the Great Lakes.

□ 1650

I will enter for the RECORD which reports I use, but let me quote from this. It says: ''The expected higher temperatures of climate change are predicted to increase evaporation, lower runoff, reduce ice formation, and raise surface water temperatures in the Great Lakes, resulting in a fall in lake levels. The increased precipitation will not be sufficient to completely offset the reduction in lake levels.

''For international commercial navigation in the Great Lakes, the impact of lower lake levels will be restrictions in vessel draughts and tonnage carriage, thus increasing the number of trips and the total costs to move a given tonnage of cargo.''

In other words, climate change on the Great Lakes has an effect on the economy.

I know that the chairman did not have, in my opinion, sufficient allocations to address many issues I care passionately about, like climate change, including the economic consequences of climate change, as well as do some of the funding that the gentleman from Ohio and I both sought for the Great Lakes.

But I think the gentleman from Ohio could actually see benefit to the Great Lakes in research by not having his amendment move forward and keeping the dollars that we do have for science and climate change.

Mr. LATOURETTE. Will the gentlelady yield?

Ms. MCCOLLUM. As the chairman says, with great risk, I yield to the gentleman.

Mr. LATOURETTE. No, no, no, you're going to like this. Actually, the deer tick is misnamed because it really doesn't come on deer. It comes more on the little gray mouse because the gray mouse is closer to the ground. And if you treat a cotton ball with an appropriate substance, you can relieve the deer ticks not only in Minnesota but here in Virginia and also in Ohio.

Ms. MCCOLLUM. I thank the gentleman for sharing that. I know how to remove leeches, deer ticks, fish hooks. Yes, I've been out there. But I really do think the Members should reject this amendment and leave the dollars where they are. We need to work harder to put more dollars into our environment, not only for its natural beauty and to leave a valued treasure to our children, but also because it has a direct impact on the economy of many of our States.

[From the StarTribune, July 13, 2011]

MORE DEER TICKS, FEWER LOONS: CLIMATE CHANGE ON THE GREAT LAKES

Isle Royale in Lake Superior used to be too cold for deer ticks. But not anymore.

The ticks, which carry Lyme disease, have been found for the first time on the island off the coast of northern Minnesota. And by the end of the century, nesting loons may disappear altogether from most of the Great Lakes.

Those are some of the findings of a report on the effects of climate change on the Great Lakes' five largest national parks.

It was the latest in a series of studies they have conducted on the current and future effects of a warming global climate on national parks from California to Virginia.

The report, the authors said, provides an early look at what's to come if the Republican-led Congress continues to thwart federal efforts to curb greenhouse gas emissions. Republicans this week tried and failed to repeal new standards for more energy efficient lightbulbs, and are resisting the new federal rules regulating greenhouse gas emissions expected later this summer. They say the rules are unnecessary intrusions on freedom, and job-killers.

''We have an increasing partisan divide on this,'' said Stephen Saunders, president of the Rocky Mountain Climate Organization and a former national parks official with the Department of the Interior. ''If people pay attention to how the places they know and love respond to climate change, I hope that makes people aware of what we should be doing differently.''

The authors analyzed a century's worth of temperature trends for the Great Lakes area drawn from two weather stations on Lake Michigan, and found that both show more rapid change than the global averages. The one near the Indiana Dunes National Lakeshore, near Chicago, showed that in the last decade average temperatures have increased by 1.6 degrees, and the one near Picture Rocks National Lakeshore in Michigan showed an average increase of 2.7 degrees.

Lee Frelich, a University of Minnesota researcher who studies the effects of climate change in the Upper Midwest, said the analysis used widely accepted climate models and data, and the findings are right on the mark.

''Climate changes are more extreme in the mid continents,'' said Frelich, who was not involved in the report. ''If you are fairly far north you will see bigger magnitudes of climate change than other places.''

Water temperatures in Lake Superior have increased 4.5 degrees between 1979 and 2006, twice the rate of land temperatures, the report found. Between the 1970s and 2009, winter ice cover over the lakes shrunk 15 percent.

The report also documented a 31 percent increase in rain falling during big storms, and a 12 percent increase in wind speeds. Combined with less ice during the winter, those changes lead to faster erosion along the shores, putting fragile landscapes like the Sleeping Bear Sand Dunes in Michigan at risk. Frelich said that he's already seen the effect on his family's cabin in Door County, Wis., where winter storms have taken out trees on the edge of his property.

The report found that temperature changes are having a sometimes dramatic effect on wildlife. A growing number of botulism outbreaks, linked to higher water temperatures, have killed hundreds to thousands of birds in recent years in the Sleeping Bear Sand Dunes. Meanwhile, Isle Royale used to be free of deer ticks, which can only survive in average winter temperatures of 19 degrees or higher. But a park service employee this year reported finding a deer tick on his body after he'd been there for a month, meaning he had picked it up while on the island.

The report projects that average temperatures at Isle Royale and the Apostle Islands would increase by an average of 3.6 and 4.6 degrees by 2040 to 2069, depending on the rate of future air emissions—warm enough to squeeze nesting loons into the northwest corner of Lake Superior.

Mark Seeley, Minnesota state climatologist, said it's difficult to make projections about Lake Superior using data from two weather stations in Lake Michigan. But he said the report accurately documented the extreme upward shift in minimum temperatures in the winter. ''The winter season is showing more dramatic increase in temperatures than summer,'' he said.

The authors said that the five parks in the study draw 3.7 million visitors per year, generate $200 million in spending and support close to 3,000 jobs. ''We face the financial reality that climate change may bring tremendous economic challenge,'' said Larry McDonald, the mayor of Bayfield, Wis., a tourist town on the edge of the Apostle Islands. He joined the authors of the report in a telephone news conference. ''We need to respect and protect Lake Superior,'' he said.

[From the Transportation Research Board Special Report 291, May 2007]

GREAT LAKES SHIPPING, TRADE, AND AQUATIC INVASIVE SPECIES

(By Frank Millerd, Wilfrid Laurier University, Waterloo, Ontario)

SUMMARY

The possible impacts of climate change on Great Lakes international shipping and on nonindigenous species are examined. The expected higher temperatures of climate change are predicted to increase evaporation, lower runoff, reduce ice formation, and raise surface water temperatures in the Great Lakes, resulting in a fall in lake levels. The increased precipitation will not be sufficient to completely offset the reduction in lake levels.

For international commercial navigation in the Great Lakes the impact of lower lake levels will be restrictions in vessel draughts and tonnages carried, thus increasing the number of trips and the total costs to move a given tonnage of cargo. Estimates of these impacts are derived from a simulation of international cargo movements from and to the Great Lakes in a recent year. In other words, climate effects the economy of the Great Lakes.

I yield back the balance of my time.

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

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

Mr. MORAN. I must agree with the chairman of the Appropriations Subcommittee and object to this amendment. I want to make a number of points. One is that the amendment adds funds for what are called geographic programs. That is a pretty broad category. It includes the Chesapeake Bay, the Puget Sound, the Great Lakes, and other water bodies that need restoration projects. So if the amendment passes, I trust the gentleman understands that the funding will be and should be divided up amongst all of those programs.

Now, I do support the efforts of the Congress to clean up the Great Lakes and to deal with these invasive species. Clearly, it is a very serious problem. Asian carp is horribly destructive. But I think it is worth pointing out that it was during Democratic leadership in the Congress that the Great Lakes Restoration Project received its largest increases. In fiscal year 2010, the program received $475 million, and this current year they're getting $300 million. With all due respect, it would seem that the funding level of $250 million, which is in this bill, that cuts far more dramatically many other programs, would be seen as something of a success. I think if anything, Mr. SIMPSON should be thanked for protecting this program.

I will let Mr. DICKS speak about Puget Sound—but the Chesapeake Bay was funded at $17 million below the request, and it's only getting $50 million. Now, I understand the gentleman's frustration that more could not have been done in this bill for all of the geographic programs.

But the reason why we are in this position of underfunding these admittedly critical water programs is because of two actions. I know the gentleman will remember those two actions because he supported them. One was the so-called Ryan Republican budget resolution that the gentleman voted for; and the second was the 302(b) allocation to the Interior Department. I think that set the stage. It really set parameters that were far too tight to be able to provide the kinds of funds for many programs, including Great Lakes restoration, that are needed.

Now, another point that needs to be made is that the GAO reported to the committee, and I quote: ''Progress remains slow as the program has delisted only one of the 31 areas of concern.'' EPA officials said that the program set less ambitious goals for fiscal year 2012 because it has had such trouble in meeting past goals. The agency did set lower goals in 2012, and so it does seem to make some sense that reduced funding might be appropriate in view of those lesser goals.

But I also want to point out that the offset is really untenable. It reduces EPA's science account and environmental programs with what I think is the express intent of cutting additional climate change and clean energy programs.

Now, I also want to point out, and I know that the gentleman offering the amendment may not be excited about this, but it does seem a bit hypocritical, the gentleman offering this amendment, to add funds for the Great Lakes restoration also offered language which was put in the bill to defund the Great Lakes restoration over the ballast water standards. That amendment would save——

Mr. LATOURETTE. Will the gentleman yield?

Mr. MORAN. I will yield when I'm finished.

If we want to help the Great Lakes get the kind of money they need, it doesn't seem to me that we should be offering amendments that would completely defund all EPA programs for the States bordering the Great Lakes if they don't meet adequate ballast water standards, which is the amendment that the gentleman put in the bill.

So I think that is a sufficient number of points to urge defeat of the amendment.

Now I will be happy to yield to my very good friend from Ohio.

Mr. LATOURETTE. I thank the gentleman very much. I wanted you to yield because you mischaracterized the other part.

What the other piece of language in the bill does, it says to the State of New York——

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

(On request of Mr. LATOURETTE, and by unanimous consent, Mr. MORAN was allowed to proceed for 1 additional minute.)

Mr. MORAN. I yield to the gentleman from Ohio.

Mr. LATOURETTE. I thank you. You know there are eight States that border the Great Lakes. One State in particular, New York, has imposed ballast water exchange in innocent passage that can't be met by any technology that exists today. That set of standards will cripple, will literally cripple and bring to a halt all waterborne commerce in the Great Lakes. My amendment says, listen, if you want to impose that kind of standard, you're not going to get any money until this thing gets sorted out when the EPA and the Coast Guard come up with a uniform ballast water exchange.

But let me just tell you, since you're talking about the regional programs, the Great Lakes are unique. The Great Lakes were unique in the world. And I can remember a couple of years ago, Senator Dodd, he wanted to have Lake Champlain become a Great Lake. And I said to the distinguished Senator at the time: Lake Champlain is a good lake; but it's not a Great Lake. The Great Lakes are the five Great Lakes that every grade schooler learns on how to identify them. It is 20 percent of the world's fresh water. And if we don't take care of them, as the President of the United States recognized we needed to do in a big way, we're going to be in trouble in this country. I thank the gentleman for his courtesy.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise today in support of transferring $50 million in funding from EPA climate change programs to support the Great Lakes Restoration Initiative. While I have serious concerns about the offsets used in Mr. LATOURETTE's amendment, I strongly believe that we need to continue to restore the Great Lakes to preserve its many rare environmental attributes and to strengthen the American economy.

The Great Lakes are vitally important to the American manufacturing industry. According to the U.S. Army Corps of Engineers, nearly 200 million tons of cargo travel through the Great Lakes each year. The Corps reports that the Great Lakes saves manufacturers and other industries approximately $3.6 billion per year in transportation costs.

Studies undertaken by the University of Michigan show that more than 1.5 million jobs are directly connected to the Great Lakes generating $62 billion in wages. The Great Lakes help provide nearly 1 million manufacturing jobs, over 200,000 jobs in tourism and recreation, nearly 120,000 jobs in shipping and more than 118,000 jobs in agriculture, fishing and food production.

The University of Michigan study also states that the 83 million people living in the Great Lakes area helped produce 27 percent of the Nation's gross domestic product and 24 percent of the country's exports in 2009. The basin is home to 38 percent of Fortune 500 companies. Moreover, the region's colleges and universities award 32 percent of the nation's advanced science and engineering degrees resulting in a stronger American workforce to compete against nations such as China and India.

Furthermore, the Great Lakes are an environmental treasure containing nearly 20 percent of the world's fresh surface water. The lakes also support over 200 globally rare plants and animals, and more than 40 species that are found nowhere else in the world according to the U.S. Department of the Interior.

In addition, the Great Lakes provide one of the best areas for fishery and other recreational activities in the world. It is estimated that 180 species of native fish, including small and large mouth bass, the northern pike and lake herring all reside in the Great Lakes. A study conducted by the Great Lakes Commissions reports that there are 4.3 million boats registered in the Great Lakes states, which is nearly one-third of all registered boats in the United States.

The many environmental and economic benefits generated by the Great Lakes are in danger because of its damaged ecosystem and numerous environmental conditions. Despite recent improvements, there is much work still to be done such as eliminating toxic substance pollution, controlling invasive species, reducing nonpoint source pollution and protecting against habitat and species losses.

Recognizing the importance of the Great Lakes, the Federal Government developed the Great Lakes Restoration Initiative Action Plan to implement solutions to the many environmental challenges facing the Great Lakes. The Initiative has been focusing on ecosystem protection, enhancement, rehabilitation, and remediation within the Great Lakes Region.

According to a study by the Brookings Institution, fully implementing the Great Lakes restoration strategy would not only protect various rare fish and wildlife it would also generate $50 billion in long-term economic benefits and $50 million to $125 million in reduced costs to municipalities.

In closing, I urge my colleagues to support protecting our environment and our economy by voting to transfer funding for the Great Lakes Restoration Initiative—so vital to restoring fresh water resources for the next generation and beyond.

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

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

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

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

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 5, insert ''and fellowships'' after ''development''.

□ 1700

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. The gentleman's point of order is reserved.

The gentlewoman is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, my amendment would simply highlight the longstanding role of EPA in supporting the education of our Nation's top environmental scientists by inserting the word ''fellowships'' after research and development in the Science and Technology Account. EPA currently awards the fellowships, and thus my amendment has no scoring impact and does not authorize a new activity.

I realize that my Republican colleagues will surely not agree to this amendment, but they have to agree that science is the underpinning of great and good environmental policy. As the scientific arm of EPA, the Office of Research and Development supports world-class research and development activities to protect man's health and the environment. Supporting the next generation of scientists and engineers through fellowships is just one way the government supports the kind of critically important research that private industry and academia alone cannot and will not do.

With no real justification or detail, the committee's report language for this bill specifies that funds are not provided for the fellowship programs, amounting to a substantial $17 million loss to this field. Lab equipment cannot operate itself. They cannot publish important papers or make groundbreaking discoveries, which creates jobs. That requires people. And EPA has a history of fostering some of the Nation's top young researchers that have gone on to apply their talents across government, academia, and industry. For instance, since 1995, EPA has awarded approximately 1,500 STAR fellowships.

Turning our backs on the next generation of academic researchers, governments scientists, science educators, and environmental engineers all but ensures that we are doomed to make bad, uninformed environmental decisions for the future.

I realize the gentleman's point of order. I do not agree with it. But I'm sure he will be upheld by the Parliamentarian. So I simply would ask that if we could work together to try to preserve some of this talent that we have already put in place and some of the equipment that's already in place to continue groundbreaking research, that is going to be one of the few ways that we're going to develop good sound jobs for the future.

I yield back the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, while I appreciate what the gentlelady is trying to do, and actually agree with what she's trying to do, I must insist on my point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part:

''An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.''

Mr. Chairman, the amendment proposes to appropriate funds for an earmark that is not authorized. The amendment therefore violates clause 2 of rule XXI.

I ask for a ruling from the Chair.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I accept that point of order, but I would like to appeal to the chairman of this committee to work with us and see if we can't preserve some of the investments we've already made and some of the talent that is in place.

The Acting CHAIR. The Chair is prepared to rule.

The amendment expands the eligible uses of appropriations in the pending paragraph to include ''fellowships.'' As such, it proposes to appropriate for that purpose.

The proponent of an item of appropriation carries the burden of persuasion on the question of whether it is supported by an authorization in law.

Having reviewed the amendment and entertained argument on the point of order, the Chair is unable to conclude that the item of appropriation in question is authorized in law.

The Chair is therefore constrained to sustain the point of order under clause 2(a) of rule XXI.

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

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

Mr. BLUMENAUER. Mr. Chairman, as somebody who has spent many, many years working in my community and around the country on the promotion of livable communities, I am

frankly mystified to see included in this bill an end to the program that provides technical assistance and guidance to communities who are looking for ways to increase economic development, plan for economic growth, and make their communities safer, healthier, and more economically secure. It is mystifying.

The EPA Office of Sustainable Communities was established to provide a resource for communities that need technical assistance to plan for economic growth, to deal with development, to account for a changing population and the demographics, to expand their economic development options, and make communities more attractive to business and local citizens.

Mr. Chairman, there are hundreds of examples from across the country about the work that the Office of Sustainable Communities has accomplished. Some of the most important projects were situations where the Office of Smart Growth has helped in brownfield redevelopment. These are very complicated problems for local communities where they help turn unusable, polluted land into land that's ready for development. This helps create housing and business opportunities and provide cities with an important foundation for planning future growth. This is precisely the sort of thing that we should be doing to help communities leverage resources and prepare for the future.

In Iowa City, Iowa, the Office of Smart Growth recently approved a grant to redo their downtown riverfront area after the 2008 flood devastated that community. With the help of EPA, they created a plan with input and support from local elected officials, business leaders, and local residents that's helped regenerate the downtown business area while preserving green space and recreational areas for families who are moving into the newly redeveloped residential buildings. Closer to my side of the continent, just picking at random, the communities of Driggs and Victor in Idaho received a Smart Growth Implementation Assistance Grant to help analyze the barriers and opportunities of infill development in support of downtown revitalization efforts. This small Federal investment helped communities take advantage of public-private partnerships and redevelopment opportunities that helped revitalize these small rural towns.

Hundreds of other communities across the country have received similar assistance under the Smart Growth Program. But these cooperative efforts would come to an end under this House legislation. The services offered by EPA's Sustainable Communities Office are in high demand. They've been able to assist only 9 percent of the communities that are interested, due to existing budget constraints.

In addition to their technical assistance work, the Office of Sustainable Communities is engaged in a partnership that we all should be supporting and encouraging between HUD, the Department of Transportation, and EPA. The Partnership for Sustainable Communities enables these three Departments to work together to ensure that Federal funds work in conjunction with each other, break down the silos that frustrate us all to ensure that the Federal funds are spent as efficiently as possible and eliminate duplicative processes.

Despite the obvious connections between housing, transportation, and land use, we all know and have been frustrated that in the past the three agencies have not always worked well together as we would like. But Secretaries Donovan, our former colleague LaHood, Administrator Jackson, and the agency have spent these last 2 years cutting down the redtape and coordinating to meet multiple economic, environmental, and community objectives while also cutting redtape and working to partner better with local communities. The EPA's Office of Sustainable Communities helps fill a critical need by providing assistance and support to local communities.

□ 1710

I find it ridiculous that at a time when this type of help is needed more than ever, when there is nary a Member of Congress who hasn't been frustrated about the lack of coordination and implementation, that the House is now considering ending critical support to communities looking for ways to jump-start their own economic recovery, looking to improve the quality of life for their communities by making the Federal Government a better partner. This is something for which there should be no geographic, regional, partisan or ideological divide. This is an outstanding program. It deserves to be supported, and I hope, as this bill works its way through the process, that we find a way to retain this valuable service.

I yield back the balance of my time.

Ms. HIRONO. I move to strike the last word.

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

Ms. HIRONO. Mr. Chairman, beside me is a picture of the Cuyahoga River in 1952. The river is on fire.

The reason for this fire is that the river was heavily contaminated with flammable industrial waste. This water was dangerous to drink, needless to say, and to swim in. Fish and wildlife could not survive here. Flooding in this river would have spread pollution onto the shore and into neighborhoods. In short, this pollution was dangerous for the health of the people and the communities that depended on this river.

It was incidents like these that helped raise public awareness of the dangers of water pollution. Ultimately, that awareness became government action, including the creation of the Environmental Protection Agency, EPA, in 1970 and of the passage of the Clean Water Act in 1972.

The EPA's purpose is simple: to protect human health and the environment. It does this by ensuring minimum standards for water quality nationwide while acting as a referee between the States.

Despite this important mission, this bill slashes the EPA's budget by 18 percent from current levels, so of course I rise to speak against this underlying bill. It also includes a number of riders that will prevent the EPA from carrying out the duties it is already legally required to perform. I don't know why the majority is so keen on undermining the vital mission of the EPA. I hear them talk a lot about the costs of certain EPA regulations; but what about the cost of getting rid of these regulations?

One serious cost that would go up is the cost of public health. The impact of polluting our air and water isn't a speculative matter. We know that it will make people and communities sick. More mercury in the air we breathe means more deaths and debilitating illnesses. More water pollution means families and communities will be subjected to a variety of health risks. In short, more pollution means rapidly escalating health care costs.

Another cost is the cost to our environment. Our rivers, coastlines and wetlands are the places that we take our children to experience the wonders of our country. This is where their interests in the natural sciences and the outdoors are kindled. Polluted waters and coastlines mean less wildlife, poorer fishing and a lot less beauty in this world. We have to remember that we are merely stewards of our natural resources and that the cost of polluting those resources isn't only borne now; it will be borne by future generations.

Finally, the EPA helps to ensure a fair playing field for businesses. This helps keep their long-term costs manageable. It's a simple fact that a few dollars in prevention is far, far cheaper than expensive cleanup costs later. For those who disagree or question that, I encourage you to contact BP Oil. That company will—and should—be paying for their damage for years to come.

So those are the costs the EPA helps to mitigate. That's why we need the EPA. We need a referee that is empowered to make sure that everyone plays by the rules and protects our natural resources. If we pass this bill, we are essentially ejecting the referee from the game of calling out misconduct on certain players, which will only encourage more misbehavior in the future.

Take a look at this picture. Is that what we want?

This bill is so flawed, there is little hope for it. I hope that my colleagues will reevaluate their approach to this legislation, will pull it from the floor and go back to the drawing board.

I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Mrs. CHRISTENSEN. We should be here today passing a clean debt ceiling and creating jobs; but in these challenging times of high deficits and a fragile economy, when it is critical that our limited spending priorities be focused on programs that can achieve results and encourage the creation of jobs and economic growth, the majority is, instead, bringing an unprecedented attempt to gut pollution controls and public health protections in order to give bigger profits to Big Oil and other special interest polluters.

By attaching more than three dozen policy riders to H.R. 2584, the House GOP is attempting to use a spending bill to make backdoor changes to 40 years of important Federal laws.

H.R. 2584 makes drastic spending cuts to the Environmental Protection Agency, as you've just heard, and to the Department of the Interior. It fuels a multi-front assault on America's air, water, lands, wildlife, and public health; and it severely undermines the environmental integrity of the Clean Air Act and the Clean Water Act. In doing so, this legislation cripples the budgets of key Federal agencies charged with protecting American citizens and natural resources.

The bill is laden with contradictions and regressive reforms:

It slashes funding to the Environmental Protection Agency by $1.8 billion, yet restores $55 million in oil and gas subsidies;

It dramatically cuts the U.S. Fish and Wildlife budget by 30 percent;

It zeros out funding to list new endangered species;

It reduces the National Oceanic and Atmospheric Administration budget by 18 percent from the President's 2012 budget and wholly eliminates funding for NOAA's climate service;

It cuts the Land and Water Conservation Fund by 80 percent—a program that has been critical to my district of the U.S. Virgin Islands and to everyone's districts. H.R. 2584 renders this program's funding to its lowest level in history;

It cuts $19.7 million from the National Endowment for the Humanities, threatening support for teachers, community colleges, museums, libraries, and archives of important historic documents and many others, as well as the preservation projects that enhance local economies and create jobs.

Another program that is affected is one that's near and dear to my community. That's the National Heritage Area program. I have recently introduced a bill to create a National Heritage Area on the island of St. Croix, which we have been looking forward to, not only to preserve and protect some of our local historical treasures, but as a badly needed economic development tool that would create jobs. National Heritage Areas are some of the most effective public-private partnerships for resource conservation and heritage tourism supported by the Federal Government. National Heritage Areas have matched every dollar of Federal support with $5.50 of other public and private funding, demonstrating a high yield of return on Federal resources.

I am appalled that this bill puts so much energy into tearing down America's foundational environmental protections, especially as the Representative of a place with some of the highest greenhouse gas emissions per square mile in the country. Instead of working on the bigger looming issue of our deficit crisis, this bill flies in the face of decades of bipartisan support for the protection of public health and environmental issues.

It does not put the American people first as it should. It further endangers them by allowing for more dangerous air pollution. It does not clean up urban and other critical waterways. It threatens clean water that millions of our constituents depend on. It shuts the door on endangered species, and ties the hands of our Federal agencies.

As leaders, we should not advance a budget that eliminates critical protections that our constituents so desperately need. We should not turn a blind eye to corporate polluters while holding the right of our future generations to clean health and a clean environment hostage just as the leadership is holding the well-being of the poor and middle class Americans and the economic security of our country hostage to an absolutely necessary lifting of this debt ceiling.

□ 1720

I urge all of my colleagues to vote against the fiscal year 2012 Interior and Environmental appropriations bill and any antienvironment and antipublic health and anti-American amendments that may be offered.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. I move to strike the last word.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to this bill which guts longstanding environmental policy. Unfortunately, this is not the only thing that's wrong with America today.

Once again, Speaker BOEHNER and the GOP are putting the needs of a few right-wing Members of Congress ahead of ordinary, hardworking, everyday Americans, many of whom lit up the phone lines yesterday in record numbers to express their disgust with Republican intransigence that's holding our Nation and international markets hostage. Not only did they call in record numbers, but 50 to 60 people came to my district office yesterday to show their support for a balanced approach to solving this debt ceiling issue. I also received a petition with over 1,500 names begging that we protect Social Security.

But still, against the urgent pleas of international financial institutions, Wall Street executives, and millions of Americans who can ill-afford any reduction in their ability to borrow or an increase in interest rates for a car, home, or student loan, Republicans continue to show contempt for the American people by saying ''no'' to increasing the debt ceiling.

Do you realize out there how many of us have adjustable rate mortgages on our primary residence? Can you imagine what will happen if this Nation defaults on its obligations to pay its debt and, as a result, interest rates go up? That means your adjustable rate mortgage, my adjustable rate mortgage rate goes up. Could I stand to pay $1,000 extra or $2,000 extra per month on my mortgage because interest rates went up because we didn't do what we should have done here, which is to increase the debt ceiling, something we've done 21 times, I believe, over the last several—we did 18 times with Ronald Reagan as President?

But we can't afford not to deal with this debt ceiling issue.

Mr. Chairman, The Washington Post reports that House Republicans watched a movie together about bank robbers to motivate members of their caucus to stand firm in their solidarity against raising the debt ceiling. What kind of example does this set for the American people? What would they say if they knew that there is a concerted effort by Republicans not only to prevent an increase in the debt ceiling, but to impede economic progress, slow or stop job creation, cause the loss of 700,000 jobs, with the passage of cut, cap, and kill?

What about our seniors, our veterans, our students? What about our credit rating in this country?

Mr. Chairman, just like bank robbers, it appears that Republicans seek to threaten society as a whole, leaving a trail of destruction in their wake. Republicans have now taken hostage of the U.S. economy, threatening the livelihoods and well-being of Americans, young and old, rich and poor. They can see the hands of the clock ticking, precious seconds, minutes, and hours wasted.

Speaker BOEHNER and his cohorts say ''no'' to the President's request for reasonable compromise, ''no'' to the desperate pleas of businesses begging for a sense of certainty about the debt ceiling, and ''no'' to the American people who have shouted at the top of their lungs for shared sacrifice in these budget negotiations.

Well, Mr. Speaker, if Republicans are looking for some additional inspiration in the debt ceiling negotiations, I'd recommend that they watch ''Saving Private Ryan.'' It's about a man who makes the ultimate sacrifice to save the lives of his fellow Americans. He was not a survival-of-the-fittest-type guy, you're on your own.

We're all in this together.

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

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

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

Mr. NADLER. Mr. Chairman, this country is in the middle of a great crisis, entirely an artificial crisis created by an attempt by one political party to blackmail the entire country into adopting its program of destroying Medicare and Social Security and food stamps and unemployment and all of the things that many of our people depend on.

But why do I say it's an artificial crisis? Because the debt ceiling increase is something we normally do—seven times during President Bush's administration.

Some people think to raise the debt ceiling is to say we're going to borrow and spend more. No, it's not. You raise the debt ceiling in order to pay for bills you already incurred because of decisions made 2 and 3 and 5 years ago, mostly during the Bush administration.

Not to raise the debt ceiling is like going into an expensive restaurant, having an expensive meal, and then getting the bill and saying, Oh, my God. I've got too much money on my credit card. I don't think I'll pay the bill. Well, if that's the case, you shouldn't have had the meal.

If you don't want to pay the bill, you shouldn't have made those budget decisions. You shouldn't have cut those taxes 10 years ago and gotten into those wars 7 and 8 years ago and made the other decisions that piled up the deficit.

If you want to have a debate, which we should, on how to change our policies in the future, that's for the budget debate. We're going to pass the budget at some point. We're going to debate tax levels, expenditure levels.

But instead, what are they doing? They're saying, That's a nice economy you've got there; pity if something should happen to it. And if you don't do exactly what we want, we're going to destroy it by not raising the debt ceiling and causing a collapse in credit so that everybody's interest rates go up and that people have to pay a thousand dollars more a month on their mortgage or whatever, because it's a ripple right throughout the economy.

A default would be a real crisis for the economy, and it will cost the economy probably a trillion dollars in extra deficit spending over the next 10 years just in higher interest costs. But if we don't do exactly what they want, to destroy Medicare and Social Security and the other things they never liked in the first place, they will wreck the economy by not raising the debt ceiling in order not to pay the bills that they incurred.

Then we hear that we have a deficit crisis, that, after all, the country is broke. We've got to cut the budget. Even the President says the country is broke. We've got to cut the budget—a little less savagely, but we've still got to cut.

Wrong.

The country is not broke. It is just that we are not taxing the millionaires and the billionaires and the corporations the way we used to.

In 1950, the corporations paid 6 percent of the entire economy of the GDP in corporate taxes. Today, it's under 1 percent. Twenty years ago, 30 percent of all income taxes came from corporations; today, it's under 6 percent. And that's why the middle class feels overtaxed, because they are, because we don't tax the millionaires and the billionaires the way we used to. We don't tax the corporations the way we used to—the big multinationals, I'm talking about, not the small businesses. Instead, we've shifted the tax burden to the middle class, and we don't get enough tax revenue.

And the fact of the matter is, if you look at the budget of 2001 and if you look at the budget of 2011, in 2001, the budget was $258 billion in surplus. It was the last Clinton budget. How has it changed? Why is this budget $1.2 trillion in deficit and that was a quarter trillion in balance? What's changed?

□ 1730

Well, adjusted for inflation and for population growth, nondefense discretionary spending, everything they want to cut now, hasn't changed at all. It was $369 billion then; it's $369 billion now.

What's changed? Well, defense spending and homeland security spending have gone up 74 percent because of two wars and a lot of bloat, a 74 percent increase in defense spending. Mandatory programs, that is to say, Medicare, Social Security, veterans, up 32 percent. And it is not only those. There is also unemployment insurance, mostly because we're in a recession, and you have to pay more unemployment insurance and food stamps and so forth. Total revenues are down 24 percent. From a bigger country, we're getting 24 percent less revenue today. Why? Because in 2001, the taxes collected 20 percent of GDP, and today it's 14.5 percent of GDP.

So what should we be doing? Well, first of all, we should raise the debt ceiling to recognize the debts that were already incurred, and we should do it cleanly, so as not to throw the economy into a tailspin. Then we should debate all of these issues in the budget. We should raise taxes on the millionaires, the billionaires, the corporations; cut defense; and try not to tamper with people's Social Security, Medicare, and the things that they depend on.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $19,000 for official reception and representation expenses, $2,498,433,000, to remain available until September 30, 2013: *Provided*, That of the funds included under this heading, not less than $346,280,000 shall be for the Geographic Programs specified in the explanatory statement accompanying this Act.

AMENDMENT OFFERED BY MR. FLEMING

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 19, after the dollar amount, insert ''(reduced by $48,206,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $48,206,000)''.

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

Mr. FLEMING. A little over a year ago, the GAO reported alarming findings at the ENERGY STAR program, a joint EPA and DOE program designed to save American consumers money on their utility bills. Although well intentioned, I have concerns that the ENERGY STAR program is leveraging hard-earned tax dollars and the trust of the American people for a program that lacks oversight, could still be subject to fraud and abuse, and one that would be better administered by the private sector.

I have the report here in my hand. In March 2010, the report indicates that the GAO released its report, documenting that the program was mainly a self-certification program without much oversight or accountability. In fact, according to the report, GAO created several fictitious companies without any relevant products on the market that easily became ENERGY STAR manufacturing partners. This new status granted these groups unlimited access to ENERGY STAR logos and promotional resources, and GAO was also able to obtain certification for 15 bogus products, including a gas-powered alarm clock and a ''room cleaner'' which was incredulously a feather duster taped to a space heater. Prior to approving these items, EPA failed to review any additional materials, including Web sites and self-incriminating pictures.

My amendment will simply reduce the Environmental Programs and Management account within EPA by $48,206,000, with the intent of removing the EPA's portion of funding for the ENERGY STAR program. The savings from my amendment will be added to the spending reduction account.

Mr. Chairman, the ENERGY STAR program, created in 1992, enables companies and manufacturers to voluntarily label qualifying and EPA-approved household products and goods such as air conditioners, refrigerators,

computers, and light bulbs, et cetera. ENERGY STAR also grants energy-efficient labeling for home improvements and businesses. ENERGY STAR labeling encourages consumers to purchase such products and make home improvements in order to be more energy efficient, reduce greenhouse gas emissions, and save money on utility bills, all very good value-oriented ideas and concepts.

It is my belief that the Federal program should not be paying anything for the ENERGY STAR program, however. Rather, this program would be better served as a private entity, saving the taxpayers millions of dollars each year. There are several good examples of well-respected, well-run independent private sector initiatives, including the Leadership in Energy and Environmental Design, an internationally recognized green building certification system; Consumers Union, an expert independent nonprofit organization which publishes the widely acclaimed Consumer Reports; and Underwriters Laboratories, Inc., UL, a global independent safety science company offering expertise in five areas, including product safety and environment.

These are just a few examples of nongovernment, nontaxpayer-funded entities that understand that if you don't do a good job, they will lose credibility. Not as much can be said for the ENERGY STAR program.

Americans rely heavily on this program and look to purchase household products with the ENERGY STAR label. Companies use the EPA-approved logo to market products. The Federal Government and several States offer tax credits to those who purchase ENERGY STAR products, and Federal agencies are required to use certain ENERGY STAR-approved products.

The ENERGY STAR program continues to receive millions of dollars, including approximately $300 million through the American Recovery and Reinvestment Act, the stimulus bill, and $48 million in the underlying legislation. It's time for the Federal Government to allow the private sector to take over and to stop funding programs riddled with loopholes that investigators need to point out before the EPA institutes systematic changes.

So in summary, Mr. Chairman, we could well afford to save $48 million, and we have plenty of good models where private entities have been doing a much better job for a much longer time. I ask others to support this amendment. This is good for not only energy savings but is a money-saving idea. Let's turn it over to the private sector. They do a much better job.

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

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

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

Mr. MORAN. Mr. Chairman, this amendment would eliminate the ENERGY STAR program, even though a great many American consumers rely on it to choose appliances that meet Federal energy efficiency standards, such as windows, refrigerators, dishwashers, and clothes washers.

The program has improved since an Inspector General report highlighted flaws with the program. In response to the IG's report, ENERGY STAR moved away from allowing manufacturers to self-certify that they comply with efficiency standards, and now it requires third-party certifiers. Well, I'm sure there's room left for further improvement in the program.

As the gentleman from Louisiana has stated, many, many consumers have come to rely on this program in their everyday purchases and would, frankly, be stunned to think that this program is now being targeted. Americans, with the help of ENERGY STAR, saved nearly $18 billion on their utility bills last year alone and enough energy to avoid greenhouse gas emissions equivalent to those from 33 million cars. Isn't that a good thing?

This is a voluntary program that works. We've heard so much railing coming particularly from the other side about EPA's regulations, and now the majority wants to attack a voluntary pro-consumer program. The underlying bill already contains a very substantial cut to the ENERGY STAR program, notwithstanding the fact that it has saved hundreds of millions, if not billions, of dollars and has enabled consumers to be much better informed as to what their appliances might cost them in terms of energy requirements.

But the ENERGY STAR program has been funded in this bill at the 2008 level, 4 years ago. Since then, the population has expanded, the number of appliances and things that use a great deal of electricity, particularly computers, has expanded almost geometrically. People's bills are going up. They want to know what are the most energy-efficient products, so they rely upon the ENERGY STAR program, again, a voluntary program and one that has been improved since the IG report. They have third-party certification now as to what they are saying so that we should have some confidence now in the ENERGY STAR imprimatur, if you will, on appliances.

□ 1740

It doesn't seem that this is the kind of thing that we should be cutting. This is a pro-consumer, voluntary effort that works. So I strongly oppose this amendment.

Mr. FLEMING. Will the gentleman yield?

Mr. MORAN. I would be happy to yield to the gentleman.

Mr. FLEMING. I don't disagree with the gentleman's comments. It's a good program, although it has been a flawed program. Hopefully, it's been improved.

My point is that this could be better done in the private sector, a fee or whatever paid directly to whatever private entity out there that would be nonprofit for this. Why should the taxpayers have to subsidize it? That's really the issue here.

Mr. MORAN. Reclaiming my time, I would say to the gentleman, we have things like the Better Business Bureau which, frankly, doesn't have that kind of certification. Almost anybody can get designations. Sometimes it's helpful. Other times it's less so.

I think the American consumer wants some level of credibility in the organization that is certifying that an appliance is energy efficient. The Energy Star designation means something. And if this was self-policing, done completely in the private sector, you wouldn't have had an Inspector General report. You wouldn't have had this corrective mechanism that now says, you've got to fix this. You can't rely completely upon self-certification, which is exactly what you'd have under the private sector.

Mr. FLEMING. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman.

Mr. FLEMING. There are plenty of private sector oversight organizations. And again, UL: No appliance ever goes to market now without a UL stamp, and again, that's done through a private entity. So, again, it's a great program. Don't get me wrong. I just don't see where taxpayers should be funding that. We can do much better through the private sector.

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

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

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

Mr. CALVERT. I appreciate the gentleman's shared desire to reduce spending, however, I must oppose this amendment. As the minority pointed out, to meet the 2012 302(b) allocation, we cut the Energy Star program by $27.5 million, funding for the Energy Star program down to $48.2 million, which is below the 2006 level. And we believe that significant cuts took place in this program, as they should have been taken. And with that we reluctantly oppose the amendment, and would ask for a ''no'' vote.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. I want to commend the gentleman. We agree with his position on this, and we oppose the amendment as well.

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

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

The amendment was rejected.

AMENDMENT NO. 39 OFFERED BY MR. POMPEO

Mr. POMPEO. 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 65, line 19, after the dollar amount, insert ''(reduced by $6,246,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $6,246,000)''.

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

Mr. POMPEO. Mr. Chairman, let me begin by saying thank you to the committee chairman for running a great piece of legislation. I think this bill will go a long way towards creating a pro-growth economy. We've done a great deal of work to reduce spending on this bill, and I stand here this afternoon hoping to help out even just a little bit more.

The amendment I offer I offered during H.R. 1. It passed. It passed with votes from both sides of the aisle. The Senate failed to act on it, so I'm here today again to offer this amendment one more time, and I hope it will pass again with bipartisan support, and that we will, once again, move towards a smaller, more humble Federal Government that does only those things that it's intended to do.

The amendment I offer today seeks to reduce by $6.2 million the amount of money available for the EPA's greenhouse gas registry program. If I had my druthers, I'd probably prefer to see the program go away. But I offer a more modest amount today.

This amendment only reduces spending for this program back to the levels from 2009. Now, this is very consistent with the legislation that we're acting on, the bigger bill which takes us back to 2009. This is a program that currently stands, without this amendment, 95 percent higher than the funding for the greenhouse gas registry in 2009. I think we can all agree that we weren't spending too little money in 2009 regulating greenhouse gases in America.

We know the EPA says that this registry is just about data collection. We'd just like a little bit more information. But those of us in Kansas who are trying to operate businesses and make a go of it know that there's an agenda far beyond that. This is an agenda that is job-killing. This is an agenda that will destroy jobs, not only in Kansas, but will drive up the cost of energy for every American. And so I urge my colleagues today to support this amendment.

If we simply restore funding back to the 2009 level we will roll back, I hope, again with bipartisan support, and we'll create jobs and keep EPA doing those things it ought to be doing.

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. I do rise in opposition to this amendment because it attempts to strip half of the remaining funding for EPA's greenhouse gas registry program. This amendment is part of an effort to ignore what the scientists tell us is the most serious environmental problem of our time, climate change.

Republicans have already passed a bill to repeal a scientific finding that greenhouse gases pose a danger to human health. The underlying bill we're considering says that no stationary source, no matter how large, or how lethal to human health, should ever have to reduce its carbon pollution.

But this amendment goes even further. It says that we should not even bother to find out how much pollution is being put into the air. I guess you could call it the ''ignorance is bliss'' amendment.

What we should be doing is the opposite of what the gentleman is trying to do. The bill already makes a 30 percent cut to the registry program in order to cripple the efforts of EPA with regard to greenhouse gases.

The Greenhouse Gas Reporting Program simply requires the largest sources of carbon pollution, power plants, refineries, and the very largest factories, to tell EPA and the public how much they pollute. If we're ever going to deal responsibly with this pollution that is costing us billions in health care and shortening thousands of lives, we need to know where it is coming from and have some idea of how much is being emitted.

This amendment is yet one more example of putting the profits of industry, and particularly those industries that pollute the air and eventually clog the water, that poison much of our environment, to put their profits ahead of the public interest and the public's health.

We all know that pollution is dangerous to our health. The scientists tell us that, certainly the reputable scientists. Let's allow EPA to fulfill its core responsibility, which is to collect this information and inform the public.

I know our friends on the other side hate regulations because they believe that the Environmental Protection Agency doesn't understand the impact of those regulations on businesses and on the economy and on jobs and so on. EPA's job is to protect the public health, and in doing so, and in encouraging cleaner sources of energy, we will not only protect the public's health, but we will grow this economy, grow it in a more competitive and a healthier way and a far more sustainable manner.

□ 1750

I oppose this amendment vigorously.

At this point, I yield to the gentleman from Kansas, who offered the amendment.

Mr. POMPEO. I thank the gentleman for yielding. I will be very brief.

I certainly care deeply about clean air, so do all the businesses in Kansas, so do all the agriculture people. We want clean water, but we know how to do it and we're doing it.

You said this was the ''ignorance is bliss'' amendment. I would prefer to call it the ''jobs are a good thing'' amendment.

When things get mischaracterized—I'm not suggesting we abolish this. There is still $6.2 million available for the Greenhouse Gas Registry. That's as much as was available in 2009.

This is a simple, modest amendment that many on your side voted for when I offered it before, and I hope many of them will continue to do that.

I thank you for yielding.

Mr. MORAN. I was happy to yield.

Reclaiming my time, it just seems to me that more information, accurate information, should not be a threat. Isn't it appropriate to let the public know—in fact, to let lawmakers know who might need to respond—how lethal is the pollution? How substantial is the pollution? What's the composition of the pollution coming from the very largest polluters? What are we doing to our people? What are we doing to our environment? What are the sources of much of the billions of dollars that we're spending in health care, twice as much as any other country spends on a per capita basis?

So all we're trying to do here is to have a registry—information. That ought not be threatening.

This amendment should be defeated.

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

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. A few years ago, the Supreme Court said that the EPA, under the Clean Air Act, had to come up with and look at the consequences of greenhouse gases and to create this registry, which is a scientific document that allows us to know just exactly what the various sources of these greenhouse gases are.

Now we hear a lot about climate change. I just want to point out there is another more immediate problem. The gentleman from Kansas may not be aware of this because it affects our oceans, and Kansas is in the middle of our country. The oceans are now a sink for carbon dioxide. And as we get more and more CO_2 in the ocean, it creates acidity, the so-called pH factor, which at normal range is around 8.1, and when it goes down—we have places in Hood Canal, in my home area, that are down at 7.3. At that level of acidity, it starts to take apart coral. It takes apart oyster shells. It takes apart the vital plankton, which are the food for salmon, 60 percent of the food for salmon.

This is an incredibly important situation. So the more we can learn about greenhouse gases and what their effect is not only on our climate, but also on the ocean. We are poisoning the ocean. And again, there is this ''let's not take time to work on this issue because somehow it's going to cut away jobs.''

It may end civilization. Think about that.

Your grandchildren, my grandchildren—your children, maybe. Maybe you're younger. I worry about them. I worry about what's going to happen if we don't deal with this climate change issue. And we should take this seriously. The best scientists in the world say this is something that needs to be dealt with.

So, again, I think this idea of taking out the money for the Greenhouse Gas Registry so that we will have a scientific underpinning to know what these problems are and how much various sources produce is the ''ignorance is bliss'' amendment.

Let's defeat this amendment and let the EPA do its job.

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

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

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

Mr. POMPEO. 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 Kansas will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $41,099,000, to remain available until September 30, 2013.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $36,428,000, to remain available until expended.

AMENDMENT NO. 23 OFFERED BY MS. RICHARDSON

Ms. RICHARDSON. 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 66, line 10, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 68, line 11, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 68, line 23, after the dollar amount, insert ''(increased by $5,000,000)''.

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

Ms. RICHARDSON. Thank you, Mr. Chairman, for allowing me to speak on the Richardson amendment.

This amendment adds an additional $5 million to the Diesel Emissions Reduction Act—also known as DERA grants—by cutting $10 million from the EPA Buildings and Facilities account. The Richardson amendment is about creating jobs, saving lives, and improving our Nation's air quality.

Mr. Chairman, in the last Congress I introduced legislation that extended DERA for 5 years. The DERA legislation received large bipartisan support and was later signed into law by President Obama. DERA is supported by a coalition of over 500 leading transportation, environmental, and health organizations.

I represent a region that's home to the largest port complex in the Nation and consists of some of the busiest freeways and railways in our country. However, the area also suffers from poor air quality, which has led to much higher rates of asthma and cancer than any other area in the Nation. DERA improves our air quality by reducing the CO_2 emissions by up to 35,600 tons per year. It has been estimated that nearly 2,000 lives will be saved over the next 5 years through DERA by increased air quality.

Unfortunately, the bill before us today reduces the funding for DERA grants by $19.9 million, which is well below the fiscal year 2011 levels. The EPA estimates that the DERA program averages more than $13 in health and economic benefits for every $1 we authorize in funding. The EPA also estimates that DERA saves more than 3.2 million gallons of fuel annually, which means that truckers and other diesel operators will spend $8 million less on fuel. Mr. Chairman, that's less dependency on foreign oil.

In these tight economic times, it makes sense that we invest in programs that work and are cost effective. The CBO score on the Richardson amendment showed that it will decrease the budget authority by $5 million without creating any new budget outlays. Simply put, the Richardson amendment saves money.

Since DERA funding began in 2007, more than 3,000 projects nationwide have benefited from this program. In fact, there have been nine projects in the Los Angeles County area, where I reside, alone.

Mr. Chairman, DERA projects have created jobs and improved air quality in my district and across the country. The Richardson amendment saves lives, saves money, and creates jobs, which is certainly what we need and we should be talking about more in these dark hours.

I urge my colleagues to support the Richardson amendment.

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

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CALVERT. I do this extremely reluctantly because I am very supportive of the DERA program, but I can't support the offset.

The DERA program, as the gentlelady is aware, was not in the administration's mark, and in this underlying bill, we provide for $10 million for the DERA program. As she well knows, throughout the country this is a way to remove old diesel engines that pollute, and this is something that actually works.

It's not a program; it's not a study; it's not some academic exercise. It's actually something that cleans up the air, so it's something I am very much supportive of. But right now EPA's Buildings and Facilities accounts are cut by nearly one-third. We have cut back these accounts substantially, and so we just can't support the offset in the bill.

Ms. RICHARDSON. Will the gentleman yield?

Mr. CALVERT. I yield to the gentlewoman from California.

□ 1800

Ms. RICHARDSON. I thank the gentleman from California, which we both serve, and it's my understanding that the account that the funds we're requesting that it would be taken from do, with what we're taking, still meet its outlay that's required, so I don't believe that this would be a hurt to that account.

Mr. CALVERT. Reclaiming my time, the program has already taken a substantial hit, a $20 million hit, as a matter of fact. Almost every other program in our bill has taken substantial hits.

We're serious about reducing spending. If we had the additional money, I'm sure the chairman would have added more money in the DERA account in the first place if we had the extra money to do so, because it's an extremely successful program, something that I certainly support. I understand the gentlelady's conviction, but we just don't have the money to take care of this offset, so we have to 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. Mr. Chairman, I agree with the distinguished Member from California. I know my colleague—and she's more than a colleague, a friend—is very passionate about this program, and it has a sweet acronym, DERA. As I said during the H.R. 1 debate, the diesel emissions program is a good program. That's not the issue. Right now, with regard to this amendment, the issue is whether or not we should be raiding other EPA accounts to give this diesel program even more funding than it actually has already gotten in this bill.

Chairman SIMPSON funded the diesel program at $30 million, even though President Obama requested nothing for it. Now this amendment would add a mere $5 million, but it would take $10 million from EPA's buildings to pay for it. It may be politically attractive to take from a buildings account, until you know what it funds.

The following facilities would have to give up funding to add this $5 million to the diesel program: the Ann

Arbor, Michigan, national vehicle and fuel emissions lab; the Andrew Breidenbach environmental research center in Cincinnati, Ohio; the Region 9 office in San Francisco; the Research Triangle Park main laboratory in North Carolina. In that regard, the project in 2012 needs to be funded so we can save future lease costs that would be in jeopardy if we were to take this money away from the Research Triangle Park lab. The Narragansett, Rhode Island, research lab would be cut, and the air and radiation lab in Montgomery, Alabama.

All of these facilities have requests in this fiscal year 2012 budget for needed facilities improvements. To cut those in order to increase a program that was already plussed up $30 million above the request doesn't seem to me to be the right thing to do.

In addition, we have an amendment filed from another Member—and I see her here so I suspect it's going to come up right now—to take away the $30 million that's already in the bill. I would hope my good friend would stick around to strike the last word and address this amendment that would zero out the diesel program. I don't want to zero it out, but neither do I want to zero out money for six important EPA facilities. So I hope the supporters of the diesel program will stick around, will defend it against its elimination, which is an amendment that's coming up very soon, but right now it seems to me that the wisest thing to do is to try to protect the $30 million that's already in the program, which is $30 million more than the President requested.

I yield back the balance of my time.

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

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

Ms. RICHARDSON. 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 California 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 on which further proceedings were postponed, in the following order:

The first amendment by Mr. DICKS of Washington.

The second amendment by Mr. DICKS of Washington.

The amendments en bloc by Mr. LATOURETTE of Ohio.

Amendment No. 39 by Mr. POMPEO of Kansas.

Amendment No. 23 by Ms. RICHARDSON of California.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. DICKS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 237, not voting 21, as follows:

[Roll No. 658]

AYES—174

Ackerman
Andrews
Baca
Baldwin
Barrow
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
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
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
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—237

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
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
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)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
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—21

Austria
Bachmann
Bishop (GA)
Broun (GA)
Cassidy
Chandler
Giffords
Harris
Hinchey
Honda
Lowey
McCotter
Richmond
Rogers (MI)
Ruppersberger
Rush
Schock
Schrader
Tiberi
Velázquez
Wu

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1829

Mr. BARTON of Texas, Ms. SUTTON, and Mr. ROONEY changed their vote from "aye" to "no."

Mr. CARNEY changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HARRIS. Mr. Chair, on rollcall No. 658 I was unavoidably detained, and could not be present for the rollcall. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. DICKS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Washington (Mr. DICKS) 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 250, not voting 8, as follows:

[Roll No. 659]

AYES—174

Ackerman
Andrews
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
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
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Gallegly
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
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
McNerney
Meehan
Meeks
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
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—250

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
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
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
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
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
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.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Michaud
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
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 (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—8

Bishop (UT)
Chandler
Giffords
Hinchey
Mack
McCotter
Rehberg
Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1836

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENTS EN BLOC OFFERED BY MR. LATOURETTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendments en bloc offered by the gentleman from Ohio (Mr. LATOURETTE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 206, not voting 6, as follows:

[Roll No. 660]

AYES—220

Adams
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Conyers
Costello
Cravaack
Critz
Culberson
Cummings
Davis (IL)
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Duffy
Duncan (SC)
Emerson
Farenthold
Fincher
Flake
Fleming
Flores
Fortenberry
Franks (AZ)
Frelinghuysen
Fudge
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Herger
Herrera Beutler
Higgins
Hochul
Holden
Huizenga (MI)
Hultgren
Hunter
Issa
Jackson (IL)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Lamborn
Landry
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Loebsack
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Moore
Mulvaney
Murphy (PA)
Myrick
Nadler
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pence
Peters
Peterson
Petri
Pitts
Platts
Posey
Price (GA)
Quayle
Quigley
Rahall
Rehberg
Renacci
Ribble
Rivera
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schakowsky
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Slaughter
Smith (NJ)
Smith (TX)
Southerland
Stivers
Sullivan
Sutton
Terry
Thompson (MS)
Thornberry
Tiberi
Tipton
Turner
Upton
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Webster
West
Westmoreland
Whitfield
Woodall
Young (AK)
Young (IN)

NOES—206

Ackerman
Aderholt
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Brady (PA)
Braley (IA)
Buchanan
Butterfield
Calvert
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (NY)
Clay
Cleaver
Cole
Connolly (VA)
Cooper
Costa
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Deutch
Dicks
Doggett
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Forbes
Foxx
Frank (MA)
Gallegly
Garamendi
Gosar
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Himes
Hinojosa
Hirono
Holt
Honda
Hoyer
Huelskamp
Hurt
Inslee
Israel
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Keating
Kind
Kissell
Labrador
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lucas
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Napolitano
Neal
Noem
Olver
Pallone
Pascrell
Paul
Payne
Pearce
Pelosi
Perlmutter
Pingree (ME)
Poe (TX)
Polis
Pompeo
Price (NC)
Rangel
Reed
Reichert
Reyes
Richardson
Richmond
Rigell
Roby
Rogers (KY)
Rokita
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NE)
Smith (WA)
Speier
Stark
Stearns
Stutzman
Thompson (CA)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (FL)

NOT VOTING—6

Bishop (UT)
Chandler
Giffords
Hinchey
McCotter
Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1843

Mr. ROHRABACHER and Ms. WATERS changed their vote from ''no'' to ''aye.''

So the amendments en bloc were agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR. POMPEO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 191, not voting 6, as follows:

[Roll No. 661]

AYES—235

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
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
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
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
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
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)

NOES—191

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
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
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Shuler
Simpson
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

NOT VOTING—6

Chandler
Giffords
Herger
Hinchey
McCotter
Rush

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1849

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MS. RICHARDSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. RICHARDSON) 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 7, as follows:

[Roll No. 662]

AYES—193

Ackerman
Aderholt
Altmire
Bachmann
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Critz
Crowley
Cuellar
Cummings
Davis (IL)
DeFazio
DeGette
Dent
Deutch
Dingell
Doyle
Duncan (TN)
Engel
Farenthold
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Goodlatte
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hall
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Hochul
Holden
Holt
Honda
Hultgren
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kinzinger (IL)
Kissell
Kline
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Luetkemeyer
Luján
Lynch
Manzullo
Marchant
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McDermott
McIntyre
McNerney
Meehan
Meeks
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pelosi
Pingree (ME)
Polis
Posey
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richardson
Richmond
Rooney
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott, David
Sensenbrenner
Sewell
Sherman
Shimkus
Shuler
Slaughter
Smith (NJ)
Stearns
Stivers
Stutzman
Sullivan
Sutton
Thompson (MS)
Thornberry
Tierney
Tonko
Towns
Upton
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (AK)

NOES—232

Adams
Alexander
Amash
Andrews
Austria
Baca
Bachus
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Connolly (VA)
Courtney
Cravaack
Crawford
Crenshaw
Culberson
Davis (CA)
Davis (KY)
DeLauro
Denham
DesJarlais
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hoyer
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
King (NY)
Kingston
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Long
Lowey
Lucas
Lummis
Lungren, Daniel E.
Mack
Maloney
Marino
Matheson
McCaul
McCollum
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Rehberg
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Serrano
Sessions
Shuster
Simpson
Sires
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Terry
Thompson (CA)
Thompson (PA)
Tiberi
Tipton
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—7

Akin
Barton (TX)
Chandler
Giffords
Hinchey
McCotter
Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). Two minutes remain in this vote.

□ 1856

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,224,295,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2011, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,224,295,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $9,955,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2013, and $23,016,000 shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2013.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, as amended, $105,669,000, to remain available until expended, of which $78,051,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act, as amended; $34,430,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code, as amended: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,274,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $2,610,393,000, to remain available until expended, of which $689,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the ''Act''); of which $829,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended; $60,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; $30,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005; and $1,002,393,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $49,396,000 shall be for carrying out section 128 of CERCLA, as amended, $9,980,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, $11,300,000 of the funds available for grants under section 106 of the Act shall be for state participation in national- and

state-level statistical surveys of water resources and enhancements to state monitoring programs and, in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act, as amended, $1,550,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended: *Provided*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2012 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2012, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2012, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act and section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2012, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Clean Water Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2012, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That not less than 30 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and not less than 30 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act: *Provided further*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: *Provided further*, That for fiscal year 2012 and hereafter, of the funds provided for the Clean Water Act and Safe Drinking Water Act State Revolving Fund Tribal Set-Asides, the Administrator may transfer funds between those accounts in the same manner as provided to States under section 302(a) of Public Law 104–182, as amended by Public Law 109–54.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. I have an amendment at the desk.

The Acting CHAIR (Mr. CHAFFETZ). The Clerk will report the amendment.

The Clerk read as follows:

Page 68, line 11, after the dollar amount, insert ''(reduced by $30,000,000)''.

Page 68, line 23, after the dollar amount, insert ''(reduced by $30,000,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $30,000,000)''.

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

Mrs. BLACKBURN. Mr. Chairman, first I would like to begin by commending our Appropriations Committee for the extraordinary job that they have done to claw back this money and to reduce spending below the levels that we had last year or the levels in the CR.

They have, indeed, done an exemplary job. But I think during these extraordinary and unprecedented times, we have to do more. And this Diesel Emissions Reduction program is one of those areas of funding that we can look at and say, indeed, this is duplicative, and because of that, we can eliminate this $30 million and move that funding into the spending reduction account.

Now, DERA, the program under discussion, is a grant program administered by EPA. It seeks to reduce diesel emissions—that's a worthy goal—by providing funds for technologies to retrofit existing vehicles and infrastructure not subject to updated diesel air standards. This is something that at one point in time, yes, it was important and had a tremendous impact on some of our communities, and they have done grants all across this country.

□ 1900

Now I want to point out that President Obama's fiscal year 2012 budget recommends completely eliminating funding for the DERA grants, and there is a reason that it has done that.

One of the reasons that they have done that is because since 2007, new diesel engines have to comply with a much higher emissions standard, therefore, it is decreasing the need for retrofits. There's also other funding available for such retrofits through the Department of Transportation Congestion Mitigation and Air Quality Improvement Program. They have about $45 million for diesel retrofits annually, and through the EPA's Supplemental Environmental Project enforcement agreements, where there's $7.1 million for that.

There are other programs with similar grants, the EPA's Smart Growth Program, the EPA's Performance Partnership Grants, the Clean Fuels Formula Grants. Indeed, the administration has not increased Federal funding for this program above the $60 million level in place since fiscal year 2009, when it received an additional $300 million in the Stimulus Act.

This is a program that we can say, indeed, has been a helpful program, but it is duplicative, it has outlived its usefulness because there are emissions standards on diesel vehicles that have been in place since 2007. There is less need for these grants.

Indeed, one of my colleagues on the other side of the aisle, as we were debating the CR, had recommended that we use this program, an offset with this program, and eliminate the funding for this program. Mr. MORAN had offered, at that point in time, that we do that, and one the reasons he gave was because the President had eliminated it in order to encourage the truck industry to increase its own diesel R&D. I agree with that.

This is a program that we would save $30 million. I know that it is duplicative. We need to save every penny we can possibly save of the taxpayers' money. This is a step that we should take. I appreciate the support of the amendment.

I yield back the balance of my time.

Ms. RICHARDSON. Mr. Chairman, I rise in opposition.

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

Ms. RICHARDSON. I rise in strong opposition to the amendment that's brought forward to us today. If you look at the history, actually, of the DERA program, it's one of the rare programs in this House that has enjoyed bipartisan support from day one. When you consider the inception of the program and the continued amendments that have been passed on this floor, it has garnered support. And let's talk about why.

There is evidence to show that for every $1 of investment that's made into this particular program, $13 is received back, $13 in economic benefits, in terms of jobs and in terms of health savings. Why?

DERA is the diesel emission program. I would say, is there anyone here who honestly believes that the American public that is driving on the highways every single day and sees the spewing of smog and soot coming out of trucks thinks that we no longer need this program?

There are thousands and thousands of trucks on our highways, and if this program weren't needed, I would suggest, then why are we receiving thousands and thousands of applications every single day? When the trucks have been

replaced and we have reduced the emissions, then there will be the time to reevaluate this program. But that time is not now. We are finally making progress.

And let's talk about the benefits of the diesel emission program. Yes, one, it helps us to reduce the old trucks that are on the highways. But what does it also do?

By having diesel emission, it allows us to also save in terms of fuel that's being used. And we all know our dependency currently on foreign oil, so when we consider the ability to be able to reduce the amount of oil that we have to purchase, that individuals are purchasing, that truckers are purchasing, it reduces that cost of our dependence on oil. It reduces the cost of what the end users receive when they're getting the various products.

Now, let's talk about safety. When we look at the old trucks, if we can incentivize truckers to be able to upgrade their equipment, which would include filters, protection with diesel emissions, oftentimes there are other benefits that they're gaining with those vehicles, and so we're also saving lives.

I would say any suggestion of this amendment is shortsighted and ill-advised. This is a good working program, and the maker of the amendment agrees to that, and it garners bipartisan support.

I would suggest to you, Mr. Chairman, and strongly urge that my colleagues would all join us in opposition to this amendment. Let's keep this program that is working in this country, and let's address the desperate diesel emission that's impacting asthma and many health issues in our country.

I yield back the balance of my time.

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

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

Mr. MORAN. I rise to oppose the gentlelady's amendment. I think it's instructive to point out, I offered an amendment to strike funding for this program during H.R. 1, back in February, so that we could add funds to the North American Wetlands Conservation Program.

Now my colleague from Tennessee, let me just check the record here, voted ''no,'' so I'm a little confused that now, a few months later, 5 months later, she has changed her mind. It seems to me, my amendment from February would have been preferable to the Members who have anglers and hunters in their district, which I suspect the gentlelady from Tennessee does. They rely upon healthy wetlands, which have been very much endangered by what was an elimination of the North American Wetlands Conservation Program in this bill.

This amendment simply throws away the needed funding. And I know the chairman of the subcommittee understands how needed those dollars are. So it does seem to me that our amendment to have restored money for wetlands made more sense.

But, not only did I lose that vote, Mrs. BLACKBURN voted against eliminating this diesel program. So we did not eliminate that money largely because of the compelling argument that was made by Ms. RICHARDSON at the time. In the meantime, she has continued to lobby for this program. I found some of her arguments convincing. So we're not trying to take the money out that the chairman added. We can understand why it was added to the bill. So we would agree with the chairman. Let's leave it in the bill, even though it had been zeroed out by the President.

So I think Ms. RICHARDSON not only won that vote back in February, but I think she should win this vote as well. The money should be kept in the program—$30 million does seem to be doing some good things. And so I would oppose the gentlelady from Tennessee's amendment to eliminate the program, and not even to use the $30 million for any other constructive purpose.

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. I rise in opposition to the amendment.

When I first looked at the President's proposal to eliminate funding for the diesel emissions reductions grant, I knew that there was a budget gimmick that we would have to backfill when we did this budget. This was an issue I addressed with the EPA administrator when she came before the subcommittee to justify her budget.

The diesel emissions reduction program, or DERA, is a proven program with known, quantifiable health benefits. The DERA program provides grants to States to retrofit old diesel engines in order to reduce pollution.

□ 1910

These grants produce $13 of economic benefit per Federal dollar. And the technology supported by DERA reduced black carbon emissions by 90 percent.

When I asked the administrator why she would propose to eliminate funding for a program with proven technology that works in order to fund new, nice-to-have voluntary initiatives that we have no idea what they do, she responded that it was a tough budget choice. Well, it was the wrong choice.

I think the committee supports this program, it has in the past. As I said, it's a proven program that has proven results, and that's why we backfilled the request—even though the President didn't request any funding for this—to put $30 million in. It is $20 million below what was funded at the current level. So it did have a reduction just like every other program, but we did keep it alive at $30 million.

I yield to the gentlelady from Tennessee.

Mrs. BLACKBURN. I thank the gentleman for yielding.

And, indeed, we are all for clean air; we are all for clean water; we are all for a clean environment. I think that during these times we have to look at how we're going to spend that money. And Mr. MORAN is right. I did vote against his amendment because the money was going to wetlands and not into a spending reduction account.

This is a program that is duplicative. There are other programs on the books. As we look at how to remove these redundancies and the duplications that are in the budget, this is an area where we can do it. We all want to make certain that we clean up the diesel emissions, but I would remind you all, since 2008 there have been a total of 500 grants that the EPA has given through this program, and we have four other programs that do this same work.

This is an area where we can go and achieve a savings. It is $30 million, but these are the types of steps in the right direction that, Mr. Chairman, we have to be willing to take if we're going to get the Federal spending under control.

Mr. SIMPSON. I thank the gentlelady.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

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

Mrs. BLACKBURN. 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 Tennessee will be postponed.

AMENDMENT OFFERED BY MS. RICHARDSON

Ms. RICHARDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 68, line 11, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 68, line 24, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 76, line 22, after the dollar amount, insert ''(reduced by $5,000,000)''.

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

Ms. RICHARDSON. Thank you, Mr. Chairman, for allowing me to speak on Richardson amendment No. 2.

This amendment would direct $5 million for clean air grants, which were cut by nearly 15 percent in the current legislation.

Air pollution is a national problem. According to the EPA, approximately 127 million people live in counties that exceed at least one of the health-based national ambient air quality standards in 2008. New health-based standards for ozone will likely increase this number.

Mr. Chairman, I represent a region that's home to the largest port complex in the Nation and consists of some

of the busiest freeways and railways in the country. However, the area also suffers from poor air quality, which has led to much higher rates of asthma and cancer than the current national average.

Exposure to dirty air causes tens of thousands of premature deaths each year and results in serious health problems, such as the aggravation of respiratory and cardiovascular diseases, difficulty breathing, increased susceptibility to respiratory infections, adverse effects on learning, memory, IQ, and behavior, as well as cancer.

Improvements in air quality lead to greater productivity, fewer sick days, and less money spent on health care to address air pollution-related problems. State and local air pollution control agencies have the primary responsibility to implement our Nation's clean air programs that are required by the Clean Air Act. However, due to this current recession, State and local governments are increasingly strapped for resources and are finding it ever more difficult to carry the Federal Government's share of funding this responsibility.

Because of the continuing adverse impacts of this recession on State and localities, air agencies will continue to make more painful decisions, such as reducing or cutting air programs that protect our public health. So in other words, we took 10 steps forward and now we're taking 20 back.

Mr. Chairman, I have seen firsthand that clean air grants are effective, when you consider, in an area of mine that's home to 16.8 million people and is one of the smoggiest areas in the Nation, the South Coast Air Quality Management District is one of the air pollution control agencies for Orange County and Los Angeles urban areas, Riverside and San Bernardino Counties as well. Clean air agencies also assist companies in being able to help them to comply with Clean Air Act regulations. This assistance has allowed many businesses to expand and to create jobs.

Mr. Chairman, I urge my colleagues to support clean air, support public health, and support American jobs. I urge my colleagues to support this amendment.

I yield back the balance of my time.

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

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

Mr. SIMPSON. Mr. Chairman, a good friend of mine from Virginia once said that he would hear this on the floor, and I guess this is probably the first time that he's going to hear it; that is, the gentlelady makes a good point. But given the allocation that we have and the low funding level, frankly, we just don't have the money to do what she's requesting.

Her offset is to take money out of the Capital Improvement and Maintenance program. That's a program that has already been cut by $94 million in this bill. We've had to make some tough decisions. And while we haven't eliminated the funding for this, obviously, we just don't have that kind of money to put back into it.

Every program is going to have to suffer some cuts. I don't think we should be taking money out of the Capital Improvement and Maintenance program allocation that has already been cut by nearly $100 million. So I would oppose the gentlelady's amendment and hope my colleagues will oppose it also.

I yield back the balance of my time.

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

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

Mr. SIMPSON. 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 California will be postponed.

Ms. EDWARDS. I move to strike the last word.

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

Ms. EDWARDS. Mr. Chairman, I didn't think I would be down here this evening debating the Interior-EPA appropriations bill, in part because of the number of hours that we have spent in this Chamber on this bill when we actually should be facing the Nation's debt ceiling, giving the President a clean debt ceiling and moving forward with rebuilding our economy and creating jobs. Instead, we're debating yet another flawed bill. It is the biggest assault on clean air, clean water, the endangered species, and public lands that we've seen in our Nation's history.

The bill's unprecedented funding cuts and polluter riders to benefit rich and often reckless mining and oil companies will cripple the EPA's employees, health professionals, and scientists' ability to do their job protecting our Nation and its public health.

Rather than celebrating the advancements that we've made over the last 40 years in air and water quality, instead, these Republican ''riders to ruin'' are driving us back to the sixties, a time when Rachel Carson wrote ''Silent Spring'' to awaken the American public to the man-made impacts on the environment. And I just want to take a few moments to discuss a couple of them. There are so many that it's a tough challenge, these Republican ''riders to ruin.''

The bill would prohibit funding for the Endangered Species Act listings. Hundreds of animals have been protected under the Endangered Species Act. The bill would eliminate the protection that leads to the repopulation and revitalization of bald eagle populations in our Nation. And for all the flag pins that we wear, we're about ready to decimate the very act that protects our Nation's symbol, the bald eagle.

Among other things, the bill also strikes out at ending regulations to expand the storm water discharge program under the Clean Water Act. The program prevents harmful pollutants from being washed or dumped into our water systems. And as our cities and urbanized areas grow, storm water runoff can become a threat if we're not able to better manage the discharge waters and possible impact of toxins and pollutants.

And here we are, something I can hardly believe. I recall taking my son to the Grand Canyon and camping along the side of the south rim many years ago. What are we going to do now? We can pitch our tents next to the uranium mines at the Grand Canyon. This is insane.

□ 1920

For the 5 million visitors a year who visit the Grand Canyon, we're going to jeopardize the water quality of our Nation's most important rivers. I can't imagine families visiting the Grand Canyon. I can't imagine future generations pitching their tent next to the Grand Canyon, next to a uranium mine, because of this senseless legislation.

It almost makes you breathless to wonder why it is that we've decided that the Federal Government doesn't have a role anymore in protecting our water and our land and our air and our air quality. The majority is pushing a bill on the floor that blocks Clean Air Act regulations of fine particles and soot and delays the EPA from limiting toxic mercury pollution from power plants. Why don't we just break up all our thermometers and dump them in the water?

I'm not sure who these riders are meant to help, but I know that they don't help children in communities in my district and across the country who are vulnerable to air pollution. Thirty percent of childhood asthma is due to environmental exposures, costing the Nation $2 billion per year. These riders add to the arsenal. They just add to the arsenal. Low-income and minority children experience more doctor visits and hospitalization due to asthma than the general population and three times the rate of white Americans.

This is a really sad day, but it's most especially sad because we should be doing the Nation's business. Today, we watched the stock market plummet because of the uncertainty that we've created in this body because of the recalcitrance of the Republican majority. I know that we have to do this horrible EPA appropriations bill, but what we need to do is fix this Nation's economy, get people back to work building our roads and our bridges and our infrastructure, and protecting our national parks. Instead, we're engaged in the silliness of trying to play dice and chicken with the American economy.

It's a really sad day for the American public. Just a really sad day.

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

Mrs. DAVIS of California. Mr. Chairman, I move to strike last word.

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

Mrs. DAVIS of California. Thank you.

The majority has been saying how concerned they are about future generations, that we shouldn't be overburdening them with our debt. I wholeheartedly agree. That's why I'm disappointed that, instead of addressing the urgent debt crisis, we are on the floor debating a bill that will gut pollution controls and public health protections in order to boost profits, the profits of America's biggest polluters, the last people who probably need a hand right now.

This bill does a number of things, Mr. Chairman. It blocks even modest pollution control standards that could mitigate climate change; the bill also erases 40 years of Federal laws that protect clean air, water, lands and wildlife; and it cripples the budgets of the Federal agencies we've charged with protecting our constituents.

As a mother and grandmother, I'm appalled that this bill signals a willingness to leave our families a more unhealthy environment than we have today. Isn't the idea always to leave things better than we found them?

Instead of protecting our citizens and shorelines, this bill exempts oil companies from complying with the Clean Air Act for offshore drilling.

Instead of protecting our drinking water and waterways, it cuts nearly $1 billion in funding for the clean water State revolving funds and will, if enacted, compromise the ability to address urban stormwater runoff, one of San Diego's greatest environmental threats.

And instead of supporting a cleaner, more efficient auto industry, it blocks an improved fuel efficiency standard, jeopardizing a process projected to create up to 700,000 new green jobs, cut fuel costs and save 2.4 million barrels of oil every day by 2030.

It's alarming, Mr. Chairman, that my colleagues who speak so passionately about giving the next generations a clean financial slate would so carelessly leave them a dirty planet. I suspect that the grandchildren of some oil company executives can always jet off to pristine resorts, but quite frankly that's not the situation for most of my constituents. The grandchildren of the 85 percent of Americans who just told The Washington Post/ABC News poll that they are, quote, just getting by or falling behind will be stuck paying high gas prices and worrying about their jobs and worrying about their health.

We should be leaving our children and our grandchildren a chance at the American Dream of middle class prosperity and a legacy of environmental responsibility and stewardship, not one of reckless disregard.

I strongly urge my colleagues to join me in opposing this bill and getting back to bridging the debt divide so our constituents can focus on their own jobs rather than being concerned about whether we're doing ours.

I yield back the balance of my time.

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

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

Ms. SPEIER. Thank you, Mr. Chairman.

In some respects, I feel like I'm in the Twilight Zone. Can anyone explain, when we are 144 hours from crossing the brink, from going over the ledge, to have this country come to a screeching halt financially, tell me why we are debating the appropriations bill for the Department of the Interior? Why aren't we dealing with what the American people want us to be dealing with right now, and that is the debt limit, raising the ceiling on the debt limit? But, no, we're going to spend hundreds of hours here over the next couple of days talking about the Interior appropriations bill.

Let me tell you what I'm hearing from my constituents, and maybe my colleagues on the other side of the aisle aren't getting phone calls from their constituents, but I am, and let me tell you what I'm hearing.

One woman wrote me and said:

''My mom is 79 years old, worked all her life in a factory and retired. Her pension was handed to her on her very last day of work, $25,000. The plant closed, moved the work to Mexico, and her husband died 8 years later. That $25,000 didn't last long. Now her only source of income is Social Security. She lives in a senior retirement center that she loves. Last Thursday, she and my aunt, who is 83 and also widowed, called me to pick them up and take them to the bank. They were going to withdraw from their savings money to pay their rent, as they, along with all of the other seniors they live with in that retirement center, are convinced they will not get their Social Security checks come August 1. My mom has a doctor's appointment on August 5, and she wonders if the doctor will continue to see her if the government doesn't pay for Medicare.

''I care deeply about them. I know for a fact that my mom is losing sleep over this. Last week, I thought she was foolish. This week, I'm beginning to think that I'm the fool. How do you look your mom and your aunt in the eye and say with great certainty that the U.S. Government will send them their Social Security?''

That was just one letter I received, and I've gotten lots of phone calls. A 52-year-old woman who's self-employed as a court reporter paid $13,000 into the Social Security system last year and she's calling me saying, ''What are you all doing? The interest rate on my mortgage is going to go up. Interest rates on my credit cards are going to go up. Why aren't you fixing this problem?''

No, we're standing here talking about the Interior appropriation budget.

A woman from Daly City, 68 years old, previously suffered a stroke, has had seizures and relies on Medicare to treat her rheumatoid arthritis. Her husband, a cab driver, will turn 70 in December, at which point he will go on Social Security and hopefully go from working 5 to 6 hours a day to maybe 4 hours. If he loses his Social Security, he will probably have to work longer hours again.

□ 1930

They're all anguished. They all want us to do our job. They want us to lift this debt ceiling, protect Social Security and Medicare, and fix our attitude that we have here that somehow it's okay to just stall. It's okay to just try and make points, make political points while they're all wringing their hands and while they're taking money out of their savings accounts because they can't pay their rent if they don't get their Social Security check come August 1.

Well, for my colleagues who maybe haven't heard from their constituents, I want the American people to call this telephone number. Call this telephone number and call your Member of Congress and tell them what you think we should be doing. Should we be debating the Interior appropriation bill right now, or should we be fixing this debt limit? A debt limit, I might add, which virtually every economist of every political stripe has said: You have to lift it. President Ronald Reagan said: It has to be lifted.

Why should Congress always take us to the brink before they act? It's time for us to be responsible.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind all Members to address their remarks to the Chair and not to the television audience.

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

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

Mr. GARAMENDI. I want to thank my colleague from California for reminding all of us that there are consequences for what we do here. This current wholly manufactured debt crisis has people very, very nervous.

The women that Ms. SPEIER talked about, concerned and nervous about their Social Security checks, whether they will be able to get their medical care, and today's Wall Street Journal, the first five items on what's news, various businesses around the world and financial institutions being prepared for the first time ever in America's history that our debt may not be worth a hoot. It may be worthless, that

we're going to default. This is a totally manufactured, unnecessary crisis. We didn't have to be here.

I want us all to step back a little ways, step back to December 2010, when we had another manufactured crisis. It came time to fund the Federal Government and to deal with some issues having to do with unemployment. And the Republicans in the Senate held us hostage and demanded that we extend the high-end Bush tax cuts, which created a $700 billion deficit. We went ahead and did that, and rolled the issue forward 3 months so that in February we would have yet another crisis, the funding or the shutdown of the Federal Government.

Yet again another opportunity for our Republican colleagues to create a crisis so that they could use it to force onto the American public their policies, which became very evident what they wanted to do. They wanted to reconfigure the entire American scene. They wanted to roll back Social Security. They wanted to end Medicare for all Americans who are not yet 55 years of age. They wanted to end the programs to support higher education, to reduce research, to reduce funding for food safety programs. They used these manufactured crises to shut down a government.

And yet here we are again with the debt limit, first discussed back in May, and then because of the Treasury Department's ability to continue paying bills, we are now up against the final deadline of August 2. Yet again a totally manufactured unnecessary crisis.

Previously, Ronald Reagan said: Don't do this. Do not put the good faith and credit of the American government on the line. He told the Republicans, his Republicans back in the 1980s, honor the debt. This is not about new spending, this is about spending going back a century. This is about the American bills that were paid or not paid years ago, and that's our debt today.

We don't need to do this. There are options. We're putting forth, as we did earlier, a clean debt limit increase. Get us past this. We are also looking at the opportunity for the President to invoke the 14th Amendment, the fourth clause of the 14th Amendment, that says America will honor its debts. I believe he has the power, issuing an Executive order to the Treasury Department: pay our debts. This is something that is fundamental for America, and we must do it.

Put aside this manufactured crisis. It didn't need to be real, but it has become all too real in these last few days as our Republican colleagues are unable to get their act together, even to put forth a proposal that would eviscerate necessary programs. Can't even do that.

The President has called for a balanced approach, one of taxes, raising the taxes that should have been raised back in December and eliminate some $700 billion of this problem, but let's do it now. Let's go after the oil companies that are receiving our tax money at the very same time that over the last decade they have created nearly a trillion dollars of profit. They don't need our tax money. The poor in America, the senior citizens in America, they are the ones that need help.

I yield back the balance of my time.

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

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

Mr. TONKO. I agree with the two previous speakers, my colleagues from California. Here we are dealing with a flawed bill that would deny our stewardship of our environment all while we're faced with an economic consequence, with a default that stares us in the face.

For the past 200 days, the Republican leadership of this body has set aside America's priority of job creation in order to talk about the debt and to talk about the deficit. My concern is that as we face that looming threat of default, my Republican colleagues aren't doing much but talk.

After 200 days with no jobs agenda, after 200 days of voting to destroy millions of jobs, after 200 days of saying that those hardest hit by the recession should bear the burden of unbalanced cuts, after 200 days of rhetoric and walking away, my Republican colleagues have forced this Congress and the American people to wait yet more hours to see and vote on their plan.

As we all know, last night the Congressional Budget Office pointed out that some of the cuts in the Speaker's plan weren't real. Meanwhile, the Tea Party base said that Cut, Cap, and Balance is the only plan they will support. We considered that plan last week, and it has failed in the Senate. It is a plan that Bruce Bartlett—who was a Reagan adviser and a Bush Treasury official—said was ''mind-boggling in its insanity.'' Others have called it the ''most ideologically extreme'' budget legislation to come before Congress in decades.

Governing is not always easy. There are extremists on both sides of the political spectrum, and standing up to them takes strength. But our advantage lies in the fact that however vocal, extremists are a minority, a faction.

I have traveled my district extensively in recent weeks. I have held town halls and meetings with local businesses, and here's what I've heard: We have a spending problem in Washington. We have a revenue problem in Washington. But more important than anything else, we have a jobs problem in America.

So what are we going to do about it? Well, my constituents had an easy answer there, too. First, cut what doesn't create jobs and stability for the middle class. That includes wasteful government spending. It also includes tax breaks for corporate jet owners, millionaires and billionaires, and a system of kickbacks to the big oil companies that even their CEOs say they don't need.

Second, save whatever actually works. That means investment in education so middle class kids have a chance to get good jobs when they finish school. That means boosting innovation so we can get American industry booming again. And it means infrastructure so that we can drive to work on safe roads and bridges and build them with American materials and workers.

Finally, my constituents have told me that whatever talking heads on TV say, they know fair when they see it, regardless of partisan divides. We have an aging population. Nobody disputes that. But cutting Social Security and ending Medicare in order to protect corporate tax breaks and long-standing kickbacks for special interests puts us in a position where ideas are replaced in government by ideology. We have been asked in recent weeks to manipulate the United States Constitution in order to enshrine this ideology. Where I'm from, we believe that the only ideology that belongs in the United States Constitution is that of democracy.

□ 1940

In our democracy, if you want your ideas to become law, you don't rewrite our history or change our foundational documents. You come down to this floor. You tell your colleagues and your constituents what you think, and you let us debate it, amend it, and vote on it right here in front of the cameras and in front of the people we are sworn to serve.

But that's not what's happening today. After 200 days of talking about little else, my Republican colleagues have forced this body and the American people to wait yet hours to see their top secret default plan. Exactly which principled stand was important enough for the Republican House leadership to walk away from the negotiations for the fifth time? More importantly, the clock is ticking. We need to get back to work—and the American people are getting sick and tired of the games.

Just based on rhetoric, we know that their call to end Medicare and end Social Security plans would protect 2 percent of our population at the expense of the rest of us, the 98 percent of us. I'm sure that takes a lot of vote wrangling. But we've had a year to get this done. No matter how much Congress cuts their classroom budgets, even our elementary school children know that a due date is a due date.

Democrats support a balanced, bipartisan solution to reduce our deficit, to create jobs, to grow our economy, and to expand the middle class. My Republican colleagues say they share those same goals. So I would invite them to come down here, join us, share their plan. Let's get on with business. America is waiting and deserves better. We

need to solve this default crisis. It's staring us in the eyes.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 68, lines 11 and 12, after each dollar amount, insert ''(increased by $1,411,000,000)''.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Chairman, my amendment would increase the Clear Water State Revolving Fund by $1.41 billion, from $689 million to $2.1 billion, the amount that was appropriated in fiscal year 2010.

All of us recognize the gravity of the financial situation facing this Nation today, and we are struggling to emerge from the worst economic recession since the Great Depression. Clearly, with the national unemployment rate hovering still around 9 percent and the unemployment rate for the construction sector at over 20 percent, we are far from completing our work.

Christine Todd Whitman, the Republican EPA administrator under President George W. Bush, estimated that the needs of our Nation's aging water infrastructure topped $660 billion. Yet within the FY 2012 Interior appropriations bill, the Republican majority cuts the Clean Water State Revolving Fund, the primary source of investment in our wastewater infrastructure, by $1.4 billion compared to FY 2010. Coupled with the severe cuts to the Clean Water SRF in H.R. 1, the FY 2011 continuing resolution, and the attacks on clean water in the Clean Water Cooperative Federalism Act passed earlier this month, the Republican majority has made it clear that they place no priority—none—on preserving clean water or creating jobs.

In terms of job losses, the cuts in the FY 2012 Interior appropriations bill when compared to FY 2010 funding levels would eliminate over 39,000 direct construction jobs throughout the country and countless additional jobs in the industries and small businesses that support the wastewater construction industry at a time when many small businesses and the construction sector are struggling to recover. Furthermore, this cut undermines longstanding Federal efforts to address our Nation's aging infrastructure systems.

Mr. Chairman, addressing the Nation's debt and deficit should absolutely be a priority; however, we should focus our efforts on finding a balanced approach that focuses on job creation rather than slashing budgets that are proven job creators. We hear repeatedly from our Republican colleagues that we should not tax our job creators. I agree. However, in my district and in districts across the Nation, the environment is the job creator.

The economy of my district depends on clean water, clean air, and safe, swimmable beaches. The cuts in this bill place all of these in jeopardy. If the Republican priorities in this bill prevail, we could put an effective tax rate of zero on small businesses in my district, and it wouldn't help because they would have no income. And no income means no jobs.

Mr. Chairman, the extension of the Bush tax cuts give the average millionaire a $139,100 tax break in 2011. That's a tax break of $2,700 per week or $380 per day. Let me be clear: I'm talking only about tax breaks for millionaires—not tax breaks for the middle class—and only for millionaires, using not the $250,000, but the million.

If our Republican colleagues were to set aside ideology and agree to eliminate the tax breaks for just those millionaires, we could reestablish our commitment to clean water and economic development within 12 days. The Bush tax cuts give millionaires across the Nation such a deal that we could completely shore up the $1.4 billion deficit in the Clean Water SRF and begin to address the needs outlined by Administrator Whitman in less than 2 weeks.

Even if Congress gave the Bill Gates and the Warren Buffetts of this world the Bush tax breaks for the remaining 353 days of the year, we could put tens of thousands of men and women back to work, protect clean water, and protect the economies that depend on clean water and pristine beaches.

Finally, the Republican majority has included in this bill several special interest policy earmarks to pull back on EPA's compliance and enforcement capabilities, making it far more difficult for the agency to identify and pursue serious violations impacting public health and the environment in communities across the Nation. In my view, this proposal stands in stark contrast to the EPA's efforts to increase compliance in critical areas within a limited budget and suggests that a weakened compliance and enforcement presence is somehow better for our Nation. I strongly disagree with that suggestion.

Combine the lackluster funding for the Clean Water SRF and the dozens of special interest policy earmarks, it's quite clear that Republicans have abandoned the decades-long national, bipartisan commitment to creating jobs, protecting public health, and preserving the ability of local communities to grow their economies through clean water projects.

I yield back the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I insist on my point of order.

The amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(j)(3) of House Resolution 5, 112th Congress, which states:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill and is in violation of such section.

I ask for a ruling from the Chair.

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

Mr. BISHOP of New York. Mr. Chairman, I fully expected that my friend from Idaho would insist on his point of order. I fully expect the Chair to sustain the point of order. But let's be clear: The underlying bill violates House rules. There are 39, at least by my count, special interest policy riders in the underlying bill, every one of which is protected by a rule that waives all points of order. Each of these policy riders are in violation of clause 2(b) of rule XXI. We all know that.

I understand that the point of order will be sustained, but I do wish we would adhere to what we were promised. We were promised an open, transparent House in which regular order would prevail and in which the House would work its will. This rule does not allow that to take place.

I will accept the ruling of the Chair.

The Acting CHAIR. The gentleman from Idaho makes a point of order that the amendment offered by the gentleman from New York violates section 3(j)(3) of House Resolution 5.

Section 3(j)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from Idaho, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. LANKFORD

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 71, lines 15 and 17, strike ''not less than 30 percent'' and insert ''30 percent or less''.

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

Mr. LANKFORD. As you may know, the Environmental Protection Agency currently administers Clean Water State Revolving Funds and Drinking Water State Revolving Funds to provide low-interest financing through the States. These low-interest loans are a way for States and communities to be able to use their own discretion in making much-needed improvements to their water supplies and infrastructure. This program was a grant program

years ago, but was transitioned into a loan program to save money some 25 years ago.

□ 1950

When the American Recovery and Reinvestment Act passed in 2009, an increase in funding for these accounts was coupled with a provision in those two funds, requiring no less than 30 percent of the financed funds issued to be used as principal forgiveness. It was a type of grant program to them. This principal forgiveness changes the low-interest loan program to a direct funding program. It's a hybrid between a loan program now and a grant program.

Since the stimulus expired and funding for these provisions returned to normal levels, unfortunately, the principal forgiveness provision has remained. This bill rolls back to pre-stimulus funding levels, but it doesn't roll back to pre-stimulus Federal strings.

So my amendment removes the Federal mandate of principal forgiveness and allows the States to use their discretion on the amounts they'd like to offer. States will be allowed to provide principal forgiveness up to 30 percent. Communities rely on these funds to ensure their infrastructure security and safe drinking water. By supporting my amendment, you can empower your State to leverage their already limited funds and ensure that communities all across our Nation receive the much needed infrastructure assistance.

Not to put words in both parties' mouths on this one as well, but there is a very bipartisan focus on this. This is one of the priorities from President Obama. In his budget proposal, he requested the same thing. Also, for conservatives and others, it gives back to the States their rights to be able to make those decisions.

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.

What the amendment does is create the 30 percent language that we've had in the past, which is a floor, and makes it a ceiling rather than a floor.

The EPA's Clean Water and Drinking Water State Revolving Loan Funds provide grants to States to capitalize on their revolving loan fund programs. These programs offer low-interest loans to communities for projects included on a State's Intended Use Plan. These low-interest loans are usually below market rates and are used to finance water and wastewater infrastructure projects.

Many small and disadvantaged communities with a low income base can hardly afford to apply for these loans even with the low-interest rates. Therefore, this provision in the base text, which we have had for a few years, would offer zero-interest loans, which are loans that forgive a portion of the principal, or grants, to these disadvantaged communities that would otherwise be unable to afford a standard SRF loan. The provision provides some relief to small communities across the Nation that are tirelessly working to provide clean and safe drinking water to their residents and bring construction jobs to their communities, all at the same time as they balance their books.

Given the huge infrastructure needs facing this Nation and the crumbling water and wastewater infrastructure, we should be providing more of this assistance, not less. So, while I appreciate my colleague's amendment and share his interest in preserving the viability of the SRFs, I do not support this amendment, and I would urge a ''no'' vote.

I would just say, we've talked about this in the subcommittee for a number of years. One of the real problems we have is we have these State revolving loan funds. We put the money out there, and there are a lot of communities that can't even afford the loans, so it doesn't help them rebuild their water systems or the wastewater treatment facilities. With the standards that we have with arsenic and other things, I have a lot of small communities in Idaho, and it doesn't help them that they have a State revolving loan fund, because they can't afford it. What this does is help them through that to meet some of the clean water standards that they have to meet.

As I said, what we've carried in the bill before us is that a minimum of 30 percent, or a floor of 30 percent, of those funds have to be used for those types of things. What the gentleman's amendment would do would make that a ceiling in which you could only use 30 percent of that. I oppose the amendment, and hope my colleagues would also.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER AND RECISSION OF FUNDS)

For fiscal year 2012, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 110–94, the Pesticide Registration Improvement Renewal Act.

The Administrator is authorized to transfer up to $250,000,000 of the funds appropriated for the Great Lakes Initiative under the heading ''Environmental Programs and Management'' to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

From unobligated balances to carry out projects and activities funded through the ''State and Tribal Assistance Grants'' and ''Hazardous Substance Superfund'' accounts, $140,000,000 are permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For fiscal year 2012 the requirements of section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) shall apply to the construction of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund as authorized by title VI of that Act (33 U.S.C. 1381 et seq.), or with assistance made available under section 205(m) of that Act (33 U.S.C. 1285(m)), or both.

For fiscal year 2012 the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j–9(e)) shall apply to any construction project carried out in whole or in part with assistance made available by a drinking water treatment revolving loan fund as authorized by section 1452 of that Act (42 U.S.C. 300j–12).

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $277,282,000, to remain available until expended: *Provided*, That of the funds provided, $66,805,000 is for the forest inventory and analysis program: *Provided further*, That of the funds provided, no less than $29,161,000 is for the forest products laboratory.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens,

and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities as authorized, and conducting an international program as authorized, $208,608,000, to remain available until expended, as authorized by law; of which $3,000,000 is to be derived from the Land and Water Conservation Fund and shall remain available until expended.

AMENDMENT NO. 18 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN 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 76, line 2, insert after the dollar amount the following: ''(reduced by $20,860,800)''.

Page 158, line 25, insert after the dollar amount the following: ''(increased by $20,860,800)''.

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

Mr. BROUN of Georgia. Mr. Chairman, my amendment would reduce State and Private Forestry funding by a modest 10 percent, and it would transfer more than $20 million to the Spending Reduction Account.

The State and Private Forestry funding sets aside money for international forestry, urban and community forestry, and supports more than 500 million acres of non-Federal forested lands. We are more than $14.3 trillion in debt, and we need to be cutting areas of our budget wherever possible. It is more than reasonable to request a reduction in this program because the Federal Government has no business giving a handout to private forestry landowners in the first place. This funding would be better managed by the State and local levels of government.

We are broke, Mr. Chairman, as a Nation. We need to be doing what businesses do when they get overextended. They lower their borrowing level; they try to find out ways to pay off their debt, and then they start cutting expenses. This is a mere 10 percent cut. So I urge my colleagues to think about our massive debt, and I urge them to consider sending part of this program back to the State and local governments.

I yield back the balance of my time.

Mr. MORAN. Mr. Chairman, I simply rise to ask if we could see the amendment. It's pretty difficult to address it until we actually see the amendment.

The Acting CHAIR. The amendment is No. 18 in the CONGRESSIONAL RECORD.

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. This amendment would take $21 million from the Forest Service's State and Private program and put it in the Spending Reduction Account.

While it's easy to stand here and say, ''It just reduces it by 10 percent. Who can't stand a 10 percent reduction?'' I'd like to note that the State and Private Forestry program has already had a significant cut in this budget—$133 million below that of FY11, and despite its name, it is critical to managing the national forest system.

The accounts we kept intact are extremely important: for example, cooperative fire protection in rural areas. This helps rural communities fight catastrophic wildfires. With such a large percentage of public land and such a small tax base, many rural communities are hard-pressed to pay for the suppression of large wildfires that start on public lands.

Cooperative forest health: in other words, the prevention and treatment of insects and disease. Improving forest health helps prevent catastrophic wildfires. In the South, I know you're familiar with the southern pine beetle. This program has helped to contain the spread of southern pine beetle. I wish the same were true in the Western United States where 20 million acres are dead due to the mountain pine beetle.

I understand the gentleman is standing on principle. So am I. I urge my colleagues to oppose 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 simply rise to associate myself with the very thoughtful, insightful comments of the gentleman from Idaho, the chairman of the Appropriations Committee. We agree. The 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 Georgia (Mr. BROUN).

The amendCment was rejected.

□ 2000

AMENDMENT OFFERED BY MS. HANABUSA

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 76, line 2, insert after the dollar amount the following: ''(increased by $50,000,000)''.

Page 80, line 1, insert after the dollar amount the following: ''(reduced by $50,000,000)''.

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

Ms. HANABUSA. Mr. Chairman, this amendment is intended to have funds available to restore the Forest Legacy Program through the fiscal year 2011 level, as well as the fiscal year 2008 levels, of approximately $53 million. This amount is $83 million less than what was requested by the administration and $22 million less than what was authorized in fiscal year 2010.

The reason for this amendment is we cannot let this very important program in essence be eliminated by the present funding of only $3 million in the present bill before us.

The Forest Legacy Program partners with the States to protect environmentally sensitive forest lands. It is a partnership program in which States are permitted to accomplish this very important goal. It is a voluntary program that encourages the protection of privately owned lands and encourages the purchase of conservation easements without removing the land from private ownership. The easements then act to protect water, air quality, and habitats for threatened and endangered species.

This particular program is important for the State of Hawaii. We have more endangered species per square mile than any other place on the planet. We claim 75 percent of the endangered plants in the United States. We are the most unique archipelago.

One such project is called the Kainalu Forest Watershed, which is an easement that was bought to preserve 614 acres of strategic watershed. This was done in the year 2010. This area produces a large part of the freshwater that contributes to the recharging of the aquifer through the forests and the streams that are preserved and sustains the residents of Molokai.

Molokai may not be known to many of you, but in 2009, this island was made famous with the canonization of Father Damien, when he became St. Damien. This is the island that he so loved.

But this is not a program that only affects Hawaii. It affects many of my colleagues' States. For example, in Idaho, 720 acres called the Bane Creek Neighbors project, which connects to important ecosystems and critical wildlife habitats and important timberlands, were preserved, and it preserved grizzlies' and gray wolves' habitats for these in the future.

Also in Idaho, the McArthur Lake Wildlife Corridor, which basically protects 3,727 acres of critical private timberlands.

Utah benefited from it through the Dry Lakes Ranch, which protects not only the timberlands themselves but a beautiful scenic view and keeps the area pristine and whole.

As of 2010, almost 2 million acres have been so protected.

Now, it is important to realize that it is not taken from private owners, but it is in partnership with all the parties, including the States, to preserve these important habitats for the future.

This is the kind of program that we are always talking about and looking for, the preservation through partnerships—not just simply government going in and buying things. This is making it possible so some of the actual individuals and communities, the neighbors, for example, in Idaho are able to get together with government to preserve important easements.

It is for this reason, Mr. Chairman, that I ask for a vote in support of this amendment.

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 reluctant opposition to the gentlelady's amendment.

While the program that she seeks to increase funding for is a good program, and I think most people support it and its intent and what it does, the problem is is that it takes the money out of the Wildfire Suppression Program.

Anybody that has been watching the news for the last 5 months understands the wildfire problems we have in Texas, in New Mexico, in Arizona. And as NOAA has told us, those wildfires are going to climb into the Pacific Northwest later in the year this year. So I suspect August, September, October in the Pacific Northwest is going to be a huge fire suppression cost.

So I think we can ill afford to take the money out of wildfire suppression and put it into the program. It would be nice to increase the funding for those conservation programs to help protect those things, but if they burn up, we're not really protecting them. So we've tried in this bill to fund the wildfire suppression at the 10-year average, which we have done, and I would be hard-pressed to support taking money out of that given the fire situation we find ourselves in this year. And I would oppose the 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 amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,546,463,000, to remain available until expended: *Provided*, That of the funds provided, $336,722,000 shall be for forest products: *Provided further*, That of the funds provided, $30,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, up to $122,600,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 $16,600,000)''.

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

Mr. GOSAR. I rise today to offer an amendment to H.R. 2584, the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2012.

This summer, over a million acres of Forest Service lands, as well as another 600,000 acres of Federal, State, and private lands, burned throughout the American Southwest. Those fires are costing millions of taxpayer dollars and immediate fire response, and will cost many millions more in restoration and rehabilitation in the months and years ahead. These fires reinforce the urgent need for landscape-scale restoration.

My amendment ensures this body fully funds proactive, large-scale treatments to our national forests that will reduce wildfire risk, ultimately saving the Federal Government from having to use an astronomical amount of money for fire suppression and expensive post-fire rehab.

Specifically, my amendment increases the Collaborative Forest Landscape Restoration Program by $10 million, fully funding it at the U.S. Forest Service budget request. Authorized in fiscal year 2009, CFLRP was designed to encourage collaborative, science-based, large-scale thinning and ecosystem restoration. The program recognizes that future forest management will be most effective if it is planned and implemented in a collaborative framework through private-public partnerships at the landscape level.

As an offset, the amendment decreases a related funding account, the Wildland Fire Management-Hazardous Fuel account, by $16.6 million. The Hazardous Fuel account is funded at $334 million in the underlying bill, $80 million above the President's budget request. The Congressional Budget Office has confirmed my amendment does not increase 2012 outlays.

□ 2010

While forest treatments focused solely on hazardous fuel reduction around communities may be appropriate in many cases, they do not achieve the enduring fire protection and ecosystem restoration that are urgently required. There are roughly 80 million acres of forest across the West that are overgrown and ripe for catastrophic wildfire, according to the Landfire multiagency database. We simply cannot afford the status quo, using taxpayer dollars for 100 percent of the large-scale restoration work necessary to prevent unnatural fires like the Wallow fire in Arizona and New Mexico.

If we are going to save what is left of our forests, we must change our priorities and aggressively treat our forests at the pace and scale these fires are occurring. Congress must fully fund proactive collaborative large-scale forest restoration treatments if it truly wants to reverse the degradation of our forests while simultaneously reducing the risk of catastrophic fires.

The private-public partnerships facilitated through the Collaborative Forest Landscape Restoration program empowers private industry to do important science-based ecological restoration work while minimizing the cost to the American taxpayer. In 2010, 10 landscape-scale restoration projects were selected for the CFLR program. These programs are located in nine States: Montana, Arizona, California, Colorado, Florida, Idaho, New Mexico, Oregon, and Washington.

In the case of the Arizona project, the Four Forest Restoration Initiative, known as 4FRI, calls for the Forest Service to contract with economically viable, appropriately scaled industries capable of restoring tens of thousands of acres per year. Once a contract is awarded, it is estimated that the 2.4 million-acre project will be completed at little or no cost to the Federal Government.

Because of this promise, the project has garnered bipartisan support in the Arizona House congressional delegation as well as the support of Senators MCCAIN and KYL, Governor Jan Brewer, leaders in the State legislature, the affected counties and cities, and an unprecedented range of environmental groups, such as the Center for Biological Diversity and industry partners.

Full funding for the Collaborative Forest Landscape Restoration program ensures that the 10 existing projects, which are urgently needed, will continue to move expeditiously while allowing the CFLRP to expand into more of the estimated 80 million acres of overgrown and wildfire-prone Forest Service lands across the country that need to be properly treated.

When the Federal Government partners with local government, stakeholder groups, and private industry, together we can create much needed jobs and a safer environment for our citizens. Landscape-scale, fiscally responsible forest restoration treatments are the only way the country is going to make real progress towards proper forest health.

I urge my colleagues to vote ''yes'' on the Gosar Collaborative Forest Landscape Restoration program amendment.

I yield back the balance of my time.

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

The Acting CHAIR (Mr. PAULSEN). The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, first I would like to note that I support the Collaborative Forest Landscape Restoration program, CFLR. This bill funds the program at $30 million. In the CR, it was funded at $25 million; and in fiscal year 2010, it was funded at $10 million. We've supported it enough that we've increased funding for it from the 2010 level through the CR and in this bill. The funding for this program has increased dramatically at a time when other programs are being cut. The offset for this program is hazardous fuels; and because of the budget authority and outlays, the amendment

has to cut $16.6 million to pay for a $10 million increase in this program.

The hazardous fuels program has been extremely effective at reducing the threat of catastrophic fire. I would also argue that hazardous fuels funds get to the ground and actually make a meaningful impact much earlier than the Collaborative Forest Landscape Restoration program, which can take years before a project is even implemented.

I understand and agree with the gentleman that in our bill report we state over and over that the Forest Service needs more active management at a much larger scale. But CFLR is not the only program that does this. There are numerous programs and line items for improving forest health and reducing wildfire risk. We funded all of these at FY11 levels.

I am glad that the CFLR program is working well in Arizona, but it is not working as well in other parts of the country. In some areas, other buckets of funding are more effective at actively managing the forest. As a result, I reluctantly have to oppose the gentleman's amendment and urge my colleagues to vote ''no.''

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

Mr. GOSAR. 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 Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $378,088,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided,* That $35,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2012 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to $9,000,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $12,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $955,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,000,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,805,099,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *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 of the funds provided herein, the Secretary of Agriculture may enter into procurement contracts or cooperative agreements, or issue grants 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 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 $10,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels reduction, not to exceed $5,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands: *Provided further*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That, before obligating any of the funds provided herein for wildland fire suppression, the Secretary of Agriculture 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: *Provided further*, That the Secretary of Agriculture may transfer not more than $50,000,000 of the funds provided herein to the Secretary of the Interior if the Secretaries determine that the transfer will enhance the efficiency or effectiveness of Federal wildland fire suppression activities: *Provided further*, That of the funds for hazardous fuels reduction, up to $27,100,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $290,418,000, 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.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for:

(1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings ''Wildland Fire Management'' and ''FLAME Wildfire Suppression Reserve Fund'' will be obligated within 30 days.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry 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, private organizations, and international organizations.

Of the funds available to the Forest Service up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Of the funds available to the Forest Service, an amount not to exceed $55,000,000 shall be assessed for the purpose of performing fire, administrative and other facilities maintenance. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the joint explanatory statement of the managers accompanying this Act.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,034,322,000 together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That $836,685,000 for contract medical care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That $16,391,000 is provided for the methamphetamine and suicide prevention and treatment initiative and $10,000,000 is provided for the domestic violence prevention initiative and, notwithstanding any other provision of law, the amounts available under this proviso shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within two fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $573,761,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2012, of which not to exceed $10,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts, or annual funding agreements: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and

purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $427,259,000, to remain available until expended: *Provided*, That no less than $20,000,000 in available, unobligated prior-year funds shall be used in addition to amounts provided by this Act: *Provided further*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 shall be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $79,054,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $74,039,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substance and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2012, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $2,661,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

AMENDMENT OFFERED BY MR. LANKFORD

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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)''.

□ 2020

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

Mr. LANKFORD. Mr. Chairman, this amendment is about eliminating the wasteful duplication in our Federal Government, specifically dealing with the Council on Environmental Quality. This amendment would eliminate the funding for the Council on Environmental Quality and transfer the savings to the spending reduction account. This amendment will result in about a $2.7 million taxpayer savings.

Specifically, the Council on Environmental Quality, if people aren't familiar with it, is a council of one person with a budget typically around $3 million. Throughout the council's 40-year history, it really has done little to demonstrate additional responsibilities other than what already is being accomplished by the Environmental Protection Agency and NOAA itself. Former Presidents, including President Carter and President Reagan, have proposed reducing the budget for this

council. This council blatantly duplicates the efforts of other Federal agencies, as I already mentioned, the Environmental Protection Agency and NOAA, who are doing an excellent job in these same areas.

This an opportunity to be able to reduce unnecessary waste, duplication, and streamline the bureaucracy and improve agency services to Americans who fund these agencies.

At this critical point in our Nation's history, I recommend that we need to eliminate agencies like this and be able to combine them with existing agencies.

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, this is an organization that was established by President Nixon. It was Bill Ruckleshaus who was the first head of it. What it does is to coordinate the implementation of the National Environmental Policy Act. That act, as I recall, goes back to 1976. 1969. It was President Nixon that put it into effect.

The Council on Environmental Quality does the National Environmental Policy Act reviews, and it's a critical function. In addition to that, it coordinates the environmental programs throughout the Federal Government. If you didn't have CEQ, you'd have to invent it. I know if we didn't have it, we'd be creating it in this appropriations bill because this appropriations bill is replete with requests to the administration to coordinate environmental programs, particularly those related to climate change to avoid duplication. Well, that's the role of CEQ.

The Council of Environmental Quality is very inadequately funded. It's a relative handful of people. So the only thing that I can interpret from this amendment is that it's meant to be punitive. You're hardly saving any money, and what you're doing is eliminating the White House's ability to coordinate environmental programs to continue the same tradition that we have had since Richard Nixon. It's now been 40 years, and no one up till now has thought that the Council on Environmental Quality was not performing an important and valuable function.

I'm surprised that the gentleman would offer the amendment, but I would certainly oppose it. It's one of these things that you're only going to realize the full value of when it's gone. And though the small amount of money to save, this is an organization that, person for person, probably does as much as any other people, even in EPA or any of the other agencies of the government in terms of maintaining a consistent, focused policy on the environment.

I would really hope that this amendment would be soundly defeated. It was funded in the bill. There was no criticism registered in the report with regard to the Council on Environmental Quality.

I know they have been reaching out. They're more than happy to go to any Member's office. They're one of the people that, when you have local issues or State issues, they will respond. They'll explain the intent and purpose of the National Environmental Policy Act. And they want to ensure that the administration's actions are consistent with congressional intent.

This is not the kind of constructive amendment that we would expect to see, and I would really hope that this body would reject it. But I'm stunned that this amendment would have been offered.

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

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

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

Ms. MCCOLLUM. I also oppose the gentleman's amendment.

Let me just give you a little more background on what the Council on Environmental Quality does. Its focus is to make government more efficient and more effective, and it does this by interagency working groups and coordination with EEOP and CEQ. And it balances the competing positions, sometimes, even within government coordination. In other words, it makes everybody come around the table and figure out how do we do this the most effectively for the American people.

It brings, as Ranking Member MORAN pointed out, Federal agencies, State and local governments to the table too to say how can we be most effective collaboratively in making our environment work better for America.

Let me give you an example of one of the projects that they're working on, and it's solar energy. Solar energy is booming here in the United States; and if we get solar energy technology right, we will be the leaders for the next generation in how we can have energy efficiency, energy independence through renewable energy.

The Solar Energy Industries Association works with this council. And in the first quarter, the solar industry installed 252 megawatts of new solar electric capacity, 66 percent growth from the same timeframe from 2010. That's 3,000 megawatts of solar electric installed in the United States. That's enough to power 600,000 homes.

They worked with the manufacturing sector, the solar power sector. They worked together, and they caused this 33 percent jump in panel production. With the growth of solar energy, thousands of jobs have been created. In fact, solar energy creates more jobs per megawatt than any other energy source. And according to the Solar Foundation's National Solar Job Census, 93,000 Americans were employed in the U.S. solar industry.

The reason why I bring this up is that not only are they helping to bring everybody around the table to figure out how to move America forward with this; the next thing they do is they work, as I said, with inter-government agencies. So they worked with the Department of Energy to issue loan guarantees for solar projects and manufacturing facilities. That's going to create 26,000 jobs.

They worked with the Department of Veterans Affairs to announce that they will be installing solar panels in their systems in five VA Medical Centers, one in Oklahoma; Temple, Texas; Amarillo, Texas; and in California. Prior to this announcement, the VA had also been awarded dollars for other solar panels in their facilities, and they're seeing that they are being able to control costs and do good things for the environment.

The Department of the Interior has approved solar permits for solar-powered products on public lands that will provide enough energy for 730,000 homes.

The Department of Agriculture actively promotes the deployment of solar energy on farms and ranches working with people and folks out in the private sector. So the list goes on and on.

□ 2030

Coordination is often the key to efficiency. And so I just really think that the Council on Environmental Quality provides America a way forward in making sure that our agencies are talking and being effective with one another when it comes to collaboration on environmental issues. It also reaches out to the local governments, but more importantly, it works in the private sector to create opportunities for jobs.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I rise in opposition to the amendment.

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

Mrs. LUMMIS. I yield to the gentleman from Oklahoma briefly to give him a last opportunity to comment.

Mr. LANKFORD. This was a wonderful description that I'm hearing of the responsibility of the Council on Environmental Quality. The problem with it is it's the same responsibilities that EPA has, that the Department of Energy has, that NOAA has. These are executive agencies as well, and to say that you have to create a new executive agency to watch over this executive agency is one of those prime examples of why it's so difficult to be able to combine agencies for efficiency.

We have multiple bureaucracies that are standing out there combining and doing similar functions, and it would save us money. Yes, this is a very small agency, but it's another one of those prime examples why the executive branch has all these multiple agencies doing the same thing, and we have to be able to find ways to be able to combine these.

I understand that we're creating jobs per megawatt in the middle of this, but the reality of this is we've got to be able to find ways to be able to save money.

Mrs. LUMMIS. Mr. Chairman, reclaiming my time, I will point out that the underlying bill reduces CEQ to 2006 levels and caps their full-time equivalence, or their employees, at 2006 levels. So that means that they will have a reduction in force. They will lose three employees.

I might also point out that when I was the general counsel for the Governor in my State, I also ran the Natural Resources Subcabinet. We were actually, at the State level, the mirror image, where I was, of what CEQ does. We were in the position of responding to NEPA documents that were sent to us by the Federal Government from Federal agencies. And as a State, we were attempting to coordinate our responses to NEPA documents for various State agencies—the agency that regulates water, the agency that looks after State land, the agency that does environmental quality in Wyoming, the agency that does State forests, and on and on. And so our Natural Resources Subcabinet was the State equivalent and mirror imagine in the responding avenue to what CEQ is in Washington.

Now, let me give you an example of some of the things that CEQ has coordinated here in Washington and why it makes sense.

We have seen in this debate, earlier, that fighting Asian carp is a priority for the Great Lakes region. Over the past 1½ years, CEQ has brought all the Federal agencies together with the Great Lakes States to combine efforts to fight this invasive specie. So they have coordinated on an interagency, intergovernmental framework. And without the framework, it's hard to pull the Army Corps of Engineers, Department of the Interior, EPA, and these groups together with the States to have a shared response to a multi-State, multijurisdiction, multilevel of government issue like the Asian carp. That is something I believe that makes it appropriate for CEQ's existence to continue.

I understand the frustrations that some people have with it, but, quite frankly, that type of coordination I think could, when managed properly, allow the Federal Government to speak with one voice where their own disparate agencies have different mission statements. So that type of coordination is important.

Mr. Chairman, for those reasons, and for the cuts that have already been undertaken in this bill, I do rise to oppose the amendment.

I yield back the balance of my time.

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

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

Mr. FLAKE. I rise in support of the gentleman's amendment.

I didn't plan on speaking, but I couldn't help after hearing the comments, and I would gladly yield 30 seconds to the gentlelady if she wants to explain further.

I have never heard this used as a measurement before, as a positive measurement, the number of jobs per megawatt for solar power.

Now, I'm from Arizona. I like solar power. It's great. But since when are we using, as a positive, the number of jobs it takes to create a megawatt? Will it be seen as a positive in the future if it takes more jobs to create a megawatt? Is that a good thing for the economy? Is that a jobs program of some type? I mean, it just baffles me sometimes at the arguments that are made as to why we should keep programs like this going and keep spending.

I would be glad to yield time to the gentlelady if she wants to explain that further.

Ms. McCOLLUM. I thank the gentleman.

The point is is that we are creating jobs using less energy, and when we do that, we save energy. But these jobs that are being created are improving our economy, our ability to compete internationally. And these jobs use less energy. So we're not investing in nuclear power plants and we're not investing in coal burning, which leads to—I kind of figured you would want your time back.

Mr. FLAKE. I thank the gentlelady, but that is precisely the opposite of the number of jobs per megawatt. If nuclear creates more energy for fewer jobs and less cost, that's the direction we should go because it's nonpolluting as well. But this notion that we have to keep this going because it just creates jobs and jobs per megawatt, it just baffles me.

I rise in support of the gentleman's amendment. We're borrowing 41 cents on every dollar. We ought to save money where we can.

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

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

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

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

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

The Clerk will read.

The Clerk read as follows:

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $10,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,530,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds made available by this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee shall be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $7,900,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $626,971,000, to remain available until September 30, 2013, except as otherwise provided herein; of which not to exceed $20,137,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum

of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

AMENDMENT NO. 14 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN 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 101, line 10, after the dollar amount insert ''(reduced by $55,624,000)''.

Page 158, line 25, after the dollar amount insert ''(increased by $55,624,000)''.

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

Mr. BROUN of Georgia. Mr. Chairman, my amendment would revert the Smithsonian funding back to the fiscal year 2008 levels. This is simply asking the Smithsonian to tighten their belts, to pull their weight, just like other agencies and departments within the Federal Government are having to do.

Mr. Chairman, this country is broke. We have spent all the money in our bank and then some. We have to prioritize where we can afford to spend money and where we simply cannot afford to. I believe asking the Smithsonian to simply scale back their spending to levels of 2008 is more than reasonable. I urge my colleagues to support my 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, the Smithsonian Institution is the world's leading museum complex. People from all over the world come to Washington, oftentimes with the principal intent of seeing the Smithsonian, but it is invariably part of their trip to our Nation's capital. It is something that every Member of the legislative branch should be very proud of. In fact, we should spend more of our time in those museums. They're extraordinary, every single one of them. They tell the story of our Nation's origin. They reflect the evolution of knowledge of the things that are relevant to our very existence.

In addition to the traditional museums along our National Mall, we have a National Zoo—again, known throughout the world. But this amendment that would cut $55 million would wind up eliminating 600 positions from the Smithsonian because 90 percent of the costs of museums are personnel.

□ 2040

We're told that given the existing costs that have continued to increase over the last 4 years, not just personnel but particularly energy costs, the costs of maintaining the world's finest museum complex, that the Smithsonian would have to close at least one if not two major museums, or the National Zoo. It doesn't seem to me that in order to save a relative fraction of a bill—this bill is about $27 billion—in order to save—what is that, half a percent?—that we would want to close one or two of the finest museums in the world.

If you did abolish 600 Federal positions at the Smithsonian, you would also have to pay severance costs and create personnel management turmoil for years. You would be saying to the Smithsonian, which makes us proud for the quality and really the efficiency of its operation, Sorry, but we don't think that you should be a priority. The reality is if you were to ask the Federal taxpayer, not just the people in this region but all over the country how important the Smithsonian is, it seems to me they would make it a priority.

One of the last things we want, it would seem, is that our visitors come from our constituencies, our congressional districts, to Washington, and then we have a sign on the front door of one of the major museums, Sorry, Closed Due to Short-Term Budget Cuts. Now, I trust that that would not be the final reality, but if we were to pass such an amendment when we vote on this, I think it would send a signal. It's a wrong signal. Just as the uncertainty about the debt ceiling is the wrong signal to be sending the rest of the world, for gosh sakes, this is the wrong signal to be sending to the people who work so hard at the Smithsonian to make us proud. It's the wrong signal to send to our constituents. It's the wrong thing to do.

It's kind of shocking that we would have such an amendment, frankly. The committee has looked at every line item, has cut every place they could, with very few exceptions, and we've pointed out those exceptions, but the committee, I'm sure, did not consider closing down one or two of our major museums on the National Mall in order to save a fraction of 1 percent of the cost of this appropriations bill.

So, I would very, very strongly oppose this misguided amendment, Mr. Chairman.

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. To follow on the remarks of my good friend from Virginia, I must say, this is almost incomprehensible. The Smithsonian as a collection of museums and zoological park and so forth that my colleague talked about is half the picture, and, indeed, if any of those facilities are closed, there will be a lot of unhappy families from Georgia and Tennessee and Montana and all the 50 States.

But it's a lot more than that. The Smithsonian is a collection of research centers that goes far beyond biplanes and folk art and portraits and jewelry and pandas:

The Smithsonian astronomical observatory, one of the finest collections of research scientists in the world for understanding the workings of our universe.

Barro Colorado Island in Panama, in the middle of the Panama Canal, probably the principal research center for understanding the workings of our biological world.

Oh, yes, there would be a lot of unhappy families if this amendment were to go through, but among those 600 positions that would be lost no doubt would be some of the finest scientists in the United States, in fact, in the world, and there would be a lot of unhappy scientists around the world who would wonder, what in the world were they thinking of? What in the world were they thinking in Washington, D.C., when they cut back on these research efforts?

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I move to strike the last word.

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

Mrs. LUMMIS. I would like to point out that the request for this agency's appropriation under the President's budget was $110 million more than is appropriated and that we as a committee did cut this current budget by $10 million already.

I would also point out something that's more philosophically based and that is my own personal view, and it's shared by many of my colleagues on the Republican side of the aisle: That we should be funding Federal functions while we are here in Washington and acknowledge that certain functions really can be handled as well or better by the States and that the States created the Federal Government, not the other way around, and so we should be deferring to the States for everything that is not specified either in the Constitution or is purely a Federal function.

The Smithsonian Institution is a purely Federal function. It is something that was given to the United States of America, that the Federal Government and the people of this country through us are stewards of, and I believe it is appropriate as a purely Federal function that we fund it adequately.

Now we have, as I pointed out, reduced its budget during these tough fiscal times, but as something that is purely Federal in its approach and the benefit to our Nation and indeed to the world that is provided by this great gift that was given to the people of the United States of America centuries ago, I do rise in opposition to the amendment.

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. This is truly one of the less-thought-out amendments, I think, that's been proposed to this bill.

The Smithsonian is truly a gem in this country—ask the American people—if you look at what they are doing and the important role they play.

A lot of people think that it's not important if you don't come to Washington. The Smithsonian doesn't do anything. They only operate some museums here and a few things like that. That's not the truth. The Smithsonian operates all across this country. If you look at what they're doing in digitalization of the things they have in their museum and stuff, and they're reaching out to schools and so forth, it is making an amazing difference. Go on their Web site and see what they're doing in terms of the applications for your iPhone and things like that that are making a difference in people's lives, plus the research that they do on a variety of things around this country is just amazing.

□ 2050

If the gentleman wants to reduce this, and everybody can take a $58 million hit, I guess, but this is $100 million or more below what the President already requested. Another $58 million hit on this would be a substantial hit.

They also raise $158 million in private funds. That tells you that private corporations and citizens all across this country love what the Smithsonian does. And they do a fantastic job. If you want to get the public outraged, slice the Smithsonian's funding so that when someone comes here to visit Washington, maybe a trip that they planned on for quite some time, and their kids want to see the number one thing they came to see, guess what it is. The Air and Space Museum, and the other things that occur here.

But the Smithsonian is so much more than that. Go look at what they do at the National Zoo. Go look at what they do in their collections that they have. This is an incredible organization.

I'm only sorry that in this budget climate, and I appreciate the gentleman's desire to address the budget deficit that we have. Everybody wants to do that. There are some things that we should maintain. The Smithsonian is one of them. So I would hope that not only would the Members of this body vote against this amendment, but that they would vote hopefully unanimously against it and in support of the Smithsonian and the work that they do for this country.

I yield back the balance of my time.

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

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

Ms. WOOLSEY. Mr. Chairman, I just wanted to say I'm the coolest grandmother in this country as far as my grandchildren are concerned, not because I'm a Member of the House of Representatives and have been for 19 years, but because I live within walking distance of the National Zoo. They come here, and they can't get enough of the National Zoo that is sponsored by the Smithsonian. And then when they've had enough of the National Zoo and know they can come back the day after, they are on their way to the Smithsonian; and it depends on their age, and they've developed over the years from wanting the simplest entertainment at the zoo to being very curious and wanting to know more and more.

My 7-year-old grandson who was here over the Fourth of July is committed to be a scientist from what he experienced over his last week and the few times he's been here before.

If you don't have grandchildren, maybe you don't get it. You don't think this is important to the people of this country, but there is nobody who comes into my office of any age who doesn't thank me for the experience they have had at the Smithsonian. I remind them that it is their entity. It isn't ours. They pay for it through their taxes, and they are proud to do that.

I stand here against the amendment and in support of the Smithsonian Institution.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $124,750,000, to remain available until expended, of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109: *Provided*, That beginning in fiscal year 2012 and thereafter, any procurement for the construction of the National Museum of African American History and Culture, as authorized under section 8 of the National Museum of African American History and Culture Act (20 U.S.C. 80r-6), may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract with respect to the procurement shall contain the ''availability of funds'' clause described in section 52.232.18 of title 48, Code of Federal Regulations.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $112,185,000, of which not to exceed $3,481,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for lease agreements of no more than 10 years that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $13,938,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $22,455,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $13,650,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,000,000, to remain available until September 30, 2013.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $135,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

AMENDMENT OFFERED BY MR. WALBERG

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 105, line 7, insert ''(reduced by $10,600,000)'' after the dollar amount.

Page 158, line 25, insert ''(increased by $10,600,000)'' after the dollar amount.

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

Mr. WALBERG. Mr. Chairman, tonight I am offering an amendment that would reduce funding for the National Endowment for the Arts to fiscal year 2006 levels.

In February, during the consideration of H.R. 1, I offered a similar amendment to cut NEA funding, which the House adopted. The underlying bill funds the National Endowment for the Arts at $135 million which is a $19.7 million reduction from last year's level.

I commend the chairman and the committee for recognizing that this funding has precipitated at an unsustainable rate. Since 2008, the NEA has received increases of over $10 million each year, including $50 million in funding from the stimulus in 2009. These spending increases have coincided with annual trillion dollar deficits.

My amendment would take funding levels back to fiscal year 2006 levels at $124.4 million. If accepted, this cut returns $10.6 million to the spending reduction account.

I want you to know I believe in the fine arts, and of course I know that's defined by individual standards. In the past, I was privileged to serve on a symphony board for a time as the chairman of the finance committee. In my early years, I was brought to the Chicago Symphony Orchestra by my parents, on school trips and otherwise, and appreciate the impact the fine arts can have. Tramping through art museums is not foreign to me as well, and I enjoy much of what I see.

But at a time when our government must cut Federal spending, at a time when our taxpayers cut and fix and repair and alter their own lifestyles and their spending, the primary source of funding for the arts should be through philanthropy, not forcing open the taxpayers' wallet without their choice.

The National Foundation for the Arts does provide benefits to our country and helps fund our true fine arts. However, we are asking them to only fund their true priorities, and they can make those priorities. We know that the public asks questions about some of the programs that the NEA has supported. I'm tempted to, but I will refrain from, giving explicit illustrations of funded programs and projects that they've undertaken with much taxpayer disapproval. But suffice it to say that in recent years the NEA has funded exhibits that disparage religion, promote pornography, and support Presidential campaigns. That is not supported by the general taxpayer and should not be.

My amendment asks the NEA to only fund their true priorities. Now, if they want to determine those priorities, so be it. But if they want to determine priorities for youth concert series or young composers or you name it, that will be a choice as well, and I think most taxpayers would support those choices.

Our country is in financial hardship. The sponsors of the arts should be sponsors of the arts, as I am. But taxpayers ought to know that we will expect them, like the rest of the programs and certainly the rest of society, to be efficient at this time. Our country is in a financial hardship, and we're not taking programs like the NEA off the table; we're just asking them to establish priorities with reduced funding, yes, but an opportunity to efficiently convey to the taxpayers their understanding of what we're going through as well.

I yield back the balance of my time.

Mr. MORAN. Mr. Chairman, I rise in opposition to this amendment.

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

□ 2100

We're a great country. Great countries understand the importance of the arts. They understand that it's important not only to communicate with one another but to leave a lasting legacy for future generations. The arts have the ability to communicate the most fundamental aspirations of mankind. They have the ability to evoke compassion. They have the ability to evoke the kind of spiritedness that causes countries to show undaunted courage and to rise above the problems of the day in pursuit of far more noble national objectives.

The value of the arts transcends anything that we can quantify in terms of dollars and cents. We should be extraordinarily proud of our National Endowment for the Arts. Denyce Graves, who is one of the finest opera singers in the world, who can stir the emotions just by hearing her beautiful, extraordinary voice, said that she grew up in Washington, where the Kennedy Center is. But it could have been the other end of the world if she had not been able to get into a program funded by the National Endowment for the Arts.

There are any number of men and women, young, middle-aged, old, who have come into contact because of the outreach that the National Endowment for the Arts has provided. And there are any number of communities across the country who, by use of the arts—by setting up a theater, by pulling people together, by getting a small amount of money from the NEA, which is far more an endorsement than it is financial support—have been able to develop local economies.

We've heard from a number of big-name performers now who said they got their entry, the development of their career through the NEA. Some gave back by developing a theater in communities that they thought had seen their best days behind them. And yet by uniting the community, it's clear now their best days are ahead of them because young people want to stay in that community. They're excited about the arts that are provided.

This program does so much with so little. Yet the gentleman wants to cut $10.6 million. That's 0.03 of 1 percent of nondefense domestic discretionary funding. We had $174 million in the fiscal year 2011 bill. It was cut down to $155 million, ultimately, for FY11. Now it's been cut another $20 million—down to $135 million.

I know my good friend from Idaho, the chair of the committee, wishes and knows it should be more. I think most of us, when we reflect, understand that if we continue to take money from programs that provide so much to, really, the heart and the soul of this Nation, we will lose those instruments we have to reduce the harshness and the rancor that divide us. It's the powerful media of the arts that enable us to transcend our differences, to appreciate real beauty, and the truth that comes through the fine arts and the grace that ennobles the human spirit.

NEA is a catalyst. It helps us create and sustain arts. It doesn't really fund much. What it does is to spawn the arts. It generates investment in the arts. In fact, the gentleman mentioned philanthropy. There's a great deal of money out in this country. We're still the wealthiest country in the world, no matter how much people would like us to think that we're poverty-stricken, that we're seeing some of our worst days. We're a great and powerful and wealthy Nation. Philanthropy is the principal source of funding of the arts. But NEA shapes much of that funding. It's a magnet for businesses. Almost 700,000 businesses are involved in creation and distribution of the arts.

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

(By unanimous consent, Mr. MORAN was allowed to proceed for 1 additional minute.)

Mr. MORAN. I do think that it's important that we make this nominal investment in the cultural lives of our citizens and in our children's futures. I can't imagine how a Nation as rich and prosperous as ours would not consider it a priority to provide funding for the National Endowment for the Arts.

There's too much that divides us as a Nation. This is something that should be uniting, Democrat and Republican, liberal and conservative. Everyone can appreciate the arts because it inspires us all. It inspires us to look past the parochial, the small-mindedness to see the big picture and to appreciate greatness.

This amendment should be defeated, and in it we should send a message that we understand what's important to the lifeblood of our national community.

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 Walberg amendment. First, let me associate myself with the words of my good friend from Virginia and his comments on this. The Walberg amendment would return the NEA funding to the 2006 levels of $126 million. The National Endowment for the Arts—the NEA—is funded in this bill at $135 million, which is a $20 million reduction from the fiscal year 2011 enacted level, a $32.5 million reduction from the fiscal year 2010 enacted level, and a $10 million reduction from the fiscal year 2008 enacted level.

I was asked earlier by a Member if I would support just going back to the 2008 level. We could do that but we'd have to add another $10 million into it. And we, frankly, just don't have it. This would take it back to the 2006 level, as I said. Overall, the committee has cut $2.1 billion in this bill from the fiscal year 2011 enacted level. This is on top of the $2.6 billion we cut from the bill earlier this year.

I think this amendment is excessive. But I will tell you that for some people, voting against any funding for the arts is okay with them. I'm not suggesting that that's what the sponsor of this amendment is proposing. He's only proposing a reduction in this. But there are Members who believe that the Federal Government or a State government—no government—should be involved in the arts at all. I disagree.

When we ran into problems several years ago before I was here—maybe it was when Mr. MORAN was here; I can't remember—but they ran into some controversies with the arts and the funding for individual artists that they've done. Since then, the Interior Appropriations Committee has done, working with the NEA, some reforms. So we don't fund individual artists. We fund what the intent is, I think, of the National Endowment for the Arts, and that is to get the arts out to the rest of America. If you're sometimes in a large city and that type of thing, you have access to arts. But when you're in Salmon, Idaho, you don't have access to the arts like they do in some of the other areas.

So one of the things I've been focused on in working with Chairman Landesman is making sure the arts get out to rural America so that they have an opportunity to see these art performances, whether they're the visual arts or the performing arts or other things. But we need to get them out to rural America. If you want to come to Boyce, Idaho, you will have missed Boyce, Idaho, in the summer if you don't go to the Idaho Shakespeare Festival, partly funded by a grant from the National Endowment for the Arts.

□ 2110

Yes, they raise private funds and have sponsorships and other things, but part of their funding comes from the National Endowment for the Arts.

Chairman Landesman was out in Idaho last spring, I guess it was, and we toured around Idaho and looked at some of the arts programs, at the local arts agencies that receive some funding from the NEA, and we looked at the impact it had on their operations. We also went to Jerome High School where the actors who did their performances in Boise City, at the Idaho Shakespeare Festival, toured the schools and gave performances to students. Then they sat there afterwards and talked with the students about what it was to be in the performing arts—how you get into it, what the pluses and minuses of it were, and other things. They helped educate these students in these communities. It's a very important thing.

There are a variety of very popular programs in this bill which are popular on both sides of the aisle. The American Jazz Masters program, the Heritage Fellowships, The Big Read program, and Shakespeare in American Communities have their funding maintained, not at the previous levels, but at a level so that they can maintain these very popular programs. The chairman has introduced a new program that we're working with him on—exactly how it would work and what it would be—called Our Town, which is how the arts can help transform local communities and other things through a grant program, so we've been working with him.

I will tell you that the arts are important, and I think having a Federal investment in the arts is an important thing to have.

Mr. WALBERG. Will the gentleman yield?

Mr. SIMPSON. I would be happy to yield to the gentleman from Michigan.

Mr. WALBERG. I thank the chairman for yielding.

I just want to make it clear because, as I've listened to the opposition to this, it appears one didn't catch my train of thought. I'm not saying that arts or the NEA is wrong. I'm saying it's time to make priority decisions.

Certain priority decisions, as recently as November of 2010, fund programs such as Fire in the Belly—I won't go into the full description of it—and Hide and Seek, which can be considered pornography and which was, in fact, portrayed as that in an exhibit. Those are things that are priority decisions.

So I'm saying it is time, if we're funding those, to give the taxpayer a break and say, if you want to attend those or support those, do it through philanthropy or do it through initial sponsorships themselves but not through the taxpayer.

Mr. SIMPSON. In reclaiming my time, I appreciate the gentleman's concern. The Hide and Seek program, as the gentleman mentioned, was not an NEA program. It was not funded by the NEA, and that was not part of the NEA.

We have a tendency to think that anything that's done in this country or in this State or in this community that is done in the name of arts is done by the NEA. That's not the truth. So, when we attack them because of Hide and Seek, that's just not an accurate statement.

Again, there have been times in the past when there have been criticisms of the NEA, mainly because of the individual artist funding that went on. The committee has addressed that, and they have made reforms in working with the NEA to make sure that those types of things are not funded in this bill and that we don't fund individual artists. The main funding of the program is to get the arts out into the rural communities. Like I said, the American Jazz Masters program and The Big Read program are all vitally important programs that, I think, the American people like and that, I think, Members on both sides of the aisle like.

I yield back the balance of my time.

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. REED) having assumed the chair, Mr. PAULSEN, 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 S. 627, BUDGET CONTROL ACT OF 2011

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 112–184) on the resolution (H. Res. 375) providing for consideration of the bill (S. 627) to establish the Commission on Freedom of Information Act Processing Delays, and for other purposes, 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.

□ 2115

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,