

Nolan	Royce	Thompson (CA)
Nunnelee	Ruiz	Thompson (MS)
O'Rourke	Runyan	Thompson (PA)
Owens	Ruppersberger	Tiberi
Pallone	Rush	Tierney
Pascarell	Ryan (OH)	Tipton
Pastor (AZ)	Ryan (WI)	Titus
Paulsen	Sánchez, Linda	Tonko
Payne	T.	Tsongas
Pearce	Sanchez, Loretta	Upton
Pelosi	Sanford	Valadao
Perlmutter	Sarbanes	Van Hollen
Perry	Schakowsky	Vargas
Peters (CA)	Schiff	Veasey
Peters (MI)	Schneider	Vela
Peterson	Schock	Velázquez
Pingree (ME)	Schrader	Visclosky
Pittenger	Schwartz	Wagner
Pitts	Schweikert	Walberg
Pocan	Scott (VA)	Walden
Polis	Scott, David	Walz
Posey	Serrano	Wasserman
Price (GA)	Sewell (AL)	Schultz
Price (NC)	Shea-Porter	Waters
Quigley	Sherman	Watt
Rahall	Simpson	Waxman
Rangel	Sinema	Webster (FL)
Reed	Sires	Welch
Reichert	Slaughter	Whitfield
Rice (SC)	Smith (MO)	Williams
Richmond	Smith (NE)	Wilson (FL)
Roby	Smith (NJ)	Wilson (SC)
Rogers (KY)	Smith (WA)	Wolf
Rohrabacher	Speier	Womack
Rokita	Stewart	Woodall
Ros-Lehtinen	Stutzman	Yarmuth
Roskam	Swalwell (CA)	Yoho
Rothfus	Takano	Young (IN)
Roybal-Allard	Terry	

NOT VOTING—10

Campbell	Hunter	Shimkus
Gohmert	McCarthy (NY)	Young (FL)
Holt	Negrete McLeod	
Horsford	Rogers (MI)	

□ 1501

Messrs. DAINES, PASTOR of Arizona, and Ms. WATERS changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. FRELINGHUYSEN. 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. YODER) having assumed the chair, Mr. HULTGREN, 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. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 3 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1715

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 5 o'clock and 15 minutes p.m.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The SPEAKER pro tempore. Pursuant to House Resolution 288 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. 2609.

Will the gentleman from Georgia (Mr. PRICE) kindly take the chair.

□ 1716

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. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes, with Mr. PRICE of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Louisiana (Mr. SCALISE) had been disposed of, and the bill had been read through page 60, line 12.

AMENDMENT NO. 29 OFFERED BY MS. BASS

Ms. BASS. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on my amendment to the end that the amendment stand disposed of by the voice vote taken on the amendment.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

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

Without objection, the request for a recorded vote is withdrawn. Accordingly, the noes have it and the amendment is not adopted.

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:

Amendment by Mr. POLIS of Colorado.

Amendment by Mr. BURGESS of Texas.

Amendment by Mr. BURGESS of Texas.

Amendment by Ms. TITUS of Nevada.

Amendment by Mr. LYNCH of Massachusetts.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) 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 182, noes 243, not voting 9, as follows:

[Roll No. 334]

AYES—182

Amash	Green, Al	Pallone
Andrews	Green, Gene	Pascarell
Bass	Griffith (VA)	Pastor (AZ)
Beatty	Grijalva	Payne
Becerra	Gutiérrez	Pelosi
Bera (CA)	Hahn	Perlmutter
Bishop (NY)	Hanabusa	Peters (CA)
Blumenauer	Hastings (FL)	Peters (MI)
Bonamici	Heck (WA)	Petri
Brady (PA)	Herrera Beutler	Pingree (ME)
Braley (IA)	Higgins	Pocan
Brown (GA)	Himes	Polis
Brownley (CA)	Hinojosa	Price (NC)
Bustos	Honda	Quigley
Capps	Huffman	Rahall
Capuano	Israel	Rangel
Cárdenas	Jackson Lee	Rohrabacher
Carney	Jeffries	Royal-Allard
Cartwright	Johnson, E. B.	Ruiz
Castor (FL)	Jones	Rush
Castro (TX)	Kaptur	Salmon
Chu	Keating	Sánchez, Linda
Ciçilline	Kelly (IL)	T.
Clarke	Kennedy	Sanchez, Loretta
Clay	Kildee	Sarbanes
Cleaver	Kilmer	Schakowsky
Cohen	Kind	Schiff
Connolly	Kirkpatrick	Schneider
Conyers	Kuster	Schrader
Cooper	Lance	Schwartz
Costa	Larson (CT)	Sensenbrenner
Crowley	Lee (CA)	Serrano
Cummings	Levin	Sewell (AL)
Davis (CA)	Lewis	Shea-Porter
Davis, Danny	Loebach	Sherman
DeFazio	Lowenthal	Sinema
Delaney	Lowe	Sires
DeLauro	Lynch	Slaughter
DelBene	Maloney,	Speier
Deutch	Carolyn	Stockman
Dingell	Marino	Takano
Doggett	Markey	Thompson (CA)
Doyle	Massie	Tierney
Duckworth	Matsui	Titus
Duncan (TN)	McDermott	Tonko
Edwards	McGovern	Tsongas
Ellison	McNerney	Van Hollen
Engel	Meeks	Vargas
Enyart	Meng	Veasey
Eshoo	Mica	Vela
Esty	Michaud	Velázquez
Farr	Miller, George	Visclosky
Fattah	Moore	Walz
Foster	Moran	Wasserman
Frankel (FL)	Mulvaney	Schultz
Fudge	Murphy (FL)	Waters
Gabbard	Nadler	Watt
Garamendi	Napolitano	Waxman
Garcia	Neal	Welch
Gibson	Nolan	Wilson (FL)
Gohmert	O'Rourke	Yarmuth
Grayson	Owens	

NOES—243

Aderholt	Bridenstine	Cole
Alexander	Brooks (AL)	Collins (GA)
Amodei	Brooks (IN)	Collins (NY)
Bachmann	Brown (FL)	Conaway
Bachus	Buchanan	Cook
Barber	Bucshon	Cotton
Barletta	Burgess	Courtney
Barr	Butterfield	Cramer
Barrow (GA)	Calvert	Crawford
Barton	Camp	Crenshaw
Benishek	Cantor	Cuellar
Bentivolio	Capito	Culberson
Bilirakis	Carson (IN)	Daines
Bishop (GA)	Carter	Davis, Rodney
Bishop (UT)	Cassidy	Denham
Black	Chabot	Dent
Blackburn	Chaffetz	DeSantis
Bonner	Clyburn	DesJarlais
Boustany	Coble	Diaz-Balart
Brady (TX)	Coffman	Duffy

Duncan (SC)	Latham	Rogers (AL)
Ellmers	Latta	Rogers (KY)
Farenthold	Lipinski	Rokita
Fincher	LoBiondo	Rooney
Fitzpatrick	Lofgren	Ros-Lehtinen
Fleischmann	Long	Roskam
Fleming	Lucas	Ross
Flores	Luetkemeyer	Rothfus
Forbes	Lujan Grisham	Royce
Fortenberry	(NM)	Runyan
Fox	Luján, Ben Ray	Ruppersberger
Franks (AZ)	(NM)	Ryan (OH)
Frelinghuysen	Lummis	Ryan (WI)
Gallego	Maffei	Sanford
Gardner	Maloney, Sean	Scalise
Garrett	Marchant	Schock
Gerlach	Matheson	Schweikert
Gibbs	McCarthy (CA)	Scott (VA)
Gingrey (GA)	McCauley	Scott, Austin
Goodlatte	McClintock	Scott, David
Gosar	McCollum	Sessions
Gowdy	McHenry	Shuster
Granger	McIntyre	Simpson
Graves (GA)	McKeon	Smith (MO)
Graves (MO)	McKinley	Smith (NE)
Griffin (AR)	McMorris	Smith (NJ)
Grimm	Rodgers	Smith (TX)
Guthrie	Meadows	Smith (WA)
Hall	Meehan	Southerland
Hanna	Messer	Stewart
Harper	Miller (FL)	Stivers
Harris	Miller (MI)	Stutzman
Hartzler	Miller, Gary	Swalwell (CA)
Hastings (WA)	Mullin	Terry
Heck (NV)	Murphy (PA)	Thompson (MS)
Hensarling	Neugebauer	Thompson (PA)
Holding	Noem	Thornberry
Hoyer	Nugent	Tiberi
Hudson	Nunes	Tipton
Huelskamp	Nunnelee	Turner
Huizenga (MI)	Olson	Upton
Hultgren	Palazzo	Valadao
Hurt	Paulsen	Wagner
Issa	Pearce	Walberg
Jenkins	Perry	Walden
Johnson (GA)	Peterson	Walorski
Johnson (OH)	Pittenger	Walz
Johnson, Sam	Pitts	Wasserman
Jordan	Poe (TX)	Schultz
Joyce	Pompeo	Waters
Kelly (PA)	Posey	Watt
King (IA)	Price (GA)	Weber (TX)
King (NY)	Radel	Weston
Kingston	Reed	Westmoreland
Kinzinger (IL)	Reichert	Whitfield
Kline	Renacci	Williams
Labrador	Ribble	Wilson (FL)
LaMalfa	Rice (SC)	Wilson (SC)
Lamborn	Richmond	Wittman
Langevin	Rigell	Wolf
Lankford	Roby	Womack
Larsen (WA)	Roe (TN)	Yarmuth

NOT VOTING—9

Campbell	Horsford	Negrete McLeod
DeGette	Hunter	Rogers (MI)
Holt	McCarthy (NY)	Shimkus

□ 1745

Messrs. FARENTHOLD, DESANTIS, GRIMM, and MURPHY of Pennsylvania changed their vote from “aye” to “no.”

Messrs. STOCKMAN, VISCLOSKY, RAHALL, MARINO, MULVANEY, and BROWN of Georgia, and Ms. WASSERMAN SCHULTZ 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. BURGESS

The Acting CHAIR (Mr. MEADOWS). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) 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 114, noes 308, not voting 12, as follows:

[Roll No. 335]

AYES—114

Amash	Higgins	Napolitano
Barton	Himes	Neal
Becerra	Hinojosa	Pallone
Bonamici	Honda	Paulsen
Brady (PA)	Hudson	Pearce
Broun (GA)	Huelskamp	Pelosi
Buchanan	Huffman	Pingree (ME)
Burgess	Huizenga (MI)	Pocan
Capps	Israel	Posey
Capuano	Jones	Quigley
Cassidy	Keating	Radel
Cassidy	Kennedy	Rangel
Chaffetz	Kilmer	Rohrabacher
Chu	Labrador	Salmon
Clarke	Lance	Sanford
Cohen	Larsen (WA)	Sarbanes
Conaway	Lee (CA)	Schakowsky
Conyers	Levin	Sensenbrenner
Courtney	Lewis	Serrano
Davis, Danny	Long	Sessions
DeFazio	Lujan Grisham	Shea-Porter
DeLauro	(NM)	Sherman
DelBene	Luján, Ben Ray	Slaughter
Deutch	(NM)	Smith (NE)
Duncan (TN)	Lummis	Speier
Edwards	Lynch	Stockman
Ellison	Maffei	Takano
Esty	Eshoo	Thompson (CA)
Farenthold	Marchant	Tierney
Farr	Markley	Titus
Gardner	Matheson	Tonko
Gohmert	Matsui	Tsongas
Gosar	McClintock	Velázquez
Graves (GA)	McGovern	Walberg
Grayson	McNerney	Waxman
Grijalva	Meadows	Webster (FL)
Hall	Mica	Welch
Heck (WA)	Michaud	Woodall
Hensarling	Moore	
	Nadler	

NOES—308

Aderholt	Chabot	Fleming
Alexander	Cielline	Flores
Amodei	Clay	Forbes
Andrews	Cleaver	Fortenberry
Bachmann	Clyburn	Foster
Bachus	Coble	Fox
Barber	Coffman	Frankel (FL)
Barletta	Cole	Franks (AZ)
Barr	Collins (GA)	Frelinghuysen
Barrow (GA)	Collins (NY)	Fudge
Bass	Connolly	Gabbard
Beatty	Cook	Gallego
Benishek	Cooper	Garamendi
Bentivolio	Costa	Garcia
Bera (CA)	Cotton	Garrett
Bilirakis	Cramer	Gerlach
Bishop (GA)	Crawford	Gibbs
Bishop (NY)	Crenshaw	Gibson
Black	Crowley	Gingrey (GA)
Blackburn	Cuellar	Goodlatte
Blumenauer	Culberson	Gowdy
Bonner	Cummings	Granger
Boustany	Daines	Graves (MO)
Brady (TX)	Davis (CA)	Green, Al
Braley (IA)	Davis, Rodney	Green, Gene
Bridenstine	Delaney	Griffin (AR)
Brooks (AL)	Denham	Griffith (VA)
Brooks (IN)	Dent	Grimm
Brown (FL)	DeSantis	Guthrie
Brownley (CA)	DesJarlais	Gutiérrez
Bucshon	Dingell	Hahn
Bustos	Doggett	Hanabusa
Butterfield	Doyle	Hanna
Calvert	Duckworth	Harper
Camp	Duffy	Harris
Cantor	Duncan (SC)	Hartzler
Capito	Ellmers	Hastings (FL)
Cardenas	Engel	Hastings (WA)
Carney	Enyart	Heck (NV)
Carson (IN)	Fattah	Herrera Beutler
Cartwright	Fincher	Holding
Castor (FL)	Fitzpatrick	Hoyer
Castro (TX)	Fleischmann	Hultgren

Hurt	Moran	Schiff
Issa	Mullin	Schneider
Jackson Lee	Mulvaney	Schock
Jeffries	Murphy (FL)	Schrader
Jenkins	Murphy (PA)	Schwartz
Johnson (GA)	Neugebauer	Schweikert
Johnson (OH)	Noem	Scott (VA)
Johnson, E. B.	Nolan	Scott, Austin
Johnson, Sam	Nugent	Scott, David
Jordan	Nunes	Sewell (AL)
Joyce	Nunnelee	Shuster
Kaptur	O'Rourke	Simpson
Kelly (IL)	Olson	Sinema
Kelly (PA)	Owens	Sires
Kildee	Palazzo	Smith (MO)
Kind	Pascarell	Smith (NJ)
King (IA)	Pastor (AZ)	Smith (TX)
King (NY)	Payne	Smith (WA)
Kingston	Perlmuter	Southerland
Kinzinger (IL)	Perry	Stewart
Kirkpatrick	Peters (CA)	Stivers
Kline	Peters (MI)	Stutzman
Kuster	Peterson	Swalwell (CA)
LaMalfa	Petri	Terry
Lamborn	Pittenger	Thompson (MS)
Langevin	Pitts	Thompson (PA)
Lankford	Poe (TX)	Thornberry
Larson (CT)	Polis	Tiberi
Latham	Pompeo	Tipton
Latta	Price (GA)	Turner
Lipinski	Price (NC)	Upton
LoBiondo	Rahall	Valadao
Loeback	Reed	Van Hollen
Lofgren	Reichert	Vargas
Lowenthal	Renacci	Veasey
Lowe	Ribble	Vela
Lucas	Rice (SC)	Visclosky
Luetkemeyer	Richmond	Wagner
Maloney,	Rigell	Walden
Carolyn	Roby	Walorski
Maloney, Sean	Roe (TN)	Walz
Marino	Rogers (AL)	Wasserman
Massie	Rogers (KY)	Schultz
McCarthy (CA)	Rokita	Waters
McCauley	Rooney	Watt
McCollum	Ros-Lehtinen	Weber (TX)
McDermott	Roskam	Weston
McHenry	Ross	Westmoreland
McIntyre	Rothfus	Whitfield
McKeon	Roybal-Allard	Williams
McKinley	Royce	Wilson (FL)
McMorris	Ruiz	Wilson (SC)
Rodgers	Runyan	Wittman
Meehan	Ruppersberger	Wolf
Meeks	Rush	Womack
Meng	Ryan (OH)	Yarmuth
Messer	Ryan (WI)	Yoder
Miller (FL)	Sánchez, Linda	Yoho
Miller (MI)	T.	Young (AK)
Miller, Gary	Sanchez, Loretta	Young (FL)
Miller, George	Scalise	Young (IN)

NOT VOTING—12

Bishop (UT)	Diaz-Balart	McCarthy (NY)
Campbell	Holt	Negrete McLeod
Carter	Horsford	Rogers (MI)
DeGette	Hunter	Shimkus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1752

Messrs. LYNCH and ELLISON 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. BURGESS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) 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 131, noes 291, not voting 12, as follows:

[Roll No. 336]

AYES—131

Amash	Himes	Pallone
Barton	Hinojosa	Paulsen
Becerra	Honda	Pearce
Bishop (UT)	Hudson	Pelosi
Bonamici	Huelskamp	Pingree (ME)
Brady (PA)	Huffman	Pocan
Broun (GA)	Huizenga (MI)	Polis
Buchanan	Israel	Posey
Burgess	Johnson (GA)	Price (NC)
Capps	Jones	Quigley
Capuano	Keating	Radel
Cartwright	Kennedy	Rohrabacher
Cassidy	Kilmer	Salmon
Chaffetz	Labrador	Sanchez, Loretta
Chu	Lance	Sanford
Cicilline	Lankford	Sarbanes
Cohen	Larsen (WA)	Schakowsky
Conaway	Lee (CA)	Schiff
Conyers	Levin	Schwartz
Courtney	Long	Sensenbrenner
Daines	Lowenthal	Serrano
DeFazio	Lujan Grisham	Sessions
DeLauro	(NM)	Shea-Porter
DeBene	Luján, Ben Ray	(NM)
Deutch	(NM)	Lummis
Duncan (SC)	Lummis	Lynch
Edwards	Lynch	Maffei
Ellison	Maffei	Marchant
Eshoo	Marchant	Markey
Esty	Markey	Matheson
Farenthold	Matheson	Matsui
Farr	Matsui	McClintock
Garamendi	McClintock	McGovern
Gardner	McGovern	McHenry
Gohmert	McHenry	McNerney
Gosar	McNerney	Meadows
Gowdy	Meadows	Mica
Graves (GA)	Mica	Michaud
Grayson	Michaud	Miller, George
Grijalva	Miller, George	Moore
Hahn	Moore	Mulvaney
Hall	Mulvaney	Nadler
Heck (WA)	Nadler	Napolitano
Hensarling	Napolitano	Neal
Higgins	Neal	

NOES—291

Aderholt	Chabot	Fincher
Alexander	Clarke	Fitzpatrick
Amodei	Clay	Fleischmann
Andrews	Cleaver	Fleming
Bachmann	Clyburn	Flores
Bachus	Coble	Forbes
Barber	Coffman	Fortenberry
Barletta	Cole	Foster
Barr	Collins (GA)	Fox
Barrow (GA)	Collins (NY)	Frankel (FL)
Bass	Connolly	Franks (AZ)
Beatty	Cook	Frelinghuysen
Benishek	Cooper	Fudge
Bentivolio	Costa	Gabbard
Bera (CA)	Cotton	Galleo
Bilirakis	Cramer	Garcia
Bishop (GA)	Crawford	Garrett
Bishop (NY)	Crenshaw	Gerlach
Black	Crowley	Gibbs
Blackburn	Cuellar	Gibson
Blumenauer	Culberson	Gingrey (GA)
Boustany	Cummings	Goodlatte
Brady (TX)	Davis (CA)	Granger
Braley (IA)	Davis, Danny	Graves (MO)
Bridenstine	Davis, Rodney	Green, Al
Brooks (AL)	Delaney	Green, Gene
Brooks (IN)	Denham	Griffin (AR)
Brown (FL)	Dent	Griffith (VA)
Brownley (CA)	DeSantis	Grimm
Bucshon	DesJarlais	Guthrie
Bustos	Diaz-Balart	Gutiérrez
Butterfield	Dingell	Hanabusa
Calvert	Doggett	Hanna
Camp	Doyle	Harper
Cantor	Duckworth	Harris
Capito	Duffy	Hartzler
Cárdenas	Duncan (TN)	Hastings (FL)
Carney	Ellmers	Hastings (WA)
Carson (IN)	Engel	Heck (NV)
Castor (FL)	Enyart	Herrera Beutler
Castro (TX)	Fattah	Holding

Hoyer	Miller, Gary	Schneider
Hultgren	Moran	Schock
Hurt	Mullin	Schrader
Issa	Murphy (FL)	Schweikert
Jackson Lee	Murphy (PA)	Scott (VA)
Jeffries	Neugebauer	Scott, Austin
Jenkins	Noem	Scott, David
Johnson (OH)	Nugent	Sewell (AL)
Johnson, E. B.	Nunes	Shuster
Johnson, Sam	Nunnelee	Simpson
Jordan	O'Rourke	Sinema
Joyce	Olson	Sires
Kaptur	Owens	Smith (MO)
Kelly (IL)	Palazzo	Smith (NJ)
Kelly (PA)	Pascrell	Smith (TX)
Kildee	Pastor (AZ)	Southerland
Kind	Payne	Stewart
King (IA)	Perlmutter	Terry
King (NY)	Perry	Stivers
Kingston	Peters (CA)	Stutzman
Kinzinger (IL)	Peters (MI)	Swalwell (CA)
Kirkpatrick	Peterson	Thompson (CA)
Kline	Petri	Thornberry
Kuster	Pittenger	Tiberi
LaMalfa	Pitts	Tipton
Lamborn	Poe (TX)	Turner
Langevin	Pompeo	Upton
Larson (CT)	Price (GA)	Valadao
Latham	Rahall	Van Hollen
Latta	Rangel	Vargas
Lewis	Reed	Veasey
Lipinski	Reichert	Vela
LoBiondo	Renacci	Wagner
Loeb	Ribble	Waldeen
Lofgren	Rice (SC)	Walorski
Lowe	Richmond	Walz
Lucas	Rigell	Wasserman
Luetkemeyer	Roby	Schultz
Maloney,	Roe (TN)	Watt
Carolyn	Rogers (AL)	Weber (TX)
Maloney, Sean	Rogers (KY)	Wenstrup
Marino	Rokita	Westmoreland
Massie	Rooney	Whitfield
McCarthy (CA)	Ros-Lehtinen	Williams
McCaul	Roskam	Wilson (FL)
McCollum	Ross	Wilson (SC)
McDermott	Rothfus	Wittman
McIntyre	Roybal-Allard	Wolf
McKeon	Royce	Womack
McKinley	Ruiz	Yarmuth
McMorris	Runyan	Yoder
Rodgers	Ruppersberger	Yoho
Meehan	Rush	Young (AK)
Meeks	Ryan (OH)	Young (FL)
Meng	Ryan (WI)	Young (IN)
Messer	Sánchez, Linda	
Miller (FL)	T.	
Miller (MI)	Scalise	

NOT VOTING—12

Bonner	Holt	Negrete McLeod
Campbell	Horsford	Nolan
Carter	Hunter	Rogers (MI)
DeGette	McCarthy (NY)	Shimkus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. PRICE of Georgia) (during the vote). There are 2 minutes remaining.

□ 1759

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. TITUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Nevada (Ms. TITUS) 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 87, noes 337, not voting 10, as follows:

[Roll No. 337]

AYES—87

Amodei	Heck (NV)	Perlmutter
Bass	Honda	Peters (MI)
Becerra	Huffman	Pingree (ME)
Bishop (NY)	Jackson Lee	Pocan
Bishop (UT)	Johnson (GA)	Polis
Blumenauer	Johnson, E. B.	Roybal-Allard
Brownley (CA)	Jones	Ruiz
Capps	Kennedy	Ryan (OH)
Capuano	Kirkpatrick	Sánchez, Linda
Carson (IN)	Lee (CA)	T.
Chaffetz	Levin	Sanchez, Loretta
Chu	Lewis	Sarbanes
Clarke	Lofgren	Schakowsky
Cohen	Lowenthal	Scott, David
Crowley	Lujan Grisham	Serrano
Davis (CA)	(NM)	Shea-Porter
Davis, Danny	Luján, Ben Ray	Sherman
DeFazio	(NM)	Slaughter
DeLauro	Maloney,	Smith (WA)
Doggett	Carolyn	Takano
Duckworth	Markey	Thompson (CA)
Edwards	Matheson	Tierney
Engel	Matsui	Titus
Eshoo	McDermott	Tonko
Farr	McGovern	Tsongas
Frankel (FL)	Meng	Velázquez
Garamendi	Miller, George	Wasserman
Grijalva	Nadler	Schultz
Gutiérrez	Napolitano	Waters
Hahn	Pallone	Waxman
Hastings (FL)	Pelosi	

NOES—337

Aderholt	Cooper	Grayson
Alexander	Costa	Green, Al
Amash	Cotton	Green, Gene
Andrews	Courtney	Griffin (AR)
Bachmann	Cramer	Griffith (VA)
Bachus	Crawford	Grimm
Barber	Crenshaw	Guthrie
Barletta	Cuellar	Hall
Barr	Culberson	Hanabusa
Barrow (GA)	Cummings	Hanna
Barton	Daines	Harper
Beatty	Davis, Rodney	Harris
Benishek	Delaney	Hartzler
Bentivolio	DeBene	Hastings (WA)
Bera (CA)	Denham	Heck (WA)
Bilirakis	Dent	Hensarling
Bishop (GA)	DeSantis	Herrera Beutler
Black	DesJarlais	Higgins
Blackburn	Deutch	Himes
Bonamici	Diaz-Balart	Hinojosa
Bonner	Dingell	Holding
Boustany	Doyle	Hoyer
Brady (PA)	Duffy	Hudson
Brady (TX)	Duncan (SC)	Huelskamp
Braley (IA)	Duncan (TN)	Huizenga (MI)
Bridenstine	Ellison	Hultgren
Brooks (AL)	Ellmers	Hurt
Brooks (IN)	Enyart	Israel
Broun (GA)	Esty	Issa
Brown (FL)	Farenthold	Jeffries
Bucshon	Fattah	Jenkins
Burgess	Fincher	Johnson (OH)
Bustos	Fitzpatrick	Johnson, Sam
Butterfield	Fleischmann	Jordan
Calvert	Fleming	Joyce
Camp	Flores	Kaptur
Cantor	Forbes	Keating
Capito	Fortenberry	Kelly (IL)
Cárdenas	Foster	Kelly (PA)
Carney	Fox	Kildee
Cartwright	Franks (AZ)	Kilmer
Cassidy	Frelinghuysen	Kind
Castor (FL)	Fudge	King (IA)
Castro (TX)	Gabbard	King (NY)
Chabot	Galleo	Kingston
Cicilline	Garcia	Kinzinger (IL)
Clay	Gardner	Kline
Cleaver	Garrett	Kuster
Clyburn	Gerlach	Labrador
Coble	Gibbs	LaMalfa
Coffman	Gibson	Lamborn
Congress	Gingrey (GA)	Lance
Cole	Gohmert	Langevin
Collins (GA)	Goodlatte	Lankford
Collins (NY)	Gosar	Larsen (WA)
Conaway	Gowdy	Larson (CT)
Connolly	Granger	Latham
Conyers	Graves (GA)	Latta
Cook	Graves (MO)	Lipinski

LoBiondo
Loeb sack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lynch
Maffei
Maloney, Sean
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Payne

NOT VOTING—10

Campbell
Carter
DeGette
Holt

Horsford
McCarthy (NY)
Negrete McLeod

Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Watt
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Amash
Amodei
Barber
Barrow (GA)
Bass
Beatty
Becerra
Benishak
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Cardenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutsch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fleming
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Gibson
Gowdy
Grayson

Aderholt
Alexander
Andrews
Bachmann
Bachus
Barletta
Barr
Barton
Bentivolio
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Bridenstine
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Calvert

[Roll No. 338]

AYES—217

Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Herrera Beutler
Higgins
Himes
Honda
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kingston
Kirkpatrick
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney, Sean
Carolyn
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal

NOES—206

Camp
Cantor
Capito
Carter
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen

Gallego
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Grananger
Graves (GA)
Graves (MO)
Griffith (AR)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant

NOT VOTING—11

Campbell
DeGette
Franks (AZ)
Holt

Horsford
McCarthy (NY)
Negrete McLeod

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1812

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

AMENDMENT OFFERED BY MR. GOSAR

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

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

The Clerk read as follows:

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

SEC. _____. None of the funds made available
in this Act or funds available in the Bonne-
ville Power Administration Fund may be
used by the Department of Energy for any
program, project, or activity required by or
otherwise proposed in the memorandum from
Steven Chu, Secretary of Energy, to the
Power Marketing Administrators with the
subject line "Power Marketing Administra-
tions' Role" and dated March 16, 2012.

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

Mr. GOSAR. Mr. Chairman, on March
16, 2012, the Secretary of Energy issued
a "Memorandum for Power Marketing
Administrators." This memo, com-
monly referred to as the "Chu memo-
randum," has created a great deal of

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining.

□ 1806

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

AMENDMENT OFFERED BY MR. LYNCH

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Massachusetts (Mr.
LYNCH) 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 amend-
ment.

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 de-
vice, and there were—ayes 217, noes 206,
not voting 11, as follows:

concern among our constituents who rely on Power Marketing Administrations, or PMAs, for affordable and reliable energy.

As many of you know, the PMAs are four regional Power Marketing Administrations which have been delivering reliable, clean energy to consumers for over 75 years. The PMAs have been successful models of regional collaboration with local stakeholders and a guided principle of “beneficiary pays,” meaning that whoever benefits from the specific investments in the PMAs’ infrastructure ultimately bears the cost.

The former Secretary’s memo directs the PMAs to act in areas involving transmission expansion, renewable energy, energy efficiency, and cybersecurity—all laudable goals—goals that, on the surface, I support. In fact, I have strongly advocated for the expansion of transmission here in Congress. However, I believe the Department of Energy’s means of these goals, the “Chu memo,” would implement a top-down approach that could certainly impose greater costs and risks that outweigh benefits and could undermine the collaborative and low-cost, emissions-free nature of the Federal power program.

This issue has undergone significant scrutiny here in Congress over the past year. Last year, I and Congressman JIM MATHESON, from Utah, led a letter expressing concern over the Chu memo. That letter was signed by over 160 U.S. Senators and Representatives, almost evenly split between Republicans and Democrats. Additionally, the House Appropriations Committee approved similar language to what I am putting forth today, by voice vote, to the 2013 Energy and Water Appropriations bill barring the Secretary from implementing the Chu directives. There are few issues that Congress has had such consensus on in the past.

Additionally, the House Natural Resources Committee has held multiple hearings on the memo, and it was a major topic of conversation at our recent PMA FY 2014 budget hearing. Members from both sides of the aisle have expressed concern about how the DOE might move forward with the Chu memo.

It is best if we stop this train wreck from moving forward before it is even implemented. My amendment would simply prohibit the power marketing agencies from utilizing their budgets to implement any new program, project or activity proposed under the guise of this memo. It is not intended to disrupt any previously existing activities of the PMAs, including the Bonneville Power Administration, that have been conducted in coordination and with the support of the customers. It is many of our beliefs that the recommendations of the memo fall far from the DOE’s authority under the existing law. If the DOE would like to move forward, this amendment ensures the administration will have to come forward in a transparent manner and request legal authority.

I hope my colleagues will support this commonsense amendment that will preserve the existing Federal power program and will ensure our constituents’ electricity costs stay low. I urge the support of my amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I support the gentleman’s amendment. As he said, we had a similar provision in last year’s bill, and we know the concerns are acute in the power marketing regions.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WHITFIELD

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ . None of the funds made available by this Act under the heading Renewable Energy, Energy Reliability and Efficiency may be used by the Department of Energy for wind energy programs.

Mr. WHITFIELD (during the reading). I ask unanimous consent that the reading of the amendment be dispensed with.

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

Mr. FRELINGHUYSEN. I object.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

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

Mr. WHITFIELD. I would like to explain, number one, why I am offering this amendment and then explain, number two, specifically what this amendment does.

The reason it is in handwriting is that, after we submitted the printed amendment, we had a conversation with the Parliamentarian, and a suggestion was made to change it, so it was changed.

This administration has made it very clear to the American people that it is trying to dictate the fuels used to produce electricity in America, and they’ve made it very clear that they are flagrantly discriminating and giving preferential treatment to the wind industry.

Now, why do I say that?

I don’t say it because of the \$12.1 billion production tax credit that the wind industry has received this year, and I don’t say it because of the billions of dollars that the wind industry has received in past years. I say it because the administration has decided

not to prosecute the wind industry for violations of the Migratory Bird Treaty Act or of the Bald and Golden Eagle Protection Act or of the Endangered Species Act.

According to an Associated Press investigation, in fact, the Obama administration has never fined or prosecuted a wind farm for killing eagles and other protected bird species—shielding the industry from liability and helping keep the scope of the deaths secret.

As a matter of fact, to show you how the administration is being very discriminatory in the prosecution of these acts, British Petroleum was fined \$100 million for killing migratory birds in the gulf oil spill. ExxonMobil was fined \$600,000 for killing 85 birds. PacifiCorp was fined \$10.5 million for killing birds. A utility in Wyoming was fined \$100,000 for killing one eagle. I could go on and on and on. Yet more than 573,000 birds were killed by the country’s wind farms last year, including 83,000 hunting birds, such as hawks, falcons and eagles, according to an estimate published in March in the peer-reviewed *The Wildlife Society*.

We know that this administration is getting the reputation of deciding what Federal laws it’s going to enforce and which ones it’s not going to enforce. Now it is deciding that we are going to prosecute on the Endangered Species Act, the Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act if you happen to be in this sector of the economy, but if you’re in the wind industry, we’re not going to prosecute you.

Do you know what is even worse than that?

They are now deciding that they want to carve out a rule, which the Obama administration has proposed, that would give wind energy companies potentially decades of shelter from the prosecution of the killing of any birds. The regulation is currently under review at the White House. The proposal, which was made at the urging of the wind industry, would allow companies to apply for 30-year permits to kill bald eagles, golden eagles and other migratory birds. Previously, companies were only eligible for 5-year permits. It’s basically guaranteeing a black box for 30 years, and they’re saying, Trust us for oversight.

“This is not the path forward,” said Katie Umekubo, a renewable energy attorney with the Natural Resources Defense Council.

So why should the American people be giving billions of dollars to this industry and be allowing this administration not to prosecute them when they are obviously killing thousands of birds—in direct violation of the Migratory Bird Treaty Act, of the Bald and Golden Eagle Protection Act, and of the Endangered Species Act?

My amendment simply says, with regard to the \$24 million set aside for research and development in the committee report, that it not be allowed to use that money simply because of the

extraordinary protection this administration is going to provide to prevent them from being prosecuted under the existing Federal laws that this Congress passed many years ago. That is the purpose of the amendment, and I would respectfully urge Members to vote for this amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise reluctantly to oppose the amendment because I know my colleague, my friend from Kentucky, has an incredible reputation of being the friend of animals and birds. Obviously, we are concerned about the issues he has raised.

Our bill already reduces the Wind Energy program from \$59 million to \$24 million, a cut of nearly 60 percent. His amendment goes a step further by eliminating the Wind Energy program entirely, which would result in the termination of the first offshore wind at-scale demonstration in the United States and would result in a dramatic drop-off in the U.S. deployment of wind energy systems. This setback would come at a time when wind is renewable energy's fastest growing sector.

I oppose my colleague's amendment. I am certainly aware of his heartfelt concern. We are listening to what he said, but I still oppose it.

I yield back the balance of my time.

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 think the gentleman who is proposing the amendment is missing some major points.

Before a wind energy project can continue or go into effect, it has to meet very stringent environmental requirements. Those environmental requirements, among other things, deal specifically with all types of birds. I will tell you that, in my current district and in my previous district, I had the major wind farms in California, and no project was allowed to go forward without addressing these issues. Under the Endangered Species Act, it is possible for incidental takes to take place if there is appropriate mitigation, and I know from the projects in my area that there had to be appropriate mitigation.

□ 1830

The modern wind turbines are far different than the old wind turbines, which were, in fact, deadly to birds. The modern wind turbines are far less so. And if there is an incidental take of a listed species, it can only occur with proper and appropriate mitigation.

The author's reference to the issue of a longtime take opportunity only occurs if there happens to be an adaptive management program in place that allows the Fish and Wildlife Service and

other appropriate agencies to review the process and progress, or lack thereof, and apply different measures or stop the projects at that time.

So I would oppose the amendment. I think it is based upon incorrect facts. And I join the chairman in opposition.

I yield back the balance of my time. Ms. KAPTUR. I move to strike the last word.

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

Ms. KAPTUR. Mr. Chairman, I rise in opposition to this amendment.

Last year, wind energy was the largest source of new generating capacity in our country, comprising 42 percent of all new generating capacity. Overall, America's wind energy capacity grew by 28 percent. That's an incredible record, and it demonstrates that wind energy is an affordable, reliable source of power that produces no carbon or other air pollution.

But the recent success of wind energy in our country doesn't mean we should stop investing in it. In fact, we need to do more, not less, to develop and deploy new wind energy technologies, and we're busy doing that along the Great Lakes.

Wind energy will play an important role in the transition to a cleaner energy economy. According to the American Wind Energy Association, this year alone U.S. wind projects will avoid nearly 100 million metric tons of carbon dioxide being poured into the atmosphere—the equivalent of reducing power sector emissions by over 4 percent or taking more than 17 million cars off the road.

In addition to cutting carbon pollution, investing in wind energy is a boon to our economy. In 2012, the industry supported more than 80,000 full-time equivalent jobs, including more than 25,000 manufacturing jobs at more than 550 facilities. As the global clean energy economy grows, the United States has a tremendous opportunity to attract more investment here and create even more manufacturing jobs, including in Kentucky and Ohio.

But we are at risk of missing out on this opportunity. At a time when the global clean energy market is getting more competitive, the United States has started to lag behind. In 2012, China's level of clean energy financing surpassed our country's for the first time.

Year after year, some House Republicans have pushed budgets and appropriation bills that would slash funding for clean energy and energy-efficiency programs. This appropriation bill is no exception, and Mr. WHITFIELD's amendment just takes it one step further. Eliminating all Department of Energy wind energy programs is exactly the wrong approach and one that will hurt our Nation's competitiveness in this growing market. It certainly isn't consistent with an all-of-the-above energy strategy.

Some may argue it makes sense to cut government investment in wind en-

ergy since it is a more mature technology than some emerging technologies, but wind energy isn't operating on a level playing field. The United States currently provides enormous government subsidies and tax breaks to fossil fuels. In fact, the International Monetary Fund just issued a report finding that the United States provides more subsidies to fossil fuels than any other country in the world, even China. Our annual subsidies total over—get ready for this—one-half of a trillion dollars.

We shouldn't cede the growing global clean energy market to China or make any of our other competitors happy.

And let me just say this, as I know quite a bit about this and Ohio has been fast about wind energy. I represent the Saudi Arabia of wind in the Great Lakes, which is called Lake Erie. Lake Erie also happens to be the warmest of the lakes, so it's a bird haven. On the Mississippi Flyway, we have more fish, fauna, and birds than all the other Great Lakes combined. And with that Mississippi Flyway coming up, we have lots of eagles, we have lots of different types of birds. The cormorants are some that are problematic, but, nonetheless, we are really a bird haven. We've learned that the wind turbines don't cause us any trouble. We have to situate them sometimes 3 miles from shore.

The biggest killer of birds nationwide is cats. So if you really want to look at where the problem is, maybe we need more cat control. But honestly, for the number of turbines that we've erected, what happens, especially when you have a set of turbines operating in the air, they create an updraft and the birds—they are pretty smart—sort of fly above the wind. They're amazing. They float on the pathway that the turbines generate. In addition to that, there are new technologies like strobe lights that are actually affixed to the turbines, and they keep birds away. It's almost like a silent radar in a way. So there are new technologies that are being developed to deal with that.

We actually want birds. We want turbines. We want clean energy. We want all types of energy in our region. We haul coal out of Kentucky to many of our power plants. So we have an all-of-the-above strategy in our region, but we really welcome the wind opportunities.

Cleveland, Ohio, and an investment group called LEEDCo is doing everything possible to move additional turbines onto the Great Lakes.

So I rise in opposition to the gentleman's amendment. I ask my colleagues to vote against it. And I yield back the balance of my time.

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

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

Mr. WHITFIELD. 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 Kentucky will be postponed.

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

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

Ms. TITUS. Mr. Chairman, I rise this evening to speak on a serious issue that affects my constituents. I've been investigating it since it was brought to my attention several months ago through our local media.

The Department of Energy is in the process of moving dangerous radioactive waste thousands of miles across the country from east Tennessee to southern Nevada. This waste is destined for the Nevada Nuclear Security Site, formally known as the Nevada Test Site. This is a totally separate issue now from the proposed Yucca Mountain storage site debate that we have heard earlier today.

If you're unaware that this radioactive waste is traveling through your backyard, I'm not surprised. The DOE has failed to properly inform Congress about this activity.

The project involves the transport of hundreds of canisters containing high-concentration fissile materials from the Consolidated Edison Uranium Solidification Project in Oak Ridge, Tennessee, to be dumped in my State of Nevada. The materials are so radioactive that they have a half life of more than 160,000 years.

I want to be clear that this is not the kind of low-level waste that the Nevada Test Site has been accepting for years. In fact, just weeks ago, I learned that the Department of Energy had reworked the waste acceptance criteria for the security site to allow storage of materials that have radioactive concentrations more than 40 times higher than anything that has ever been brought to the site for disposal before.

That revision to the WAC, or waste acceptance criteria, was signed off on by the DOE the very same day that agency officials met with my staff and State and local officials, yet DOE didn't think it was necessary or important to inform any of us about this change. As a matter of fact, it took an Internet search days later to discover that DOE had actually reworked the playbook for the site without any public input.

Mr. Chairman, there are far too many questions about what DOE is doing and plans to do at the Nevada Test Site, questions that so far have gone unanswered.

Nevadans have had a lot of experience dealing with Federal officials throughout the days of atomic testing and during the Cold War. We're not going to just turn aside now and let the DOE run roughshod over our communities.

And I can tell you that I'm not alone in expressing my concerns about the

DOE's activities. Our Republican governor, Brian Sandoval, has also publicly stated his opposition to the shipments of this radioactive waste. In a letter to the Energy Secretary, our Governor stated that classifying "this material as low-level waste sets a dangerous precedent." I will be submitting the letter from Governor Sandoval for the RECORD.

Mr. Chairman, my district sits just 65 miles southeast of the Nevada Test Site. The Las Vegas metropolitan area is home to nearly 2 million residents and more than 40 million visitors annually. Any plan to transport waste through the heart of the Las Vegas Valley would be extremely risky and incredibly irresponsible. The stakes are just too high to gamble on District One's safety.

The DOE has refused to cooperate with repeated attempts to gather additional information so we can have appropriate oversight. It's unthinkable that DOE is moving forward with this program without properly briefing Members of Congress. If we are being kept in the dark, who is overseeing the DOE's plans? It's critical that DOE be forthright about how and why the WAC was changed, how the changes relate to the proposed shipment, and how these changes will affect the safety and security of southern Nevada and communities across the country in the path of this transportation.

I'd like to thank the chairman and especially the ranking member for allowing me to bring this to the attention of the House, and I would ask them to work with me to ensure that there's proper congressional oversight of DOE and that the people of Nevada and beyond get the answers that they deserve.

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

OFFICE OF THE GOVERNOR,
Las Vegas, NV, June 20, 2013.

Re Planned Shipment of Wastes from Oak Ridge to Nevada National Security Site

Hon. DR. ERNEST MONIZ,
Secretary, U.S. Department of Energy,
Washington, DC.

DEAR SECRETARY MONIZ: I'm writing to inform you that after long and serious consideration, I have decided to oppose the Department of Energy's plan to ship the Consolidated Edison Uranium Solidification Project (CEUSP) canisters containing dangerous and long-lived radioactive waste for disposal at Area 5 of the Nevada National Security Site (NNSS).

I am aware that DOE believes that these canisters qualify for disposal as low-level radioactive waste (LLW). My advisors have independently evaluated all of the important technical and regulatory issues. They have concluded that the CEUSP canisters are not commonplace LLW; even if these canisters meet a legalistic definition of LLW, they are not suitable for shallow land burial at the NNSS. Nevada is also not satisfied with the overall process that DOE has followed in developing its disposal and transportation plans, including failure to appropriately address the concerns of affected local governments and Native American Tribes.

The CEUSP canisters can only be considered LLW because they do not meet the legal

definition of high-level radioactive waste, spent nuclear fuel, transuranic waste, or uranium mill tailings. Using this logic, DOE is attempting to exploit a gap in current regulations. This dangerous waste should be managed in the same manner as remote-handled transuranic waste, which DOE currently ships to the Waste Isolation Pilot Plant for permanent deep-geologic disposal. The canisters contain a high concentration of fissile material (Uranium 235 and Uranium 233), uranium isotopes that are extremely long-lived (half lives of more than 160,000 years), and have a relatively high surface dose rate (300 rem per hour), which makes them dangerous to workers and a potential source of "dirty bomb" material. Moreover, qualifying this material as LLW sets a dangerous precedent for the classification of potential future waste streams that exist across the nation.

Both Nevada and DOE have a mutual interest in the long-term and safe management of NNSS. Over the past two decades, the Nevada Division of Environmental Protection has worked successfully with DOE on a broad range of environmental assessment and remediation activities at NNSS. I believe that this provides a basis for shared planning for future uses of DOE facilities at NNSS.

I request a meeting with you at your earliest convenience to discuss in a cooperative manner Nevada's views on the future of operations at the NNSS. Timely matters for discussion include the recently completed Site-wide Environmental Impact Statement and pending issuance of the associated Record of Decision, troubling revisions to the NNSS Waste Acceptance Criteria, and the unsatisfactory manner in which DOE and National Nuclear Security Administration have dealt with affected local governments and Native American Tribes in Nevada.

The State of Nevada is committed to a long-term cooperative relationship with your Department, based on mutual respect, sound science, protection of the environment, and public health and safety. I look forward to meeting with you at your earliest convenience.

Sincere regards,

BRIAN SANDOVAL,
Governor.

AMENDMENT OFFERED BY MR. TURNER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to reduce the active and inactive nuclear weapons stockpiles of the United States in contravention of section 303(b) of the Arms Control and Disarmament Act (22 U.S.C. 2573(b)).

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

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

There was no objection.

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

Mr. TURNER. Mr. Chairman, I rise today to offer an amendment to H.R. 2906.

I offer this amendment in response to the President's recent address in Berlin in which he outlined his plan to further reduce the United States strategic nuclear arsenal below acceptable levels and in contravention of current law.

The President's latest proposal would once again call for unilateral reductions in our strategic nuclear arsenal at a time when countries like Russia and China continue to expand and modernize their nuclear capabilities.

To make matters worse, the President has undertaken this most recent effort without the consent of the United States Senate, as required under the Arms Control and Disarmament Act, which states international agreements cannot limit or reduce the military forces of the United States unless enacted pursuant to a treaty or congressional-executive agreement.

Not only do the President's continued calls for weapons reductions jeopardize the safety and security of the United States, but he compromises the safety of our partner nations.

It is unacceptable that the President continues to make secret deals with countries like Russia while at the same time breaking promises with the American people and our allies.

The current threat environment around the world is very real and should not be underestimated. A robust nuclear arsenal is critical in deterring against emerging threats like Iran and North Korea.

My amendment simply ensures that none of the funds appropriated by this act may be used to further reduce nuclear force reductions outside of the formal process established under existing law.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I support the gentleman's amendment, and I salute his leadership in this area, both in this Congress and the past Congresses.

I yield back the balance of my time.

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

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

Ms. KAPTUR. I rise in opposition to the gentleman's amendment and wish to say, first of all, it is unnecessary because there are no funds in the FY14 bill that are allocated to be used for nuclear weapons reductions below the New START levels.

The amendment, in my opinion, is constitutionally questionable because it impinges on the President's ability to set U.S. nuclear weapons policy and usurps the President's ability to retire, dismantle, or eliminate non-deployed nuclear weapons.

□ 1845

This amendment restricts the President's constitutional authority to negotiate international agreements, including sole executive agreements for arms reductions; and it impinges on the President's authority to determine the number of strategic delivery vehicles needed to meet national security

requirements and implement changes in those forces, as appropriate. And it limits the President's authority to determine appropriate force structure to meet nuclear deterrence requirements and to set nuclear employment policy, an authority exercised by every President in the nuclear age. Frankly, it is bad policy.

Blocking nuclear weapons reduction is out of step with post-Cold War and post-9/11 security environment. Secretary Schultz, Secretary Kissinger, Secretary Nunn, and Secretary Perry all have encouraged further nuclear weapons reductions stating in 2007:

Unless urgent new actions are taken, the United States soon will be compelled to enter a new nuclear era that will be more precarious and psychologically disorienting, and economically even more costly than was Cold War deterrence.

The amendment disregards potential military requirements, including potential Strategic Command recommendations, and instead imposes congressional requirements.

It seems to restrict any reductions below the New START to bilateral negotiated reductions with Russia. So in effect it outsources decisions on U.S. nuclear force structure to Russia, and it requires maintenance of nuclear weapons levels that might be costly and unnecessary in an era of budget constraints.

I think the amendment is poorly written and will not achieve its objectives. It fails to ban unilateral reductions by referencing the ACA section 303(b) of the Arms Control and Disarmament Act.

It fails to keep deployed forces at 1,550. And, as written, it allows the whole stockpile to decline to that level since that's the limit in New START. This would entail retaining a total stockpile of 1,550 with a deployed force of 1,550, which simply does not make sense. Neither the active nor the inactive stockpile is limited by New START. The treaty limits the number of operationally deployed warheads and delivery vehicles. While operationally deployed warheads are part of the active stockpile, the size of the stockpile itself is not limited. Supporting 1,550 deployed warheads would require the Department of Defense and the Department of Energy to maintain an active stockpile in excess of 1,550 warheads. New START also does not count non-strategic warheads, so it is unclear whether the amendment intends to count the nonstrategic warheads under the New START limit.

Mr. Chairman, I would like to submit some additional comments for the RECORD. Obviously, I disagree with the gentleman's amendment and urge my colleagues to oppose his amendment.

I yield back the balance of my time.

TALKING POINTS AGAINST THE TURNER AMENDMENT ON NUCLEAR WEAPONS REDUCTIONS

Turner Amendment language: Sec. . None of the funds made available by this Act may be used to reduce the number of nuclear weapons in the active and inactive stockpiles

of the United States below that required by the New START treaty (as defined in ____) in contravention of section 303(b) of the Arms Control and Disarmament Act (22 USC 2573(b)).

UNNECESSARY

There are no funds in FY14 bill that are allocated to be used for nuclear weapons reductions below New START levels.

CONSTITUTIONALLY QUESTIONABLE

The amendment impinges on the President's ability to set US nuclear weapons policy and usurps the President's ability to retire, dismantle, or eliminate non-deployed nuclear weapons.

This amendment restricts the President's constitutional authority to negotiate international agreements, including sole executive agreements for arms reduction;

impinges on the President's authority to determine the number of strategic delivery vehicles needed to meet national security requirements and implement changes in those forces as appropriate;

limits the President's authority to determine appropriate force structure to meet nuclear deterrence requirements and to set nuclear employment policy—authority exercised by every president in the nuclear age.

BAD POLICY

Blocking nuclear weapons reductions is out of step with post-Cold War and post-9/11 security environment. Sec. Schultz, Sec. Kissinger, Senator Nunn and Sec. Perry have encouraged further nuclear weapons reductions stating in 2007: "Unless urgent new actions are taken, the United States soon will be compelled to enter a new nuclear era that will be more precarious and psychologically disorienting, and economically even more costly than was Cold War deterrence."

Disregards potential military requirements, including potential Strategic Command recommendations, and instead imposes Congressional requirement.

Seems to restrict any reductions below New START to bilateral, negotiated reductions with Russia, so in effect outsources decisions on US nuclear force structure to Russia.

Requires maintenance of nuclear weapons levels that might be costly and unnecessary in an era of budget constraints.

INEFFECTIVE

The amendment is poorly written and will not achieve its objectives.

It fails to ban unilateral reductions by referencing the ACA Section 303(b) of the Arms Control and Disarmament Act.

ACDA does not prevent the President from making unilateral reductions in U.S. nuclear weapons. It says that the President cannot obligate the United States to reduce its forces in a militarily significant way without seeking the approval of Congress. "Obligate" usually means signing a legally-binding treaty or executive agreement. A handshake, or joint statement of political intent would not be an "obligation" under the terms of this legislation.

It fails to keep deployed forces at 1,550.

As written, it allows the whole stockpile to decline to 1,550, since that's the limit in New START. This would entail retaining a total stockpile of 1,550, with a deployed force of 1,550, which does not make sense. Neither the active nor the inactive stockpile are limited by New START. The Treaty limits the number of operationally deployed warheads and delivery vehicles. While operationally deployed

warheads are part of the active stockpile, the size of the stockpile itself is not limited. Supporting 1,550 deployed warheads would require DOD and DOE to maintain an active stockpile in excess of 1,550 warheads. New START also does not count nonstrategic warheads so it is unclear whether the amendment intends to count the nonstrategic warheads under the new START limit.

Quote by Gen Kehler, in response to question by Mr. Turner at STRATCOM policy hearing on March 5, 2013 (noting that you do not necessarily need an operational pit production infrastructure is needed before we reduce non-deployed nuclear weapons):

Mr. Turner. Great. Because you would agree that our ability to have a long-term ability for production, in a production infrastructure should be a basis for us considering whether or not we reduce any of our hedge in case there isn't an issue with the weapons that we have.

General Kehler. Sir, I think that is one consideration. I don't think that is the only consideration. And I think that there are some scenarios that you can unfold where an interim strategy will serve us even under some technical issues. So I—but I think for the United States of America in the long term that we want a permanent solution to the nuclear enterprise that includes a permanent solution to the plutonium.

Mr. ROGERS of Alabama. I urge the House to support the Turner-Rogers-Franks-Bridenstine amendment.

The New START treaty is perhaps the first unilateral arms control treaty the U.S. has ratified in that it is the first treaty where only the U.S. has to make reductions in the central limits of the treaty.

Every six months new data is released by the Department of State showing that only the U.S. is reducing its deployed nuclear forces to implement this treaty.

Last month, in Berlin, the President announced that he was changing the Nuclear Weapons Employment Guidance and Strategy of the United States to support further reductions in United States nuclear forces.

Never before has a President done something like this.

Yes, Presidents since Truman have updated the nation's nuclear war plan.

But there is no precedent for a President to tell the national security team that, regardless of the nuclear weapons modernization programs of China, Russia, Pakistan, North Korea and others, the U.S. should plan to reduce our nuclear forces.

Every other President has asked one simple question when conducting a review like this: what level of nuclear forces do I need to ensure that a potential enemy or adversary knows that if he attacks the United States or our allies, we will have the ability to respond with nuclear forces that could result in nothing less than total devastation?

It has not been explained to me how fewer nuclear weapons in the U.S. nuclear deterrent is necessarily better for the country's security.

When allies see us backing away from our extended deterrent, and potential adversaries see us giving up these capabilities while they are growing them in practically every way—cascades of proliferation cannot be far behind.

Already we see that allies are concerned with the President's new approach.

For 66 years, since the U.S. used them to end World War II, our deterrent has kept the world safe.

This is not a recipe the Congress will let the President arbitrarily change to satisfy a small cloister of arms control and disarmament ideologues.

The reason the Turner-Rogers-Franks-Bridenstine amendment is so important is that in this new strategy the President announced, he refuses to commit to following the established precedent of only pursuing nuclear reductions with another nation through a treaty or a congressional-executive agreement that must be enacted by an affirmative act of Congress.

Practically every senior military officer who has testified before the House Armed Services Committee on the subject of further nuclear force reductions has been clear they must be "bilateral and verifiable" and that the only way to achieve this is through a treaty.

Yet, the civilians in the Administration refuse to state that this approach supported by the military is also the President's policy.

This amendment is consistent with language I offered, as Chairman of the Strategic Forces Subcommittee that overseas our nation's nuclear forces, which was adopted by the House Armed Services Committee and the House itself, in the recent FY14 National Defense Authorization Act.

The President may think he doesn't need Congress when it comes to international agreements with states like Russia.

He may think he can ignore gross violations in arms control agreements, like those Russia is engaged in today.

But he still needs money to implement his policies.

And that's what we can deny him if he attempts to ignore or circumvent the people's elected representatives in Congress.

I encourage the support of this amendment and I thank Chairman FRELINGHUYSEN for his support, leadership, and endurance during this long process.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEN RAY LUJÁN
OF NEW MEXICO

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Corps of Engineers-Civil-Expenses", and increasing the amount made available for "Corps of Engineers-Civil-Construction", by \$15,000,000.

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

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I rise to amend H.R. 2609, the Energy and Water appropriations bill, for the purpose of addressing several issues in New Mexico.

More specifically, my amendment would increase the construction account by \$15 million to ensure local governments, like the city of Rio Rancho, the county of Bernalillo and the Middle Rio Grande Conservancy Dis-

trict, get reimbursed for the work that they have done in conjunction with the Army Corps of Engineers. The Army Corps of Engineers works with local governments in New Mexico to construct levees, implement flood control measures, and other important infrastructure for the safety of the public.

More specifically, the city of Rio Rancho entered into a reimbursement contract with the Army Corps of Engineers and has not been paid back for several years due to the lack of appropriations. The same goes for the county of Bernalillo and the Middle Rio Grande Conservancy District, and others across the country.

This delay in reimbursement has led to interruptions in financing for other city projects and also has the potential to hurt the credit ratings of these entities if they do not recover these funds via reimbursement, as stated in their contracts.

By increasing the dollar amount in this account, which includes a number of programs and accounts that are critical to local governments—like engineering, construction, technical assistance, flood control, and environmental infrastructure—we can get these entities reimbursed and get these liabilities off the books of the Army Corps of Engineers to get the projects going.

Mr. Chairman, local governments have been left holding an IOU from the Federal Government for doing work based on good-faith written agreements with the Army Corps of Engineers. Mr. Chairman, I understand that there may be opposition from the Republican majority, but I'm hoping I can persuade the chairman to support me in this effort. Section 593 of the Water Resources Development Act of 1999 is under which the city of Rio Rancho and these other local governments entered into agreements with the Army Corps of Engineers. If the Republican majority disagrees with the authority, they should repeal it; but let's make these local governments whole.

When city and local governments enter into reimbursement contracts, they expect to be reimbursed. They have annual budgets with the expectation they will get paid back. Congress should live up to these obligations in the authority given to the agency by Congress. I understand the constraints that the subcommittee dealt with with the allocations given to them, but we need to make sure that we're working to make these local governments whole. Again, going forward, if this is an authority that the Republican majority feels we should do away with, we should do away with it. But let's make these local governments whole.

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

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the

gentleman from New Mexico's amendment.

The gentleman makes the case that there's a need for this infrastructure, and maybe there is; but the Corps of Engineers has no particular expertise or reason for being the funding source. Especially when we're looking at such tight budgets to begin with, we must focus the Corps' funding on activities which have the greatest impact on our economy and public safety, namely, navigation and flood control—our historic responsibility. So I must oppose the amendment and urge my colleagues to do so as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. NUGENT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to bring an action against the United States.

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

Mr. NUGENT. Mr. Chairman, since coming to the House of Representatives a little over 2 years ago, I have made it a priority to revitalize the economy in central Florida. As a result, I have had the opportunity to meet with community leaders in my district and the surrounding areas to talk about projects that matter the most to them—dredging of canals and the building of new roads.

Again and again, I find, however, that the Army Corps of Engineers is slow rolling many of these projects, not because they want to, but because they're forced to.

The Corps continues to move the goalpost on these communities. And once permits have been given and work has already been done, the Corps has come back with fines and penalties and mitigation.

When I asked the Army Corps what happened with these projects, it's the same thing. I constantly hear from the Corps that they're worried about being sued. They're worried because the advocacy groups all over this country are dedicated to doing nothing other than taking away Congress' responsibilities for setting our Nation's laws, regulatory policies, and giving it to the courts or the executive branch.

These activists don't want people of the United States of America or their elected officials to have any say in how this country is run. They want to force their own agenda on everybody else through the courts; and even more disturbing, they're doing it with taxpayer money.

These groups receive Federal grants; and once they take the Army Corps,

the EPA, or any other agency to court, they oftentimes get a cash settlement or payout to go away. That money goes back into the litigation system, furthering the problem.

Take, for example, the group Earthjustice, which in their tax year of 2011 nonprofit 990 tax form described themselves as a "public interest law firm" dedicated to pursuing "far-reaching, big-impact litigation." In that filing, Earthjustice used the phrase "our litigation" or "our lawsuits" over a dozen times. Their 2011 filing includes seven pages of attorneys' fees that have been awarded to them; and that document celebrates the fact that because of the work, the Federal Government is forced to back down. They have an entire section dedicated to their work to stop the construction of the Keystone XL pipeline.

Moreover, they are doing it with our money. Groups like this get Federal dollars through grants. Then they use the money to help fund lawsuits against the Federal Government and these agencies. They take that settlement money that we pay out, to the tune of \$5 million in 2011 for just one group, one advocacy group, Earthjustice; and, guess what, that money comes from the pockets of the American people.

Whether or not you support the policy goals of groups like Earthjustice, every single person in this room should be worried about their tactics. Their self-stated mission is to take regulatory power out of the hands of Congress and hand it to the courts. The goal is diametrically opposed to the vision our Founding Fathers had.

Nobody in this Chamber should support abdicating our constitutional responsibilities to activists who then charge the tab back to United States citizens and then come back asking for even more money.

Madam Chair, I appreciate the work that the chairman has done in moving this particular bill through. In discussions with the chairman of the committee, we're going to withdraw this amendment because I believe that we can work together to try to resolve the fact that these groups shouldn't profit on the backs of American taxpayers, blocking justice and the ability for these places, communities that I serve and others in this great Nation to create jobs.

With that, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR (Ms. ROS-LEHTINEN). Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. ENGEL

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to lease or purchase

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

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

Mr. ENGEL. Madam Chair, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that requires all new light duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

My amendment echoes the Presidential memorandum by prohibiting funds in the Energy and Water Development and Related Agencies Appropriations Act of 2014 from being used to lease or purchase new light duty vehicles except in accord with the President's memorandum.

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

The Federal Government operates the largest fleet of light duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with over 14,000 being used by the Department of Veterans Affairs and other departments.

By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources—including biomass, natural gas, agricultural waste, hydrogen, renewable electricity, methanol, and ethanol.

When I was in Brazil, I saw how they diversified their fuel by greatly expanding their use of ethanol. When people drove to a gas station, they saw what a gallon of gasoline would cost and what an equivalent amount of ethanol would cost and could decide which was better for them. I want Americans to make the same choices. If they can do it in Brazil, we can do it here. We can educate people on using alternative fuels and let consumers decide what is best for them.

Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world oil markets.

I have introduced a bill, along with the gentlewoman from Florida, that would also take a major step in this direction, and I think this policy is something that we need to move. So I ask that everyone support the Engel amendment.

I yield back the balance of my time.

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Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

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

Mr. FRELINGHUYSEN. I'm pleased to accept the amendment from my friend from New York State and his annual advocacy on behalf of this cause.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Corps of Engineers-Civil-Expenses", and by increasing the amount made available for "Corps of Engineers-Civil-Construction", by \$1,000,000.

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

Mr. GARCIA. Madam Chairman, my amendment seeks to increase funding to the Army Corps of Engineers' Civil Works Construction account by \$1 million to support flood and storm damage reduction efforts. With hurricane season underway, it is important that we support the Corps' critical efforts in this area.

In H.R. 2609, Chairman FRELINGHUYSEN has provided the Corps of Engineers with \$1.3 billion for projects that can mitigate natural disasters, including hurricanes, storms, and floods.

Having lived through Hurricane Sandy, I know the chairman is well aware of the value of these investments, and I would like to thank the chairman and the committee for their efforts on our behalf.

By providing this additional funding for the Corps to conduct important activities, my amendment demonstrates a commitment to addressing the threat of severe weather events and flooding. The Corps has undertaken a number of important flood projects throughout the country, and we must continue to provide the funding we need to support these efforts.

Again, I appreciate the efforts of the chairman and his committee's work in crafting this bill and supporting the Corps' important work, and I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

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

Mr. FRELINGHUYSEN. I'm pleased to support the amendment. And let me thank the gentleman from Florida for his advocacy for his own congressional district and his State, and I commend him.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLEMING

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to pay the salary of any officer or employee to carry out section 301 of the Hoover Power Plant Act of 1984 (42 U.S.C. 16421a; added by section 402 of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5)).

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

Mr. FLEMING. Madam Chairman, I rise today to offer an amendment that would stop a loan program created by the infamous 2009 stimulus bill.

As I and many others have pointed out when the bill was passed, the stimulus, which was billed as funding shovel-ready programs, actually became a vehicle to bake in higher levels of spending and new government programs. As with other government loan programs, we've all too often seen abuses in mismanagement, and this program is no exception.

The elimination of the Western Area Power Administration's green transmission borrowing authority was recommended in the report to this year's House budget; and so if you voted for the budget, I would urge you to support this amendment as well.

I also want to thank my colleagues, Mr. MCCLINTOCK and Chairman HASTINGS, for their work in the offering and marking up of a bill last year to repeal this program.

As the budget report notes:

The \$3.25 billion borrowing authority in the Western Area Power Administration's Transmission Infrastructure Program provides loans to develop new transmission systems aimed solely at integrating renewable energy.

This authority was inserted into the stimulus bill without opportunity for debate. Of most concern, the authority includes a bailout provision that would require American taxpayers to pay outstanding balances on projects that private developers failed to pay.

This bailout provision is particularly problematic because, in November 2011, the Department of Energy inspector general issued a lengthy management alert on this stimulus borrowing authority. To quote from that report:

Because of a variety of problems, the project is estimated to be 2 years behind schedule and \$70 million over budget, essentially out of funds, and currently at a standstill, with no progress being made. Western had not completed a formal root-cause analysis and corrective action plan designed to ensure more effective program safeguards are in place going forward. Because Western has committed \$25 million in developmental

funding to a potential \$3 billion project that would ultimately require an investment of \$1.5 billion in Recovery Act borrowing authority, we are issuing this report as a management alert.

Madam Chairman, this IG report speaks for itself, and I urge my colleagues to support the repeal of this failed stimulus program.

I yield back the balance of my time.

Ms. KAPTUR. Madam Chair, I move to strike the last word.

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

Ms. KAPTUR. I rise in strong opposition to the gentleman's amendment. I'm not quite sure why he's doing this, but, you know, the American Recovery and Reinvestment Act provided \$3.25 billion in borrowing authority to modernize the electricity grid.

I believe your amendment focuses on WAPA, the Western Area Power marketing authority, solely; is that correct, sir?

Mr. FLEMING. Will the gentleman yield?

Ms. KAPTUR. I yield to the gentleman from Louisiana.

Mr. FLEMING. That is correct.

Ms. KAPTUR. I thank you very much.

Now, I don't live out there. I'm from a part of the country that doesn't have one of these, but most of America is covered by power marketing authorities. If you really look at California, if you look at the TVA, regions of the country that have these borrowing authorities, and the way they work is that the ratepayers then pay back, over time, the costs of that investment.

We have to invest and modernize our grid. That part of the country is growing, and, frankly, they have been returning dollars at a fairly steady rate. I looked at those figures about a year ago.

And with the increase in renewables in the West, there's also a need to alter the grid and its ability to accept new forms of power. That part of the country is growing. The population is just exploding out there. And so, therefore, we're going to have a greater use of power and more of a need to put it on to the system.

So I don't see why the gentleman who comes from Louisiana—now, I know you've got a lot of oil drilling down there in the gulf and a lot of us have voted for that, but I don't really understand the purpose of the gentleman's amendment.

Mr. FLEMING. Will the gentleman yield?

Ms. KAPTUR. I'm happy to yield to the gentleman from Louisiana.

Mr. FLEMING. These companies, they certainly are welcome to borrow money and invest it themselves. This puts the taxpayer on the hook, and they're not delivering on these loans. They're well behind. And eventually, the taxpayers, as in so many cases from the stimulus bill, are going to be picking up the tab.

If it's so valuable and it returns investment over time, then fine; let them use their own capital.

Ms. KAPTUR. I hear what the gentleman is saying, but they actually do pay it back through usage. Just like you pay a utility bill and it goes back to the company, essentially WAPA is a company, and it borrows and then it pays back. And so these funds are going to be paid back over time.

I wish I had one in my area. I think it would really help us out a lot.

But I have to oppose the gentleman's amendment. I think it would be very counterproductive to hurt any part of our country and their power grid system, their ability to modernize their power grid system.

The gentleman has, I think, Southeast Power marketing authority. I don't know if that covers Louisiana or not. But different parts of the country have different systems that are in place, and I wouldn't want to take away the West's ability to power themselves and to do so in a very cost-effective manner.

Mr. FLEMING. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Louisiana.

Mr. FLEMING. And again, I would just have to say, there's a dynamic to money. And yes, some of it may be paid back. But at the end of the day, if the money is not fully paid back, or paid back at the appropriate rate and the taxpayers have to make up the difference, then I would say that certainly in the private sector that wouldn't work out.

And I think that we should hold government, nongovernment, all those who handle money, and particularly taxpayer money, we need to hold them to the same standard. And they're not delivering on that return of investment.

Ms. KAPTUR. Well, I would beg to disagree. Reclaiming my time, I'm glad the gentleman stated that, but I think that you will hear strongly from them that they, in fact, are paying back, and they have a good rate of repayment.

I remember our former colleague, Norm Dicks, if I said anything against WAPA, boy, I'd be in big trouble because they do have a very good rate of repayment back. And, in fact, they have returned money consistently and paid back their original loan. So I think that they're free-floating now, and I think they have a very, very good record.

So I would oppose the gentleman's amendment very strongly in support of our colleagues in the West and their need for power and modernizing their electricity grid. And I urge my colleagues to vote against the gentleman's amendment.

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

Mr. FLEMING. Madam 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 Louisiana will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. GARAMENDI

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities", and increasing the amount made available for "Corps of Engineers—Civil—Construction", by \$100,000,000.

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

Mr. GARAMENDI. Madam Chair, I want to commend the staff, the Chair, the ranking member, and all of those who have worked so hard over the last couple of days to get this bill processed and to deal with all the amendments. It's been an arduous task and one that has created, I am told, far more amendments than have ever been presented on any such appropriation bill in the past.

And there's a reason for that. The reason is that this appropriation bill is a direct result of the, what we fondly call—or not so fondly call—the Ryan Republican budget. This is really the first opportunity that America has to see the effects of a very austere budget, one that really decimates programs all across America, programs that are of great value and great utility.

This particular subcommittee was presented with the mark, that is, the amount of money that it had available to it as a result of that budget that was passed by the majority in this House. Now, that budget's not law. There has been no conference committee. In fact, the majority in this House has refused to set up a conference committee, that is, to put in names for that conference committee. So this is really a one-House budget that is being carried out here with this legislation.

It is a remarkable and an extraordinarily important moment in which the American public has a chance to see exactly what austerity, as presented to us by the majority, means. It means that those research programs that allow America the opportunity to advance its energy programs, to take control of the energy programs of the future, the renewable energy programs, the nuclear energy programs, and on and on, those opportunities are lost.

□ 1915

I know the committee was faced with a very stringent budget, an austerity budget. They made decisions that are, in my view, extraordinarily detri-

mental to America. Specifically, the committee—the majority, that is—made a decision to take the money that was available and remove it from those programs that are the energy future of this Nation—wind, solar, conservation, biofuels, automobiles that are efficient, houses that are efficient, programs that are absolutely crucial to this Nation's future and to the world's future because they deal specifically with climate change—and move money from those programs to the Nuclear Weapons program and to programs that are not needed.

Consider for a moment that the United States has over 5,500 nuclear bombs, which are sufficient to end life on this planet. It's over if those were to be used. And the military says we don't need them. These are programs that are inefficient, ineffective, and are the sinkholes of American taxpayers' money. The majority decided to move the money there. Okay. Who are we going to use those things on? We can't. We don't need them for deterrence. But yet that's where the money goes. Not only does the money come from those energy programs that we absolutely need for our future and for our economy's future, the money comes from programs that are absolutely essential for the well-being of Americans today and tomorrow.

The Army Corps of Engineers protects our citizens with its levees and with its flood control projects. We've heard this over and over again for the last 2 days. And yet the majority continues to insist to spend the money on these nuclear weapons, not on those things that are essential for today's life and essential for the well-being of people now, as the storm season arrives here on the east coast with hurricanes, in the Gulf States with hurricanes, and in my State of California, in my district, where I have more than 1,500 miles of levees. People are at risk.

This amendment would take \$100 million from these weapons systems and put that money directly into the Army Corps of Engineers Construction account so that the Army Corps of Engineers can protect our citizens today.

I ask for an "aye" vote on this amendment.

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

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

Mr. FRELINGHUYSEN. Madam Chair, I rise to oppose the amendment. We've gone over this ground several times so I'll be brief.

All of us here strongly support investments in the Corps' work and their projects, particularly those projects with the greatest benefit to public safety and the economy, namely flood control and navigation. But this amendment proposes to pay for additional Corps construction by diverting funds needed for our nuclear weapons stockpile for national security. And that is the most critical priority in our bill.

And so I strongly oppose the amendment. His amendment is unacceptable because it is an issue of national security, and I yield back the balance of my time.

Mr. MURPHY of Florida. I move to strike the last word.

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

Mr. MURPHY of Florida. Madam Chair, I rise today to voice my support for vital funding for important Army Corps of Engineers' projects across the Palm Beach-Treasure Coast district that I proudly represent.

This bill includes funding for the critically important Indian River Lagoon C-44 project, which will greatly improve the water quality in my district. For those of you unfamiliar with this local treasure, it is the most diverse estuary in North America, many of its species already threatened or endangered. But due to extreme pollution, local officials have issued health warnings advising residents to not contact this waterway. Tragically, it has also witnessed a major die-off of its population of manatees, dolphins, pelicans, and other crucial species. Completion of this project is essential to protecting this vital ecosystem as well as improving the water quality throughout the region.

The C-44 project is part of broader Everglades restoration efforts that the Army Corps is tasked with, which will protect this unique and important habitat. Furthermore, the Everglades provide drinking water for one in three Floridians, and restoration efforts also have a 3-to-1 return on investment in the local economy. Completion of the overall Comprehensive Everglades Restoration Project will shore up Florida's access to clean drinking water and improve the local environment and economy.

Locally, Everglades restoration is part of the solution to the harmful discharges that are currently being released from Lake Okeechobee into the St. Lucie River on the Treasure Coast. By returning water flows south of the lake and improving water quality in the area through projects such as C-44, we can mitigate the effects these harmful discharges from the lake continue to have on our local waterways year after year, devastating the environment and the economy.

Furthermore, the Army Corps is responsible for repairing the Herbert Hoover Dike, which surrounds Lake Okeechobee and is listed as one of the most at-risk of failure in the Nation. This project keeps local residents safe from devastating flooding that could occur if the dike were to fail. The Army Corps has already been struggling to meet its obligations on this and other projects, which is why we must continue to provide funding or risk further delaying these important ongoing jobs.

In addition to the important Indian River Lagoon, Lake Okeechobee, and Herbert Hoover Dike projects this bill

supports, it also provides important funding for inlet dredging projects. Being able to access and safely navigate our local waterways and ports is essential for public safety and our economy. The same can be said for those shore restoration programs that this bill also funds, returning our local beaches to their pre-storm conditions after extreme weather events such as Hurricane Sandy.

If you speak with any of my constituents, they'll tell you that all of these projects are vital to their daily way of life and to the health of the local population as well as the economy. We must provide certainty and continue the Corps' funding or risk devastating their progress on these important projects. Jeopardizing funding for these ongoing projects would only further aggravate the serious problem of toxic discharges in my district, prevent progress on essential water quality restoration projects, and have an overall negative impact on our local environment and, in turn, our local economy. To me, that's simply not an option.

Madam Chair, we have the obligation to provide adequate resources for programs that protect public safety, water quality, and our environment, such as these. I urge my colleagues to join me in supporting the underlying legislation to continue to fund these projects that are critical to the well-being of the Treasure Coast and Palm Beaches. I yield back the balance of my time.

Mr. RAHALL. Madam Chair, I rise in opposition to this amendment that would eliminate funding for the vitally important Appalachian Regional Commission (ARC).

The ARC was established in 1965 to focus on the profound economic needs of the Appalachia Region. It was designed to provide the kinds of basic investment that would assist in strengthening rural communities long-overlooked by the government and ensure that hard-working, loyal citizens could successfully build their communities and their careers and contribute fully to the well-being of the Nation.

Since its establishment, the ARC has had measurable success in addressing the needs of Appalachian families and communities and its good works have improved the outlook for the entire region.

The ARC operates in partnership with State and local governments to help make the best, most strategically effective use of Federal investments, and, in the process, leverages private investments to help create well-paying jobs and lasting improvements to local economies. In Fiscal Year 2012 alone, ARC invested approximately \$66 million in projects that leveraged over \$267 million in private-sector investment, a 4 to 1 ratio, and helped to create or retain over 20,000 jobs.

In my State, Appalachian Regional Commission investment has meant that thousands of children could turn on the water faucet and drink safe water. It has spurred the creation of small businesses and provided needed funding that enabled rural towns to build basic infrastructure essential to attract new economic opportunities. It has enabled working men and women to receive training and find nearby jobs to rear their families, rather than having to rely on government assistance or leave

their homes and the State they love simply to earn a living.

It is said that a chain is only as strong as its weakest link. Cutting a program with proven success at cost-effectively creating jobs and improving the economy of an entire region at this time is senseless. I urge the House to recognize the immense value of fully funding the ARC as a key component to achieving renewed economic strength throughout our Nation and to vote against this amendment.

Mr. SANFORD. Madam Chair, I rise today in support of this amendment to eliminate five regional commissions that waste taxpayer dollars. These programs were initially formed with the mandate to improve the lives of those who live in impoverished areas. However, they have instead veered from this mandate by routinely allocating funds to projects that not only fall under state and local responsibilities, but also projects that benefit only those who live in more economically developed areas.

For example, the Northern Border Regional Commission has granted: \$250,000 to construct a tower to improve cell phone coverage in New Hampshire, \$250,000 to construct a 93-mile, four-season, multi-use trail across northern Vermont and \$160,000 to promote and raise awareness of the maple syrup industry in New York.

These examples of government waste are not just confined to the Northern Border Regional Commission. A similar organization called the Delta Regional Commission, which spans from Mississippi to Southern Illinois, granted: \$150,000 to build a tornado safe room in a Missouri hospital and \$47,000 for updating a sprinkler system at a business incubator in Illinois. While there may be a need for these projects, they do not fall under the original mandate of these commissions. I believe that for government programs to be effective, they must be focused.

The problem is that these projects do not help those that the regional commissions were originally created for—Americans living below the poverty line. The Obama administration, along with the Government Accountability Office, has identified these programs as wasteful and duplicative while possessing no track record of success.

Madam Chair, eliminating these programs will save American taxpayers \$90 million and work towards reducing the national debt by targeting wasteful spending.

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

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

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

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

AMENDMENT OFFERED BY MR. LUETKEMEYER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ . None the funds made available by this Act may be used for the study of the

Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

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

Mr. LUETKEMEYER. The Missouri and Mississippi River basins have faced major challenges over the past few years due to both extreme flooding and droughts. This devastation, combined with the sluggish economy and our aging inland waterways infrastructure, means that now more than ever we must be focused and responsible with taxpayer-funded river projects.

My amendment would prohibit funding for the Missouri River Authorized Purposes Study, also known as MRAPS. This \$25 million earmarked study comes on the heels of a comprehensive \$35 million, 17-year study that showed that the current authorized purposes are important and should be maintained.

This Congress and this administration need to focus on protecting human life and property by maintaining the safety and soundness of our levees. We also must support the important commercial advantages provided to us for our inland waterway system.

The Missouri River moves goods to the market and is an important tool in both domestic and international trade. That's why American Waterways Operators, the Coalition to Protect the Missouri River, the Missouri Farm Bureau, and the Missouri Corn Growers Group support this amendment.

This study puts in jeopardy not only the lower Missouri River but also the flow of the Mississippi River, which could create devastating consequences for navigation and transportation, resulting in barriers for waterway operators, agriculture, and every product that depends on the Missouri and the Mississippi Rivers to get it to market.

The current authorized uses of the Missouri River provide necessary resources and translate into continued economic stability not only for Missourians, but also for many Americans living throughout the Missouri and lower Mississippi River basins. This study is duplicative and wasteful of taxpayers' dollars. On this exact issue we've already spent 17 years and \$35 million on hundreds of public meetings and expensive litigation.

I offered identical language during our first debate on the fiscal year 2011 continuing resolution. That amendment passed by a vote of 245-176. In the fiscal year debates of 2012 and 2013, the exact amendment respectively passed by voice vote and by a vote of 242-168, and was later signed into law by President Obama. I appreciate my colleagues who offered their support and hope to have their support again.

Madam Chair, there's no doubt in my mind that water resources receive too little funding. It is time for the Federal Government to refocus and reprioritize to create safer, more efficient infra-

structure for our inland waterways and stop spending hard-earned taxpayer dollars unnecessarily.

I ask my colleagues to support this amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

Mr. HIMES. Madam Chair, I move to strike the last word.

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

Mr. HIMES. I rise briefly to engage the chairman and the ranking member in a colloquy.

First, I would like to thank Chairman FRELINGHUYSEN and Ranking Member KAPTUR for their work on this bill and in particular for their willingness to hear my concerns regarding the needs of U.S. Army Corps of Engineers. I think I speak for all of us when I say that a well-funded Army Corps means good jobs and important infrastructure improvements in the regions helped by their projects. Of particular interest to me is the special role that the Army Corps plays in mitigating the impact of floods caused by an increasing number of severe weather events in our communities.

I know that I'm not the only Member in this room whose district was ravaged by Superstorm Sandy as it swept up the east coast last year. Chairman FRELINGHUYSEN's district in New Jersey was also severely affected by the storm. And Sandy is just one example of the magnitude of damage our cities and towns suffer year after year when they are not adequately prepared. With limited resources available after a storm like Sandy, flood mitigation efforts have become more important than ever. An ounce of prevention is, as they say, worth a pound of cure.

Madam Chairman, back in 2010, I was able to secure an authorization for the Army Corps of Engineers to conduct flood mitigation studies in my area—studies that would culminate in important recommendations for preventing future flood damage in Fairfield County like that which occurred during Sandy, Irene, and countless other storms in recent years. Unfortunately, with the current backlog at the Corps, it is unlikely that these studies or any other so-called New Start projects will receive the funding they need to move forward as promised and needed years ago.

I know there are dozens, if not hundreds, of projects waiting for Army Corps funding, and I have no delusion that my district is more deserving than others of this funding. But perhaps it is time to reevaluate the necessity of these older projects, re-prioritizing the projects that are still necessary and those that are most urgent. We must find a way to begin new projects and ensure our cities and towns are prepared for the next big storm.

I would ask the chairman and ranking member whether this ban on New Start projects is something that merits further consideration, and I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. HIMES of Connecticut makes a good point about the importance of making infrastructure investments before major disasters can occur. I share his concerns about the backlog of Army Corps of Engineers projects, particularly in the backdrop of communities throughout the New England and the Mid-Atlantic area that continue to rebuild after one of the worst storms in our Nation's history.

I want to assure the gentleman that the committee's position on New Starts is reconsidered each and every year. We take a look at the funding requirements of ongoing studies and projects, new studies and projects, and overall funding levels for certain accounts.

I commend the gentleman for his attention to this issue. I look forward to working with him to address these new needs at the earliest appropriate time, and I yield back to the gentleman.

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Mr. HIMES. I look forward to working with the chairman as well.

I yield now to the ranking member, the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Chair, I join Chairman FRELINGHUYSEN and Representative HIMES in emphasizing the importance of the Army Corps of Engineers projects.

The Army Corps of Engineers has an important presence in the Great Lakes region, operating an electrified barrier in the Chicago Area Waterway System to keep the invasive Asian carp from entering the Great Lakes and devastating the fishing industry and ecosystem of one-fifth of the world's freshwater. So I appreciate the gentleman from Connecticut for acknowledging the importance of Corps projects beyond the eastern seaboard.

I agree that the backlog of Army Corps projects is preventing the Corps from taking on new projects in a time-effective manner, which is particularly problematic as we approach hurricane season once again. I look forward to working with Mr. HIMES in deciding how we can ensure new projects get the funding they need while also honoring those worthy projects that have been waiting for some time now.

Mr. HIMES. I thank the ranking member and look forward to working with her on this as well, and yield back the balance of my time.

AMENDMENT OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Madam Chair, I have an amendment at the dais.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available in this Act may be used to continue the

study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

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

Mr. LUETKEMEYER. Madam Chair, from extreme flooding to extreme drought, the United States has been hit very hard over the past few years. The families who live and work along the Missouri River have endured great hardship.

Though it's one of our Nation's greatest resources, the Missouri River would produce extreme, erosive regular flooding and be mostly unfit for navigation if not for aggressive, long-term management by the Army Corps of Engineers.

Congress first authorized the Missouri River Bank Stabilization and Navigation Project (BSNP) in 1912 with the intention of mitigating flood risk and maintaining a navigable channel from Sioux City, Iowa, to the mouth of the river in St. Louis. Though the BSNP's construction was completed in the 1980s, the Corps' ability to make adjustments as needed remains crucial to this day.

President Obama, in his fiscal year budget of 2014, requested \$72 million for the Missouri River Recovery Program, which would primarily go towards the funding of environmental restoration studies and projects. This funding dwarfs the insufficient \$8.4 million that was requested for the entire operations and maintenance of the aforementioned BSNP. It is preposterous to think that environmental projects are more important than the protection of human life.

I do not take for granted the importance of river ecosystems. I grew up near the Missouri River, as did many of my constituents. Yet we have reached a point in our Nation where we value the welfare of fish and birds more than the welfare of our fellow human beings. Our priorities are backwards, Madam Chair.

My amendment will eliminate the Missouri River Ecosystem Recovery Program, MRERP, a study that has become little more than a tool by some for the promotion of returning the river to its most natural state with little regard for flood control, navigation, trade, power generation, or the people who depend on the Missouri River for their livelihoods.

The end of the study will in no way jeopardize the Corps' ability to meet the requirements of the Endangered Species Act. MRERP is one of no fewer than 70 environmental and ecological studies focused on the Missouri River. The people who have had to foot the bill for these studies—many of which take years to complete and are ultimately inconclusive—are the very people who have lost their farms, their businesses, and their homes.

Our vote today will also show our constituents that this Congress is aware of the gross disparity between

the funding for environmental efforts and the funding for the protection of our citizens. During the debate on fiscal year 2012 and 2013 appropriations, the House passed this exact language, which was ultimately signed into law by President Obama. It is supported by the American Waterways Operators, the Coalition to Protect the Missouri River, the Missouri Farm Bureau, and the Missouri Corn Growers Association.

It is time for Congress to take a serious look at water development funding priorities, and it is time to send a message to the Federal entities that manage our waterways. I urge my colleagues to support this amendment and to support our Nation's river communities and encourage more balance in Federal funding for water infrastructure and management.

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

Ms. KAPTUR. Madam Chair, I move to strike the last word.

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

Ms. KAPTUR. I rise to express my opposition to the gentleman's amendment and my support for a river system that works.

The Water Resources Development Act of 2007—which was passed with such bipartisan support that it overcame a Presidential veto—authorized the Corps to undertake the Missouri River Ecosystem Restoration Plan and develop the Missouri River Recovery Implementation Committee to consult on the study. This authority provided a venue for collaboration between a 70-member stakeholder group of tribes, States, stakeholder groups, and Federal agencies to develop a shared vision and comprehensive plan for the restoration of the Missouri River ecosystem.

By prohibiting the Corps from expending any 2013 funds on a study and a committee, we continue the delay that started with the same short-sighted amendment that was adopted last year, sadly. This will lead to further erosion of trust in the delicate partnerships in the basin.

While the Corps will continue to comply with the endangered species requirements through other activities, I believe there is a role for a long-term plan for the basin. We face the same sort of issue in my part of the country where we have rivers and lakes that carry commercial trade, but we also have an ecosystem that we are a part of. And we are learning, as a world, how to deal with the natural systems of which we are all a part.

So I think what's been incredible with the Missouri River System is to see some of the flooding that has been prevented because of the Corps' work for a century now. I think all the American people support efforts to try to contain the power of that river at times when it could flood communities and harm both the people and our developed environment.

But I don't really support the gentleman's amendment because I do think there is a role for the ecosystem to be contemplated when long-term planning is done. With what's happening with rainfall, what's happening with population explosion and so forth, it's more incumbent upon us to work together and try to figure out how to work through those partnerships.

So, sadly, I oppose the amendment, and I encourage my colleagues to do so.

I yield back the balance of my time.

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

The amendment was agreed to.

Mr. BEN RAY LUJAN of New Mexico. Madam Chair, I move to strike the last word.

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

Mr. BEN RAY LUJAN of New Mexico. Madam Chair, I rise to engage in a colloquy with the chairman and ranking member on the Laboratory Directed Research and Development program at the National Nuclear Security Administration.

The Laboratory Directed Research and Development, LDRD, program at the National Nuclear Security Administration's national laboratories has, over the past two decades, made it possible for these labs to develop capabilities that have been critical to meeting the future mission needs via high-risk, high-payoff R&D. For example, at Los Alamos National Laboratory in my district, LDRD has supported a key technology that is now being applied toward the detection of nuclear and radiological threats and is a winner of this year's R&D 100 awards.

LDRD is also very important to recruiting and retaining top scientists and engineers. At Los Alamos, LDRD supports about one-half of the post-docs who have gone on to become the lab's permanent employees and is one of the key and leading sources of new lab employees.

The funding for the program is derived through a certain percentage of each lab's operating budget. Currently, that percentage is limited to not more than 8 percent. The bill we are considering today would lower that to be not more than 4.5 percent. I am very concerned that such a low level could harm the national labs' ability to meet future mission needs and ask the chairman and ranking member to work with us in making sure that the levels allowed for LDRD do not adversely impact the national security capabilities of the labs.

With that, Madam Chair, I would yield to the gentlelady from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I thank the gentleman from New Mexico.

Madam Chair, America is facing security, economic, and environmental challenges that are unparalleled in our history. Our national laboratories have

a unique set of assets we can leverage to meet these challenges.

Projects financed by LDRD have allowed the National Nuclear Security Agency to rapidly respond to unforeseen national security needs. In 1988, Sandia National Labs, located in my district, made a breakthrough in parallel computing that resulted in the ability to compute extremely complicated numerical simulations to ensure the safety and reliability of our nuclear weapons stockpile without the need for nuclear tests. As a result, we have not tested a nuclear weapon since 1993.

The benefits of parallel processing supercomputers have also improved the competitiveness of U.S. industries in the global economy. They were used to map the human genome, develop new drugs, and shorten the development time of products by finding mistakes before they end up in prototypes.

Parallel processing supercomputers have also greatly increased our understanding of atmospheric changes through global atmospheric circulation simulation. These advancements have helped provide an understanding of the climate that cannot be determined by theory or by other experiments.

LDRD investments have been historically important in advancing the state of high-performance computing. Ongoing LDRD investments are enabling next-generation computing hardware and software approaches that will eventually lead to much better performance.

I am confident that we can work with the chairman and the ranking member to fund LDRD at levels that will maintain our vital national security assets, and I thank them for their willingness to work with us on this issue.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, I yield to the chairman, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I appreciate my colleagues from New Mexico raising their concern for the long-term vitality of the National Nuclear Security Administration's laboratories.

I look forward to working with both of you to make sure that the levels allowed for the Laboratory Directed Research and Development, or the LDRD, program do not adversely impact the national security capability of these remarkable laboratories.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, I yield to the gentlelady from Ohio (Ms. KAPTUR), the ranking member.

Ms. KAPTUR. I thank the gentleman.

LDRD is an important program for the labs to recruit and retain the top talent that is needed to accomplish their mission. I join the chair in agreeing to work with our colleagues so that the national security capabilities of the labs are not adversely impacted by the levels allowed for LDRD.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, I thank the chairman and the ranking member for their serv-

ice and for agreeing to work with us on this important issue.

I yield back the balance of my time.

AMENDMENT OFFERED BY MRS. NOEM

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available in this Act may be used to issue rules or regulations to establish a fee for surplus water from Missouri River reservoirs.

The Acting CHAIR. The gentlewoman from South Dakota is recognized for 5 minutes.

Mrs. NOEM. Madam Chair, this amendment is quite simple. It would block the Corps of Engineers from issuing rules or regulations that would charge a fee for surplus water on the Missouri River.

I offer this amendment to stop an overreach by the Corps of Engineers in its attempt to charge constituents in South Dakota, North Dakota, and Montana for what is legally theirs—water from the Missouri River.

The States of South and North Dakota sacrificed hundreds of thousands of acres of prime farmland during the creation of the dams on the Missouri; but in doing so, they did not give up the right to their own water from the river. The Flood Control Act that created the dams and reservoirs specifically said:

It is hereby declared to be the policy of the Congress to recognize the interests and rights of States in determining the development of watersheds within their borders and likewise their interests and rights in water utilization and control.

Madam Chair, I don't believe congressional intent could be any clearer in this instance. Rural water systems, businesses and tribes up and down the Missouri River rely on it for water and have been pulling water from the river for nearly 60 years without a fee.

Let us not forget that 2 years ago at this time residents up and down the Missouri were suffering one of the greatest floods that the river has ever seen. Many are still working to get back to the way things were, to the extent that it's even ever going to be possible. Now the Corps has brought forth this proposal that violates long-held historical and legal precedents to charge us for water that belongs to us.

I want to thank the chairman for being a leader on this bill that we have on the floor today and for the opportunity to talk about this amendment that is so important to the people in South Dakota, North Dakota, and Montana. I urge my colleagues to stop the Corps from overreaching and ask them to support my amendment.

I yield back the balance of my time.

□ 1945

Mr. CRAMER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from North Dakota is recognized for 5 minutes.

Mr. CRAMER. Madam Chair, I rise in support of this important amendment. One wouldn't think that the Congress of the United States should have to pass amendments on appropriations bills to ensure that the Constitution is upheld by the bureaucracy or that long-held promises made by the Federal Government are kept.

That's exactly what this amendment does. Not only will it ensure that the Corps of Engineers no longer engages in charging the States of North Dakota, South Dakota, Montana and its citizens and the sovereign tribes along the Missouri River for the water that is rightfully theirs, but it also frees up the Corps to engage in more productive activities that we've heard a lot about tonight.

I am proud to be a sponsor and proud to stand here and support this important amendment, and urge my colleagues to do the same.

I yield back the balance of my time.

Ms. KAPTUR. Madam Chair, I move to strike the last word.

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

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment.

I am actually very familiar with the effect of rising water costs on a community. In my own hometown in Ohio, water costs will increase by 56.5 percent over the next 5 years, with the average ratepayers bill increasing from \$125 to \$300 per year. Such a large increase takes a significant toll on hard-pressed families, especially on seniors living on fixed incomes. This is being done in order to construct major water facilities that are seriously out of date and in need of replacement.

The amendment being offered here tonight must be viewed, I think, in terms of equity. Currently, the vast majority of local communities benefiting from water supply from Corps of Engineers projects are charged fees for storage.

The Corps is working to review the current policy case by case in favor of a more consistent policy across the country. My community receives nothing from the Corps in the way of water storage or capacity. The region in question has already benefited from cost-free water storage over several years. It seems to be unfair to provide special treatment to one specific region, or create an exception for one region, from a nationwide policy.

Given the sharp fiscal constraints to agencies funded by this bill, it is particularly difficult to justify such a localized subsidy because we have pressing needs across our country and, frankly, not sufficient funds to meet all the water needs facing our Nation. Frankly, I think these water needs are going to be very significant as time goes on because our population will double. It already has doubled since the last century, and tripled. By 2050, they expect 500 million people to be living in this country. The amount of water isn't going to change. It's a resource

that just keeps replenishing. We have to treat it because we have more people and it's going to cost more to do this.

I respectfully rise in opposition to the gentlelady's amendment, urge my colleagues to vote "no," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from South Dakota (Mrs. NOEM).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. SPEIER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. The amount otherwise made available by this Act for "Department of Energy—Energy Programs—Fossil Energy Research and Development" is hereby reduced by \$30,000,000.

Ms. SPEIER (during the reading). Madam Chair, I ask unanimous consent that the reading of the amendment be dispensed with.

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

There was no objection.

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

Ms. SPEIER. Madam Chair, do we suddenly have extra money lying around, because I'm trying to figure out why we are so committed to wasting it.

Budget challenges are forcing us to reexamine our investments. Adding \$30 million beyond the President's request to support fossil fuel research is a foolish waste of taxpayer dollars that are better used to invest in the future and paying off our deficit. We simply cannot afford to spend taxpayer dollars on research the private sector can do better, and taxpayers should not be asked to provide additional support to an industry that consistently has record-breaking profits.

Our energy sector has some of the most promising ideas and technologies in the world. Our energy policy, however, is horribly outdated.

H.R. 2609 slashes research and development for renewable energy by some 60 percent and adds additional money that the administration neither wants nor needs to research fossil fuels and clean coal. At the same time, it continues to spend far too much on fossil fuel R&D. In fact, we dole out more fossil fuel subsidies than any other country—more than \$500 billion in 2011. They often go to expensive projects with little upside.

The fact is we don't need to spend taxpayer money this way. Fossil fuel companies are highly profitable, posting some of the highest profits in the world, and they can shoulder their own R&D costs. This is a clear example of duplication. Cuts to fossil fuel research are supported by the Fiscal Commis-

sion and the fiscal watchdog groups like Taxpayers for Common Sense. These kinds of cuts are necessary to get back on the right fiscal path, and these are the kinds of cuts our constituents elected us to enact.

This kind of research can, is, and should largely be funded by the private sector, since industry has market incentives to make new discoveries in this area. Government spending should be focused on areas where there are emerging markets, where public funds are needed to support basic research.

My amendment reduces our reliance on "old energy." The amendment simply strikes \$30 million in R&D from fossil fuels and commits it to deficit reduction, what we've all been clamoring for, and maintains the President's requested level of funding for this research.

Our biggest innovators succeed because they are forward thinking. Our energy policy needs to do the same.

We need to stop funding the past at the expense of the future. It is the fiscally responsible thing to do.

I ask that you support my amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

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

Mr. FRELINGHUYSEN. Madam Chair, I rise to oppose the amendment. This amendment would cut funding, which has already been cut today, for the Fossil Energy Research and Development program, on top of reductions that we also took of 16 percent in our bill before we brought our bill to the floor.

We all know that American families and businesses are struggling to pay high gas prices. This Fossil Energy Research and Development program holds the potential, once and for all, to prevent future high gas prices and substantially increase our energy security. To cut it further would be dangerous and counterproductive, so I strongly oppose the amendment, and I yield back the balance of my time.

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

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

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

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

Mr. MCKINLEY. Madam Chair, I move to strike the last word.

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

Mr. MCKINLEY. Mr. Chairman, I would like to thank you and the committee for this piece of legislation that's before us today.

Throughout the entire bill, we can see efforts that will result in more efficient use of taxpayer dollars. Additionally, it is encouraging to see the emphasis on certain research accounts at the National Energy Technology Laboratory.

It is clear that you understand the challenges that the fossil fuel industry faces in trying to meet the excessive regulations imposed by this administration. However, I am concerned that the \$78 million cut from current funding in this amended legislation represents a 16 percent reduction in funds and will have dire consequences for NETL's ability to manage grants and contracts to conduct the necessary research and development of fossil fuel energy. America depends on fossil resources for over 80 percent of our energy needs and will continue to do so for the foreseeable future.

As you know, the funding for this research and development has led to horizontal gas drilling, reductions in acid rain, increases in power plant efficiencies, and carbon capture and utilization efforts for enhanced oil recovery.

I hope, Mr. Chairman, that you will continue to agree that, in order for us to continue this vital research in fossil fuel energy, NETL needs to be properly funded and that you will work with us in an effort to try to restore the 16 percent reduction in the funding for this account.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. MCKINLEY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Madam Chair, I want to thank my colleague from West Virginia for his continued leadership on fossil fuel research. He knows it firsthand. He is a strong advocate. He is a strong supporter of NETL, of which he speaks, which is an important center for a critical, critical purpose.

As he knows well, fossil energy provides 82 percent of our Nation's energy needs, and research into tapping these resources as efficiently and as cleanly as possible is vital to our energy security.

I look forward to continuing to work with him and our other colleagues who have interest in fossil energy research through conference to ensure this vital program has adequate resources.

Mr. MCKINLEY. Mr. Chairman, thank you for those comments.

These research projects are in every State in the Nation and almost every congressional district throughout our country. Every one of our colleagues has a vested interest in this laboratory operating efficiently, putting us into the next generation of power and use and efficiency. We have appreciated your leadership and commitment to this program.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GRAYSON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ The amounts otherwise provided by this Act are revised by reducing the amount made available for "Energy Programs—Fossil Energy Research and Development", and increasing the amount made available for "Corps of Engineers—Civil—Flood Control and Coastal Emergencies", by \$10,000,000.

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

Mr. GRAYSON. Chairman FRELINGHUYSEN, thank you for the constructive conversation that we had earlier today about this amendment. I regret that we weren't able to come to some solution to the problem that it's meant to address, but I appreciate your time and your sensitivity to the needs of coastal communities.

The amendment before us would increase the Army Corps of Engineers' Flood Control and Coastal Emergencies account by \$10 million. It would do so by moving the same amount from the Department of Energy's Fossil Energy Research and Development account.

The Flood Control and Coastal Emergencies account provides communities across the Nation with the funds that are necessary to prepare for floods, hurricanes, and other natural disasters. It also provides support for emergency operations, repairs, and other activities in response to those disasters.

Currently, the committee has requested that we fund this important account by only \$28 million. My amendment would increase that amount by approximately one-third. The Fossil Energy Research and Development account does what its name implies; it conducts research pertaining to the extraction and processing and use of mineral substances.

Unlike the Flood Control and Coastal Emergencies account, this one will be funded at \$450 million, almost \$30 million above the President's request. My amendment would simply reduce this account by only 2 percent, while still allowing for a \$20 million increase above the President's request for that account.

We as a body have tried the sequestration approach. We have axed accounts evenly across the board, but that's not an approach that our constituents favor. It is incumbent upon us to make rational choices at some point to prioritize funding for those items that are most important to our constituents and to America.

□ 2000

Madam Chair, this is what a rational approach looks like. Fossil fuels don't need a subsidy. Oil is selling at over \$100 a barrel. Oil companies have more than enough profits with which to conduct their own research. In contrast, there is no profit to be had for communities in disaster preparation—merely self-preservation. These are the efforts

that demand our time and our attention and that demand taxpayer funds. The cost of recovering from natural disasters is only increasing. A rational approach to the problem is to put more effort into preparing for them and mitigating the results.

As a Member from a State that has a tropical storm scheduled to make landfall this weekend, I hope that this body will support not only my amendment but the Flood Control and Coastal Emergencies account as well.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

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

Mr. FRELINGHUYSEN. I rise to oppose the gentleman's amendment, but I appreciate his persistence in trying to find an offset.

I, of course, share the gentleman's support for smart investments in our Nation's water resources infrastructure. In fact, as I've said on a number of occasions, the Corps of Engineers was really one of our primary priorities in putting our bill together. The total program level is \$50 million above the budget request and almost \$150 million above the post-sequester level.

The Flood Control and Coastal Emergencies account specifically is at the President's request. These funds will go primarily to training and response activities. If repairs to projects are necessary due to storms, the Corps has previously-appropriated, unobligated Flood Control and Coastal Emergencies funds which could be used for these purposes.

On the other hand, the bill has already reduced funding for fossil energy by \$84 million, which is a 16 percent reduction, and I believe we took another substantial reduction earlier this evening. Research conducted within this program ensures that we use our Nation's fossil fuel resources as well and as cleanly as possible. We simply can't take another reduction to this account.

For this reason and several others, I oppose the amendment, and I urge my colleagues to do so as well.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. CHABOT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ The amounts otherwise made available by this Act for "Appalachian Regional Commission", "Delta Regional Authority", "Denali Commission", "Northern Border Regional Commission", and "Southeast Crescent Regional Commission" are hereby reduced to \$0.

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

Mr. CHABOT. I want to thank the gentleman from South Carolina (Mr. SANFORD) for his leadership in cosponsoring this particular amendment with me.

We introduced this amendment because, with a nearly \$17 trillion debt, the Federal Government can no longer continue to subsidize wasteful programs and policies. The programs that this amendment would eliminate—some of them in my own State—do little to achieve their intended purpose of economic development. These are wasteful programs that the GAO, the Government Accountability Office, and even the Obama administration have found to be duplicative and possessing no track record of success.

In his 2012 budget, President Obama eliminated Federal funding for the Denali Commission, for example. His argument, which I agree with, was that the Denali projects are not funded through a free market or a merit-based system. Additionally, the White House noted that there are 29 other Federal programs capable of fulfilling this commission's mandate. I would submit that this is also the case for a number of other commissions—for example, the Appalachian Regional Commission, the Delta Regional Authority, the Northern Border Regional Commission, and the Southeast Crescent Regional Commission—for which we reduced and eliminated the funding.

Of particular note and concern is a recent report from the Denali Commission inspector general, which states that \$100 million is missing from the Denali Commission bank accounts. In his 2012 semiannual report to Congress, the inspector general recounted his attempts to track down the lost funds—unsuccessfully, I might add—and recommended that Congress not reauthorize the commission in light of this mismanagement.

Like Citizens Against Government Waste, I seek to end the Federal appropriations for this commission as well as for the others that I mentioned. By reducing the appropriations to these programs, my amendment would save \$90 million for American taxpayers.

GAO analysis found numerous Federal programs that overlap and provide similar services. In these reports, GAO found no fewer than 80 Federal economic development programs administered by four different agencies. Year after year we hear about the inefficiency and waste that is occurring within these programs. This inefficiency, duplication and overlap have cost the taxpayers hundreds of millions of dollars over the years.

These commissions were established for one purpose: economic development. Yet the CBO and other organizations have found no factual evidence that these commissions have created jobs or have improved education or health care. The inability to determine the success of these commissions is, in part, due to their overlap with other programs and agencies.

In summary, there is a tremendous amount of duplication and overlap in each one of the programs that I mentioned, so they are better dealt with at the State and local levels. The officials there are much closer to these types of programs than is the Federal Government. The programs have no track record of success in doing what they were intended to do, which is to create economic development and job growth. It just hasn't happened. The GAO report, as I indicated, has stated that the programs are duplicative and that there is a tremendous amount of mismanagement.

Taxpayers are fed up with wasteful spending in Washington. It's time we identified wasteful programs. These are truly almost the definition of "wasteful programs," and we need to cut them. I would urge my colleagues to support this commonsense amendment.

I yield back the balance of my time.

Mr. CARTWRIGHT. Madam Chair, I move to strike the last word.

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

Mr. CARTWRIGHT. I rise to oppose this amendment, this attempt by the gentleman from Ohio to zero out the regional commissions' budgets. I want to focus particularly on the Appalachian Regional Commission, the ARC.

The purpose of the ARC is to close the economic gap between Appalachia and the rest of the Nation to bring the region's 420 counties and 25 million people into the Nation's economic mainstream. ARC's goal is to help make this region and its people contributors to the national economy and to give them the opportunity to compete in today's international economy.

As a region, Appalachia confronts a combination of challenges that few other parts of the country face—its mountainous terrain and isolation, a dispersed population, inadequate infrastructure, a lack of financial and human resources, and a weak track record in applying for and receiving assistance from other Federal programs. Even with ARC's funding, in fiscal year 2010, Appalachia received 31 percent less in Federal expenditures per capita than the rest of the Nation. That is \$11,435 in Appalachia versus \$16,569 for the Nation as a whole.

ARC investments do not result in Appalachia's getting more than the rest of the country. In addition, as mentioned by the gentleman, ARC's programs do not duplicate other Federal programs. Instead, they extend the reach of those programs into the most challenging parts of Appalachia, enabling many distressed communities to take full advantage of other Federal programs when they would not otherwise be able to.

The ARC funds are often used as a local match that enables communities to compete successfully for these other Federal programs. In addition, the recent recession has hit Appalachia dis-

proportionately hard. Nearly two-thirds of Appalachia's 420 counties have unemployment rates greater than the national average. The recession has wiped out all of the job gains that have occurred since the year 2000. A comparable loss for the Nation wipes out the gains only since 2004.

Further, ARC has compiled an impressive record of accomplishments in creating economic opportunity in Appalachia. From fiscal year 2008 to 2012, ARC directed 55 to 60 percent of its non-highway funds to distressed counties. The number of high poverty counties has been cut from 295 in 1960 to 98 distressed and 99 at-risk counties in 2013. The regional poverty rate has been cut almost in half, from 31 percent to 16 percent. Infant mortality has been reduced by two-thirds, and the rural health care infrastructure has been strengthened through the addition of over 400 rural health care facilities. The percentage of adults with a high school diploma has increased by over 70 percent, and students in Appalachia now graduate from high school at nearly the same rate as that of the rest of the Nation. More than 850,000 Appalachian residents now have access to new or improved water and sanitation services through ARC projects.

Madam Chair, the ARC has worked, and it has shown demonstrable improvements in the Appalachian region, but despite these accomplishments, major challenges still confront the region:

Nearly a fourth of Appalachia's counties still suffer from persistent and severe economic distress; 98 counties are formally classified as "distressed," and another 99 are at risk of falling into the "distressed" category; Appalachia trails the Nation in per capita personal income and average earnings by roughly 20 percent; roughly 25 percent of Appalachian households are not served by a public water system, compared to 15 percent of the rest of the Nation's households; and 48 percent of the Appalachian households are not served by a public sewage system, compared to the national average of 25 percent. The region has been hit disproportionately hard by the loss of jobs in the manufacturing industry, as the region has lost one-fourth of its manufacturing jobs.

The ARC has been a model that has worked. For these reasons, we oppose the amendment.

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

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

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

Mr. NUNNELEE. Madam Chair, I rise in opposition to this amendment.

It is no secret that our Nation's budget is bleeding in red ink. This House has approved a budget that will turn that around, and the Appropriations Committee has brought forth bills consistent with that budget.

I want to thank the chairman, the gentleman from New Jersey, and the

ranking member, the gentlewoman from Ohio, for their efforts in meeting these budget targets and in eliminating wasteful programs but, at the same time, in preserving our priorities.

This amendment specifically deletes funding for the Appalachian Regional Commission, and I would like to address those priorities that are addressed by that commission. This is not a wasteful program. It has invested in infrastructure. It has changed the lives and the income of the men and women of that region, a region that I represent. When the Appalachian Regional Commission was formed almost five decades ago, it included some of the poorest counties of the poorest States in the Nation. Since then, it has achieved measurable results: the number of people living in high poverty has been cut in half; infant mortality has been cut by two-thirds; and students without a high school education have decreased significantly.

□ 2015

But the men and women of this region aren't sitting idly by, waiting for Federal investment to show up to solve our problems. We've used the Federal investment through the Appalachian Regional Commission and leveraged it with local and other State investments. In the last 4 years, the Appalachian Regional Commission has invested \$360 million in that region. At the same time, over \$1 billion of other public investment has occurred. What has that done? It's attracted over \$2.8 billion in private investment, which has resulted in 122,000 jobs that have been created. This commission has made a difference.

No, it's not wasteful spending. The Appalachian Regional Commission is making a difference in the lives of the men and women and families in Appalachian. Because of that, I oppose this amendment.

I yield back the balance of my time. Ms. KAPTUR. Madam Chair, I move to strike the last word.

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

Ms. KAPTUR. I rise this evening in opposition to my Buckeye State colleague, Congressman CHABOT, and I'm somewhat perplexed by this amendment. I don't really understand why he's offering it. I have to oppose him. If we look at the Appalachian Regional Commission, it actually benefits Ohio. It benefits some of those river counties that have historically been left out of the economic mainstream.

If you come to Ohio, it's rather interesting, because if you look at the State there are the big cities of Cleveland, which I'm privileged to represent a portion of, Columbus which is the State capitol, and Cincinnati, where the gentleman is from. There is a story that goes that those are the Big Three, and then there's the other part of the State that kind of winds its way from Toledo down toward Marietta. And the closer you get to Kentucky and Tennessee, the situation gets a little bit rugged.

In fact, I had occasion to travel there this year for the sad occasion of our former colleague Congressman Charlie Wilson's funeral. And I remember how hard Charlie worked to try to represent his district. In just getting to where we had to go for the ceremonies, I was struck again by how that part of Ohio is so inaccessible, just to try to move through the territory and get to where we were going. When I finally got to the high school where the ceremonies were held, and as I walked into the high school, I saw the bricks that Charlie had used to help start a project to help promote education in his region because there was no institution of higher learning. They had to link up to institutions in other parts of the State.

In just driving around and looking at that part of Ohio, the road system doesn't quite connect as it does from the other Big Three Cs. The other portion of the State doesn't work that way.

So the Appalachian Regional Commission meets a very important need, even though it's not a part of the State that I live in. There are very hard-working people. Economic opportunities, especially in the hillier parts, is more difficult to achieve. The Appalachian Regional Commission spans several counties and several States, and it tries to bring hope and opportunity to these regions.

A great part about our country is we're supposed to take care of one another, and the Appalachian Regional Commission provides a mechanism now going over several decades that has truly made a difference. But I can guarantee you that for the parts of Ohio that are included in its boundaries, the work is not finished. And with what's been happening in certain sectors of the economy, in many of these hollows and many of these nooks and crannies, life has gotten harder, not easier.

I want to say that I don't know what motivates the gentleman's amendment this evening, but I really do think it would hurt Ohio, and it would hurt a lot of these counties, spanning into other States that are covered. And the other commissions that exist are not parts of America—take the Denali Commission or the Northern Border Regional Commission, the Delta Regional Authority—these are not areas that are easily lifted in terms of their economic performance, and they need help.

I urge my colleagues to oppose the gentleman's amendment. I want to thank all those who worked with the Appalachian Regional Commission, particularly in my own State. I know it's not always easy, and we want to do what we can to support them.

I yield back the balance of my time.

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

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

Mr. ADERHOLT. Madam Chair, I want to rise in opposition to this amendment, as well.

As has been noted here, this was created in 1965 as the ARC, and it has a real proven track record of success in creating economic development in an area of the country that faces unique challenges.

Again, it creates economic development. I think that needs to be stressed. It's not a handout, but it's a way to try to make investment into a region of the country that really can use some economic development encouragement, and that's exactly what this program does.

As a result of ARC funding, the regional poverty rate has been cut almost in half. Infant mortality rates have been reduced, and job-creating infrastructure has provided new and improved water and sewer services to over 112,000 residents. And that's just in the last 5 years.

Despite the tremendous progress that this program has made over the years, there's challenges that still exist. This region has lost roughly one-fourth of its manufacturing jobs and nearly one-fourth of Appalachia's counties still suffer from severe and persistent economic distress.

Now is not the time to zero-out this effective program, especially when you're focusing on economic development. Now, more than ever, we must empower local communities and regional planning commissions to utilize this much needed Federal assistance and provide the basic building blocks for regional economic development.

I strongly urge my colleagues to vote "no" on the amendment, and I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. BUTTERFIELD

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. It is the sense of Congress that the Army Corps of Engineers should take into consideration and prioritize emergency operations, repairs, mitigation activities, and other activities in response to or in anticipation of any flood, hurricane, or other natural disaster when evaluating construction projects.

Mr. BUTTERFIELD (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from North Carolina is recognized for 5 minutes.

Mr. BUTTERFIELD. Madam Chair, I am very disappointed, to say the least, that significant cuts are being proposed to reduce funding for the U.S. Army Corps of Engineers. But with that in mind, I've come to the floor this evening with an idea that I think mitigates the effects of those cuts.

I will begin by saying that my amendment has no cost associated with it. It simply expresses the sense of Congress that the Army Corps of Engineers should consider and prioritize projects that mitigate the danger of natural disasters. Eastern North Carolina is especially vulnerable to extreme weather events, and other States have the same vulnerability.

The Corps works to improve the safety of communities near the Neuse River in Goldsboro, North Carolina, and in Princeville, where Hurricane Floyd all but destroyed the town because of the rapidly rising and poorly contained Tar River.

My amendment would give added confidence to my constituents in North Carolina and to many of your constituents, as well, that the Federal Government is doing everything possible to protect and reinforce communities and neighborhood from natural disasters.

For several years, the Nation has witnessed the widespread devastation caused by these disasters. Hurricane Sandy and Hurricane Irene are just two examples. Communities affected by natural disasters like those in my district face a long recovery filled with hardship and painful dilemmas. The underlying bill we are discussing today cuts \$104 million in civil projects of the Corps, and it rescinds \$200 million in previously appropriated funding.

At the same time, the Corps has a \$60 million backlog of projects, and some of my colleagues have referenced that tonight. Many of these are in important places like my district, and many of yours, as well, that experience frequent storms. Due to insufficient funding and a prohibition on new construction, no new projects have been initiated by the Corps since the year 2010.

The Corps has many important responsibilities, but none more so than its effort to mitigate flood and storm dangers. The Corps provides essential mitigation assistance such as repairing damaged levees and providing emergency water supplies to communities in need. It also works to engineer infrastructure that will prevent some of the effects of natural disaster.

The National Oceanic and Atmospheric Administration has predicted an especially active hurricane season,

with up to 11 hurricanes and up to 16 major hurricanes in the 6-month hurricane season. The number of predicted storms is significantly greater than the seasonal average of six hurricanes and three major hurricanes. NOAA has also indicated that hurricanes threaten inland areas through rain and strong winds and flooding, as we saw in many communities.

Never has funding and support for the Corps been more critical to my constituents and the many areas throughout the country. So as we consider a bill that plans to reduce funding for the Corps, we must keep in mind the communities who may suffer, and many who have spoken tonight come from those districts. They suffer the most from this type of activity.

I remind my colleagues that this amendment costs no money whatsoever. A “no” vote on the amendment does carry the cost of heavy inaction.

I ask the Chair to overrule the point of order.

The chairman of the subcommittee mentioned earlier that he supports the Corps and funding for the Corps. This is simply an effort to try to instruct the Corps to prioritize the projects as they make these difficult decisions.

My colleagues, I thank you for listening, and I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chair, I insist on my point of order.

The Acting CHAIR. The gentleman from New Jersey will state his point of order.

Mr. FRELINGHUYSEN. Madam Chair, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of Rule XXI.

The rule states in pertinent part an amendment to a general appropriation bill shall not be in order if changing existing law. The amendment proposes to state a legislative position.

I ask for a ruling of the Chair.

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

The amendment offered by the gentleman from North Carolina proposes to state a legislative position of the House.

As such, the amendment constitutes legislation in violation of clause 2 of Rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT NO. 20 OFFERED BY MR. KELLY OF PENNSYLVANIA

Mr. KELLY of Pennsylvania. Madam Chair, my friend, Mr. DUFFY from Wisconsin, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available in this Act may be used to develop or submit

a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code of 1986.

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

Mr. KELLY of Pennsylvania. Madam Chair, the reason I'm here tonight is to talk about the efforts that are being used to divert Harbor Maintenance Trust Fund monies to purposes other than what Congress intended, and that is dredging and maintenance of our harbors.

I'm talking about fairness, and I'm talking about commerce. We've all known for years that we have a problem when funds are collected for an intended purpose, that sometimes they don't get used that way. So we have money in, but money does not come out for its intended use.

There are a number of reasons for this happening. But until we get more funds for their intended purpose, Mr. DUFFY and I oppose expanding the authorities for the use of this funding.

□ 2030

This is a matter of fairness.

The Harbor Maintenance Trust Fund has carried a surplus since 1997. At the end of fiscal year 2012, the trust fund had an estimated \$7 billion surplus that was not spent on harbor maintenance. Yet our harbors are under-maintained.

The U.S. Army Corps of Engineers has estimated that full channel dimensions at the Nation's busiest 59 ports are available less than 35 percent of the time. That's unacceptable. Just from an economic standpoint, it should be unacceptable to us.

Ships, especially those in my district and throughout the Great Lakes, are light-loading. When that happens, American productivity is lost. Light-loading—we can't even load the ship to their capacity because we haven't maintained our harbors. We haven't dredged our harbors. This is an affront to commerce. It goes back to the very beginning of what the Founding Fathers thought about commerce as so important, getting products from point A to point B.

We must ensure that the moneys intended for dredging are not siphoned off for other reasons. Our amendment will prohibit moneys from being used by the administration to expand the authorized uses of the Harbor Maintenance Trust Fund moneys.

I know this is something that the gentleman from New Jersey (Mr. FRELINGHUYSEN) has supported in the past, and I appreciate his consideration.

I yield back the balance of my time. Mr. NOLAN. Madam Chair, I move to strike the last word.

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

Mr. NOLAN. I rise in support of the Kelly-Duffy amendment, which would prohibit expanded uses of the Harbor

Maintenance Trust Fund at the current appropriations level.

Let me be clear, the needs of the Nation's ports and harbors are great, and they are largely unmet today. The U.S. Army Corps of Engineers has made a valiant effort to maintain these facilities, which are essential for American manufacturers and the business community, to access markets around the world. We're talking about jobs. We're talking about business income here in every State, in every congressional district in this country.

Beginning in 1997, however, as Mr. KELLY just pointed out, both Congress and the administration since that time have fallen short of allocating the entire balance of the harbor trust fund moneys to a current rate of less than 50 percent of the total revenues received. Tragically, as a result, we've fallen seriously behind in our essential harbor maintenance. If we were to restore full funding today, the Army Corps estimates it would take 5 years to catch up on the backlog in our Nation's busiest ports and another 5 years to catch up on the Nation's smaller ports, which are nevertheless essential to local and regional economies.

Channel dredging is the most critical factor in maintaining our harbors. To be sure, there are other needs. In 2011, the Army Corps suggested that this fund could be used to increase harbor security. Certainly access roads and other harbor facilities need constant maintenance. But if we expand the use of these funds without expanding the total funds appropriated, we will simply add to our current backlog, choke off future commerce, and cost the American economy the jobs that we desperately need.

The port of Duluth in my district is already restricting outbound shipments to 80 percent of the capacity because of this backlog in maintaining proper channel depth. How can we justify forcing our merchant fleet to operate at less than full efficiency?

I urge my Democratic colleagues to support this amendment and help us prevent a bad situation from getting worse.

I yield back the balance of my time. Ms. KAPTUR. I move to strike the last word.

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

Ms. KAPTUR. Madam Chair, I am happy to yield to Congressman KELLY offering the amendment or Congressman NOLAN, who spoke on the amendment, and to say that this amendment gives us an opportunity to talk about the Harbor Maintenance Trust Fund and the importance of all of our harbors, including those in the Great Lakes.

I spoke earlier today, and I said I don't know how long it's going to take to narrow the channel any more. Some of the ports I represent, what has been happening is that with less money, the width has been narrowing. I said so maybe our ships will actually look like

this some day, rather than having a bow that looks like this. There just simply aren't enough funds to dredge all of the ports that are necessary. And, in fact, there have been some harbors which have actually shut down.

So this gives us an opportunity to talk about the necessity of a review of the Harbor Maintenance Trust Fund and its future use and what we might do in order to get a better allocation to our accounts so that we can take care of all of these ports that are being pressed around the country.

If the gentlemen have anything additional that they would like to put on the record at this point regarding the ports in the Great Lakes or elsewhere, I would be more than pleased to yield to them.

Mr. NOLAN. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Minnesota.

Mr. NOLAN. Madam Chair, I thank Representative KAPTUR for yielding, and I would just add that it's costing business and commerce throughout the country and the Great Lakes billions of dollars. This is critical, essential infrastructure; and we look forward to working with you to find a way to release that trust fund for what it was intended, which is the dredging of our harbors. It is so critical to our commerce, our businesses, our jobs, and our economies.

Ms. KAPTUR. Reclaiming my time, I hope the administration is hearing this and the Corps is hearing this and they work with us on a better allocation and not invading the Harbor Maintenance Trust Fund for other purposes.

I would hate to deny the administration the right to think about this and to make recommendations to us. I don't think that it is the intent of the gentleman from Pennsylvania (Mr. KELLY) to prevent any oversight or activities by the administration to better manage the Harbor Maintenance Trust Fund. I don't think that is his intent. I think his intent is to ensure that these dollars are spent for harbor maintenance.

But if, in fact, the administration has a good idea they want to throw in to help us with this, you wouldn't deny them the right to do that; am I correct? We need their cooperation in order to make this work.

I yield to the gentleman.

Mr. NOLAN. Madam Chair, they are already neglecting the needs for dredging in our harbors. To divert funds from existing appropriations that are available would only make the situation worse, which is why I rise in support of the gentleman's amendment.

I know Mr. DUFFY wishes to speak to the amendment as well.

Ms. KAPTUR. Congressman KELLY, your intention is not to preclude the administration from working with us on the Harbor Maintenance Trust Fund if they have a creative idea that would help us?

Mr. KELLY of Pennsylvania. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman.

Mr. KELLY of Pennsylvania. I think the whole purpose of this—and Mr. DUFFY will have a chance to speak next—this money is collected for a specific reason. I had a conversation with Secretary LaHood talking about why can't we use the money that's been collected and set aside to be used. This is about commerce. This is about fairness. This is about growing our economy and being able to have access to the entire world. We're letting these harbors go unmaintained. We're not dredging them, and we're causing a huge problem in commerce. That's the problem. We can't get from point A to point B. We're lowering the efficiency of our businesses and their ability to get products out there. The whole purpose of this is to use the money that's collected for the intention for which it was collected. It's money that's going in, but not being used the right way, and I don't want to see it get diverted any other way, as we've seen happen already. We're already missing the boat, no pun intended. We're closing down these harbors, and we're not doing the right things by them.

I know my friend from Wisconsin (Mr. DUFFY) wants to talk.

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

Mr. DUFFY. Madam Chair, I move to strike the last word.

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

Mr. DUFFY. Madam Chair, I will try to address some of the concerns of the gentlelady from Ohio. I think everyone who supports this amendment is willing to work with the administration if the administration wants to work with us to start to dredge our ports, to make sure that we can actually have more flow of commerce through the American ports that haven't been serviced well.

If the administration wants to tap into the Harbor Maintenance Trust Fund and use those resources for other purposes, I think you would see a strong objection from those who support this amendment because those of us who especially live in the Great Lakes—Mr. NOLAN and I, the gentleman from Minnesota and I, have the great honor of sharing the Duluth-Superior port. We understand how important dredging is to making sure that port functions.

When we don't have enough resources going in to service our port, it gives us great pause because these are jobs in our community. It is economic growth in our community, and if we don't have that, we're concerned. So if the administration is willing to work with us, we are willing to work with the administration, no doubt.

But, again, if they want to take those resources and use them for another purpose, we would have great pause and pushback because what you've seen with the Harbor Maintenance Trust

Fund is that it is funded by the shippers. They pay taxes, they pay fees in the anticipation that those dollars, those revenues, are going to be used to service our ports. The problem is it hasn't been used to service our ports. So they're paying money into a fund that over the last 15 years has run a surplus, and now there's \$7 billion in the fund. And they sit back and they scratch their heads and they wonder why isn't this money being used for its intended purpose, which is to make sure American ports work. We've paid for it. We've agreed to pay the taxes; now do, government, what you've promised us to do, use it to make sure that we can actually have commerce in our industry.

I think it's important, the gentleman from Pennsylvania also talked about the Corps of Engineers doing studies and talking about our shippers having to light-load, talking about the Great Lakes ports, talking about Duluth-Superior, the twin ports, where they're unable to load at full capacity because we haven't effectively dredged that port. And that is loss of revenue for our shippers. Not only that, it's driving up the cost of the goods that we're shipping on the Great Lakes, which means the end consumer is paying more for those goods. This doesn't make a lot of economic sense, especially when we have \$7 billion of surplus in that fund.

This is one of those issues where I think government can do a better job serving the people. Putting money into a fund, paying taxes to specifically go into a fund for a specific purpose and then have that fund raided and robbed and used for a different purpose is unconscionable, and it is unacceptable; and that is not the agreement that Americans here in the shipping industry had with their government. It's unfair, at best.

To make one last point, this is a jobs amendment. This amendment will again make sure that we can have a growing, effective, efficient economy in shipping in ports across the country; but it also makes sure that we have lower-cost goods because we are effectively using our ports and our shippers across the country.

Ms. KAPTUR. Will the gentleman yield?

Mr. DUFFY. I yield to the gentlelady from Ohio.

Ms. KAPTUR. I thank the gentleman for yielding. I'm glad we've had this discussion tonight. Others have heard it. I think it will help encourage administration cooperation, being the Representative who has the ports of Lake Erie in her district—Cleveland, Lorain, Sandusky, Toledo, and many points in between—I fully understand the challenge here.

One of our budgetary challenges is we have to have a budget that allocates these dollars, and right now that hasn't come from your side of the aisle. So in order to use these dollars, it has to be incorporated in the budget resolution that comes to us. Our mark was too

low in our bill in order to be able to move those dollars. So let's work on that with the Budget Committee, as well, so we get that allocation and it comes to our subcommittee. That's something that we can all work on on both sides of the aisle.

Mr. DUFFY. Reclaiming my time, point well made by the gentlelady from Ohio. Just to make sure we're clear, this amendment is one that prohibits additional or expansion of the definition of use for the Harbor Maintenance Trust Fund, so we can't use it for purposes other than for the ports, which was the original intent.

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

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

The amendment was agreed to.

□ 2045

Mr. RIGELL. Madam Chair, I move to strike the last word.

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

Mr. RIGELL. I rise to enter in a colloquy with the distinguished gentleman from New Jersey, the chairman of the Energy and Water Appropriations Subcommittee, Mr. FRELINGHUYSEN.

Virginia is proud to be home of one of the Department's flagship national labs in nuclear physics, the Thomas Jefferson National Accelerator Facility, or JLab, located in Newport News, and its primary scientific facility there known as the Continuous Electron Beam Accelerator Facility.

In fact, the nuclear physics community so values the work at the JLab that they recommended a major upgrade to its accelerator, what's referred to as the 12 GeV project, as its number one priority in their 2007 long-range plan for nuclear physics. That upgrade has received over 70 percent of its construction funding through the tireless efforts of the subcommittee, and work is going to begin there on its commissioning in fiscal year 2014, that is, provided that sufficient funding is included in this appropriations measure.

I'm really grateful that the construction funding that is provided in the bill is at the level requested by the administration. However, I am concerned that the proposed reductions for nuclear physics below the budget request could force unilateral cuts in medium energy nuclear physics operations, and that these reductions could delay the start of the commissioning of the 12 GeV project, which is scheduled to start in the first quarter of fiscal year 2014.

Therefore, I'm asking the chairman if he would be willing to work with me and my colleagues in Virginia and others who support the priorities of the nuclear physics community to work towards completing this important con-

struction project and to begin operations in a timely fashion.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. RIGELL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank my colleague for his interest and strong advocacy on behalf of the Jefferson Lab and for the nuclear physics program. Our allocation has made for some tough choices, and we worked hard to fund the Office of Science at \$32 million above current levels, post-sequester. This level of funding is sufficient to support a \$7.5 million increase for the Medium Energy Nuclear Physics program, which goes to the Jefferson Lab.

I want to thank my colleague for his advocacy and look forward to working with him to support this vital program through the appropriations process.

I also assure my colleague that the bill keeps CEBAF on track to begin operations in fiscal year 2014.

Mr. RIGELL. I thank the gentleman for yielding initially. I thank him for his leadership.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. LAMALFA

Mr. LAMALFA I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to regulate activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A), (C)).

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

Mr. LAMALFA. Madam Chairman, I'm pleased to be able to present this amendment here. I thank the chairman of the committee for allowing this.

We have a situation here where section 404(f)(1) of the Clean Water Act exempts certain activities from the permitting requirements under section 404, including normal farming, forestry, and ranching activities, and construction and maintenance of farm and forest roads, irrigation ditches, and farm ponds.

In 1977, Congress made a deliberate policy choice to amend the Clean Water Act to provide carefully tailored exemptions for these ordinary activities of farmers, ranchers, and foresters from the costly and burdensome requirements to obtain Clean Water Act permits.

Despite this clear expression of congressional intent, however, the Corps of Engineers and the EPA in recent years have been trying to circumvent the 404(f)(1) permitting exemptions by attempting to interpret a limited "recapture" provision in section 404(f)(2) in such an expansive way as to virtually swallow up the exemptions in 404(f)(1).

As a result, we have a situation where Congress clearly provided a regulatory exemption from permitting in one paragraph of the Clean Water Act, only to have the Corps and EPA now take it away through a creative interpretation of the next paragraph.

The Corps and EPA cannot take away administratively what Congress gave legislatively. These administrative efforts to undermine congressional intent have resulted in excessive and overzealous efforts to expand regulatory powers into farming and ranching activities exempted from regulation.

In one instance, a family farm attempted to convert pastureland irrigated by ditch to a piped irrigation system to improve their water efficiency—a laudable goal from any perspective. This is an activity clearly exempted from regulation by section 404(f)(1), yet the Corps' argument that potential runoff from this work, which would run into a man-made drainage ditch and eventually into a terminal man-made pond with no outlet, would impact somehow the navigable waterway, the Sacramento River, which is over 6 miles away, which really bears no relation to reality, this regulation. This claim by the Corps turned a 1-day, \$2,500 project into, now, a multiyear legal battle resulting in over \$100,000 in legal costs to the family farm, all with no improvement or protection of the environment.

This amendment is intended to make it clear that the Corps is not to use any funds to regulate activities that are already excluded from regulation under section 404(f)(1)(A) and (C) of the Clean Water Act, and that the "recapture" provision in section 404(f)(2) is not to be used to undermine those section 404(f)(1) permitting exemptions. The amendment allows the permitting exemptions to stand on their own merits, without the Corps and EPA negating their use through clever legal interpretations.

In no way does this amendment attack or limit regulation of wetlands or our Nation's waterways. As a rancher myself, with wetlands, ducks, other wildlife on my land, I know full well the importance and value of reasonable protections for our natural resources.

Today, farms in California and elsewhere are being targeted for simply changing crops or irrigation methods. They are doing their best to follow every law, the spirit of the law, but are being targeted for something Congress explicitly exempted.

This amendment simply limits funds to ensure that agencies of government only spend money to follow the laws as Congress wrote them. I urge all Members to please support this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

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

Mr. FRELINGHUYSEN. I have no objection to the gentleman's amendment.

Our colleague from California describes yet another troubling example of what seems to be Federal overreach, regulatory overreach. I support his amendment, which I think addresses the situation.

I yield back the balance of my time. Ms. KAPTUR. I move to strike the last word.

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

Ms. KAPTUR. Madam Chair, I rise to oppose the gentleman's amendment. If the proposed amendment would take effect, the Corps would be prohibited from requiring a permit for discharges into waters of the United States from certain agricultural activities.

The Clean Water Act already exempts certain agricultural activities from regulation unless those activities change the flow of navigable waters, then those agricultural activities, such as construction of stock ponds or irrigation ditches, construction of forest roads and reconstruction of recently damaged parts of levees, dikes, and dams, must be regulated.

The Clean Water Act already exempts agriculture business from many of the regulations imposed on others. This amendment would take away the commonsense safeguards built into the Clean Water Act to prevent the negative impact of some agricultural activities, and we have all been witness to some of those.

So I believe the Clean Water Act strikes the right balance in giving relief to agricultural businesses already and, therefore, urge defeat of the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. __. None of the funds made available in this act to the United States Army Corps of Engineers may be used for sediment or soil dumping into the Missouri River.

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

Mr. KING of Iowa. Madam Chair, we have a situation that exists in Iowa, Nebraska, and Missouri that I know of along the Missouri River, which I've represented the entire stretch along Iowa. It's an attempt to save the endangered species known as the pallid sturgeon, and I brought a little sample of him here. He's the only one in congressional captivity. This came from the hatchery at U.S. Fish and Wildlife, by the way.

But what they're doing is an attempt to create shallow water habitats so this pallid sturgeon can reproduce. They're opening up the old oxbows, and that's all right. But what they're doing

is dredging millions of cubic yards of dredge spoil out of those old channels into the river channel itself. And we know that dredge spoil is listed under the Clean Water Act as a toxic pollutant.

They wouldn't let farmers do it. They wouldn't let contractors do it. The Corps of Engineers doesn't need to. They have better alternatives that are consistent with the Clean Water Act.

So my amendment simply says none of the funds can be used to dredge this into the river, and they would need to follow their own rules like everybody else does.

I urge the adoption of this amendment, and I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Madam Chairman, I don't have any objection to the amendment, although I do have a few concerns, which I'd like to cover.

First of all, I want to thank my colleague for bringing these issues to our attention. If, in fact, the Corps' actions are detrimental to flood control efforts in his region, those types of actions need to be stopped, and I would be happy to work with him to do that.

I do believe, of course, that some of these issues would be better dealt with by the authorizing committees that have jurisdiction over the Corps and the Endangered Species Act. So I think there are some concerns that we have that are legitimate here. We're going to do some more investigation and work with the gentleman to see if we can address his concerns.

I yield back the balance of my time.

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

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

Ms. KAPTUR. Madam Chair, the King amendment would provide no funds to be used for shallow water habitat construction if that involves sediment or soil dumping into the Missouri River.

In order to meet the obligations established within the 2003 amended biological opinion, the construction of shallow water habitat is an integral part of compliance. There are two ways to build shallow water habitats: either through flow actions or through mechanical actions.

The Corps has been implementing habitat construction to avoid manipulating flows mainly because of concerns expressed by the State of Missouri. This amendment would prevent the construction of shallow water habitat, leaving the pallid sturgeon fish unprotected.

I understand that farmers in Iowa have concerns that the Army Corps is not creating these habitats in an ecological manner, but the Army Corps studies show there will only be minimal increases in nutrients carried by the river during project construction.

If the Corps cannot put sediment into the Missouri River, it will have to dispose of the sediment in upland areas. There will be increased cost for each construction project. Disposal in upland areas would increase costs by requiring material to be placed in trucks and hauled offsite to upland disposal areas, or adjacent to the habitat projects. Project cost would be increased by 300 percent to 500 percent, depending on site specifics.

So disposing of sediment in upland areas will also result in increased negative environmental impacts. Disposal of material in upland areas will require disturbances of existing mitigation sites and increases the risk of damage to adjacent wetlands. It may also require additional land acquisition for disposal areas.

For all these reasons, we have to oppose the amendment.

I yield back the balance of my time.

Mr. LAMALFA. Madam Chair, I move to strike the last word.

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

Mr. LAMALFA. I yield to my colleague from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from California for yielding.

And I regret I didn't have that opportunity to sit down and talk to the gentlelady from Ohio regarding this dredging that's taking place in the Missouri River bottom in my district, in my neighborhood where I spent my lifetime working on that river bottom and doing work like dredge work and dredge site work and dredge disposal site work.

We've done a number of projects with the earthmoving side of this thing, working in conjunction with dredge contractors. I've been up and down every mile of this river for decades now. I've watched what they're doing. They would never let a private interest do what they are doing. They wouldn't let a public interest do what they are doing. Only the Corps of Engineers can do what they're doing.

And I've not reviewed these numbers closely, but I did hear that it could be a 300 percent increase in the cost. I'd like to look at it more closely. I'm pretty confident King Construction can bid that substantially cheaper. However, we're not in the business of advocating what we do here in this Congress. The Corps of Engineers has often put out numbers that have been much higher than the actual cost necessary.

And it's pretty simple to me that if you could see what I saw last week, a 20-inch pipe pumping out water and dredge spoil that's churned up by the beater effect of the dredge, pumping that out into the middle of the river where the sediment, the heavy stuff drops out right away; it starts to fill the channel. The lighter stuff goes down the river and gets settled out.

□ 2100

And then the river has to be dredged again by putting that sediment into

the river. It ends up having to be treated. There's plenty of places for them to do this. They are contradicting their own policy. And so I urge the adoption of this amendment, and let's hold the Corps of Engineers accountable the same way they hold everyone else accountable.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLORES

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ None of the funds made available by this Act may be used to implement, administer, or enforce the National Ocean Policy developed under Executive Order No. 13547 of July 19, 2010 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes).

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

Mr. FLORES. Madam Chairman, last year, the House adopted my bipartisan amendment that would prevent agencies under the FY 2013 CJS appropriations bill from imposing ocean zoning related to the Obama administration's National Ocean Policy under Executive Order 13547. Executive Order 13547 was signed in 2010 and requires that various bureaucracies essentially zone the ocean and the sources thereof. This essentially means that a drop of rain that falls on your house could be subject to this overreaching policy because that precipitation will ultimately wind up in the ocean.

The Department of Energy is a part of the National Ocean Council established under this executive order that has been tasked to zone the oceans. Concerns have been raised by many groups that the National Ocean Policy will restrict ocean and inland activities. It is also worrisome that the administration has not made any requests for funds for this effort, nor has Congress ever appropriated money for this purpose. We have had hearings on this in the Natural Resources Committee, and no agency has told us from what source they're getting the funding for this initiative. So where is the money coming from? Are they raiding existing accounts and diverting already scarce dollars from existing statutory responsibilities?

On this chart you can see the executive order creates a huge new bureaucracy at a time when we're trying to make the government smaller, more efficient, more accountable, and less intrusive. The next chart lists the 63 agencies that are involved in this effort to try to zone the oceans. This looks like much more than a planning exercise at this point.

Let me say you're going to hear from the other side from time to time some-

thing that says that planning is good. Yes, planning may be good. Planning with the intent to in effect backdoor nonstatutory rulemaking is not good.

And here's what the executive order states on its face. It says:

All executive departments, agencies, and offices that are members of the council and any other executive department, agency, or office whose actions affect the ocean, our coasts, and the Great Lakes shall, to the full extent consistent with applicable law, comply with Council-certified coastal and marine spatial plans.

That sounds like rulemaking, to me, that has not been authorized by statute.

It's important to note that ocean zoning was debated during the 108th, the 109th, the 110th, and the 111th Congresses, and each of those Congresses determined that this action was not necessary. This clearly indicates that Congress explicitly does not intend for the oceans to be zoned in the manner that the President is attempting to do. Thus, Executive Order 13547 has no specific statutory authority, and there have been no appropriations by Congress to pay for the cost of this new bureaucracy.

My similar amendment earlier this year passed by a bipartisan vote of 233-190 to the offshore energy packaged we considered last month. This amendment was also adopted on a bipartisan basis as a part of the FY 2013 CJS appropriations bill.

I urge my colleagues to join me in supporting this commonsense amendment, and I yield back the balance of my time.

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

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

Ms. KAPTUR. Madam Chair, I rise to oppose the amendment and to stress the importance of ocean policy. We already see acidification, low dissolved oxygen, harmful algae blooms, and dead zones in the Gulf, the Chesapeake Bay, Puget Sound, and throughout our Nation's coastal waterways.

The National Ocean Policy would help us better address the cumulative threats to our aquatic ecosystems from overfishing, coastal development, storm water runoff, carbon emissions, and pollutants in our waterways. The implementation of the National Ocean Policy will help to protect, maintain, and restore our ocean and coastal ecosystems, systems which provide important jobs, food, recreation, and which serve as the foundation for a substantial part of our Nation's economy. Only healthy, functioning, and resilient marine and freshwater ecosystems can support the fisheries we all depend upon so heavily.

There are some reports that show that over half of the fish in the oceans have been fished out. If you go to any supermarket, you're going to find on the shelves—the fish that are there—strange names you've never even heard of before because so many of the vari-

eties that were plentiful are simply fished out forever.

The core approach of the National Ocean Policy is to improve stewardship of our ocean's coasts, islands, and Great Lakes by directing government agencies with differing mandates to coordinate and work better together. The National Ocean Policy creates no new authorities. It's about increased coordination among existing agencies, the sort of effort that should be taking place on a Federal level in order to reduce inefficiency, waste, and redundancy between agencies.

This is an issue of bringing people together so that all of the ocean's users, including recreational and commercial fishermen, boaters, industries, scientists, and the public can better plan for, manage, harmonize, and sustain uses of oceans and coastal resources.

When you think about it, we now have 310 million people in our country. We look at the global populations in the billions. With the rate of population increase rising, more and more fishing going on—and how many of us come from regions where we see that fisheries have shut down? And that in fact what used to exist in Massachusetts, exists no more. That there are places on the West Coast where the fisheries that had been there are shut down. That's because there's so much draw on that life source in the ocean that we have to pay attention as a world how we are going to feed the generations of the future. This is not a casual engagement. This is downright serious business.

I would say that the gentleman's amendment is not forward-looking. I don't know what he has in mind here. But the better we understand what is going on and what Congressman Claude Pepper used to call Planet Ocean, where 70 percent of our Earth is actually water, much of it impinged now by pollutants and so forth. We have a responsibility to the globe. This is not simple.

Prior generations haven't had to think this way, but we have to think this way because there are many more draws on these resources. Look at the problems we've had with some countries going out and doing the fishing and just taking fish to one country and not allowing other fishermen to have equal access, even in the Great Lakes that I represent. It's amazing. Every single year, the number of fish you're allowed to catch goes down, because we've both got more fisherman, because the population is increasing, but there are fewer fish to draw from those lakes. And there are substantial threats in the form of invasive species.

So the gentleman and I are on different sides of this. I think it's important to understand the oceans and to coordinate among our agencies to put the best intelligence forward because the globe is changing and we have to be smart enough to deal with those ecosystem changes.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

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

Mr. FLORES. Madam Chair, I rise to offer an amendment which addresses another misguided and restrictive Federal regulation.

Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of fuels unless their lifecycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. My simple amendment would stop the government from enforcing this ban on all Federal agencies funded by the Energy and Water Development appropriations bill.

The initial purpose of section 526 was to stifle the Defense Department's plans to buy and develop coal-based or coal-to-liquids jet fuel. This restriction was based on the opinion of some environmentalists that coal-based jet fuel might produce more greenhouse gas emissions than traditional petroleum. However, one of the unintended consequences of section 526 is that it essentially forces the American military to acquire fuel refined from unstable Middle East crude resources. Furthermore, section 526's ban on fuel choice now affects all Federal agencies, not just the Defense Department.

This is why I'm offering this amendment again today to the Energy and Water Appropriations bill. The American military and our Federal agencies should not be burdened with wasting their time studying fuel restrictions when there's a simple fix. That fix is to not restrict Federal Government fuel choices based on unsound policies and misguided regulations like those in section 526.

Section 526 also essentially makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help us to promote American energy, grow the American economy, create American jobs, and become more energy secure.

Madam Chair, it is also important to know what this amendment does not prevent and does not restrict. And it doesn't restrict or prevent the ability of the Federal Government from purchasing any alternative fuels, including biodiesel, ethanol, or other fuels from renewable resources. It places no

restrictions whatsoever on those types of procurements.

I offered this amendment to the Homeland Security appropriations bills and several appropriations bills during the 112th Congress, and they all passed on the floor of the House with strong bipartisan support. My friend, Mr. CONAWAY, also added similar language to the latest defense authorization bill to exempt the Defense Department from this burdensome regulation.

I urge my colleagues to support the passage of this commonsense amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BRIDENSTINE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available in this Act may be used by the Corps of Engineers to set water storage prices for municipal use for a nonhydropower lake constructed by the Corps above the price that was set at the time of the completion of that lake.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Oklahoma is recognized for 5 minutes.

Mr. BRIDENSTINE. I rise today to offer an amendment that will provide temporary relief and assurance for communities who otherwise will soon be hit by some of the sharpest increases in water storage prices ever seen. My amendment is simple. It prohibits the Army Corps of Engineers from using any official resources or funds to set new, increased water storage prices for municipal use on any non-hydropower lake that was built by the Corps.

□ 2115

The Corps would only be permitted to set the same rates on local communities that were in place when the lake was completed, a dollar figure that is well documented and not subject to any sort of interpretation by the Corps.

A source of funding for the operation lakes owned by the Corps of Engineers is derived from water storage contracts with municipalities. The formula for pricing of water storage contracts on Corps lakes is defined legislatively as "current cost." This fixed formula creates a prohibitive financial burden on the citizens of municipalities desiring to contract with the Corps and, as a result, the Corps does not receive any income for the operation and maintenance of the lake.

In drought-stricken areas like Bartlesville, Oklahoma, the Corps' cur-

rent flawed methodology threatens to raise water storage prices on local residents from around 6 cents to nearly a dollar for the same 1,000 gallons of water. It also raises the total fiscal impact of water storage prices on Bartlesville from around \$1.6 million a year to more than \$24 million a year.

Earlier this year, the Senate adopted by unanimous consent an amendment by Senator INHOFE to their WRDA bill that requires the GAO to complete a study on the Corps' outdated and flawed methodology when it comes to these water storage prices. As the WRDA bill develops in the House and hopefully moves towards conference and enactment, I am looking forward to working with my colleagues on a long-term legislative solution to replace this outdated formula with one that is fair, reasonable, and affordable to all parties.

By adopting this amendment today, we can provide 1 more year of certainty and assurance for communities like Bartlesville by ensuring that they do not see outrageous increases in their water storage prices that they quite simply cannot afford.

The American taxpayer spends billions of dollars every year to fund the operations of the Army Corps of Engineers; but by adopting this amendment, we can ensure that none of those funds are used to enforce a formula that is outdated, unfair, and unjust as we move through the WRDA bill and other avenues towards a long-term solution.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chair, I insist on my point of order.

The Acting CHAIR. The gentleman from New Jersey may state his point of order.

Mr. FRELINGHUYSEN. Madam Chair, the amendment proposes a net increase in budget authority in the bill. The amendment is not in order under section 3(d)(3) of House Resolution 5, 113th Congress, which states:

It shall not be in order to consider an amendment to a general appropriation 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 in violation of such section. The Congressional Budget Office has stated that this amendment has costs associated with it. The Corps' current pricing policy is based upon "updated cost of storage" which reflects today's value (indexed to current price levels) rather than at the original construction cost price level. So reverting to construction cost levels will unavoidably have a cost, with the net effect of increasing the level of budget authority in the bill.

Under section 3(d)(3), an increase in budget authority must be accompanied by an equal or greater decrease. This

amendment does not contain an equal or greater decrease, and so violates section 3(d)(3).

I ask for a ruling from the Chair.

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

The gentleman from New Jersey makes a point of order that the amendment offered by the gentleman from Oklahoma violates section 3(d)(3) of House Resolution 5. Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

The Chair has been persuasively guided by an estimate from the chair of the Committee on the Budget that 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.

Mr. ROGERS of Kentucky. Madam Chairwoman, I move to strike the last word.

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

Mr. ROGERS of Kentucky. Madam Chairwoman, I rise only to say thank you to the chairman of the subcommittee, Mr. FRELINGHUYSEN, who has been in this seat now for 38 days it seems like, but the entire time of this bill. He has not taken a break for any reason during the entire consideration of these dozens of amendments and general debate.

I want to thank the chairman for doing a great job during this debate, but also in drafting the bill, along with his colleague, MARCY KAPTUR, the ranking Democrat on the subcommittee. So, Mr. Chairman, we thank you for a job well done and thank you for persevering through all of this.

Also, I want to say a word of thanks to the staff, who deserve so much credit for the work that has been before the body for the last 2 days. Rob Blair, the clerk of the subcommittee, and all of the staff on both sides of the aisle have worked long and hard to bring this bill to the floor and to transpose it to the population of the House. So we thank you for a great job well done.

As we near the end of the deliberation on the amendments and finally vote on the bill, I want to urge everyone to vote for this bill. This is a good bill. It cuts spending, it does the Nation's business, and it's fair and transparent.

I urge adoption of the bill and yield back the balance of my time.

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:

Amendment by Mr. WHITFIELD of Kentucky.

Amendment by Mr. FLEMING of Louisiana.

Amendment No. 28 by Mr. GARAMENDI of California.

Amendment by Ms. SPEIER of California.

Amendment by Mr. CHABOT of Ohio.

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

AMENDMENT OFFERED BY MR. WHITFIELD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) 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 94, noes 329, not voting 11, as follows:

[Roll No. 339]

AYES—94

Aderholt	Gowdy
Bachmann	Graves (GA)
Bachus	Graves (MO)
Barr	Griffith (VA)
Benishek	Guthrie
Bishop (UT)	Hall
Blackburn	Harper
Bonner	Harris
Boustany	Hartzler
Bridenstine	Holding
Broun (GA)	Hudson
Burgess	Huelskamp
Cantor	Hultgren
Cassidy	Johnson (OH)
Chabot	Jordan
Coble	Kingston
Cotton	Kline
Cramer	Lamborn
Crawford	Lankford
DeSantis	Latta
DesJarlais	Long
Duffy	Luetkemeyer
Duncan (SC)	Lummis
Duncan (TN)	Marino
Fincher	Massie
Fleming	McClintock
Flores	McHenry
Foxx	McKinley
Franks (AZ)	Meadows
Garrett	Miller, Gary
Gingrey (GA)	Mulvaney
Gohmert	Murphy (PA)

Alexander	Capito
Amash	Capps
Amodei	Capuano
Andrews	Cardenas
Barber	Carney
Barletta	Carson (IN)
Barrow (GA)	Carter
Barton	Cartwright
Bass	Castor (FL)
Beatty	Castro (TX)
Becerra	Chaffetz
Bentivolio	Chu
Bera (CA)	Cicilline
Bilirakis	Clarke
Bishop (GA)	Clay
Bishop (NY)	Cleaver
Black	Clyburn
Blumenauer	Coffman
Bonamici	Cohen
Brady (PA)	Cole
Brady (TX)	Collins (GA)
Braley (IA)	Collins (NY)
Brooks (AL)	Conaway
Brooks (IN)	Connolly
Brown (FL)	Conyers
Brownley (CA)	Cook
Buchanan	Cooper
Bucshon	Costa
Bustos	Courtney
Butterfield	Crenshaw
Calvert	Crowley
Camp	Cuellar

NOES—329

Palazzo
Perry
Pittenger
Pitts
Price (GA)
Rahall
Ribble
Rogers (AL)
Rohrabacher
Ryan (WI)
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shuster
Smith (MO)
Smith (TX)
Stockman
Stutzman
Tiberi
Wagner
Walberg
Walorski
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Woodall
Yoho

Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes

Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Goodlatte
Gosar
Granger
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Huizenga (MI)
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Labrador
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb sack
Lofgren
Lowenthal
Lowey
Lucas

Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quigley
Radel
Rangel
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney

NOT VOTING—11

Campbell	Hunter	Rogers (MI)
Grimm	Marchant	Schock
Holt	McCarthy (NY)	Shimkus
Horsford	Negrete McLeod	

□ 2151

Messrs. BROOKS of Alabama, LABRADOR, Ms. ESTY, Messrs. BUCSHON, KILMER, TAKANO, ROONEY, Mrs. NOEM, Messrs. SANFORD, RODNEY DAVIS of Illinois, KELLY of Pennsylvania, HUIZENGA of Michigan, SERRANO, Ms. VELÁZQUEZ, and Mr. SESSIONS changed their vote from "aye" to "no."

Messrs. JORDAN, CRAWFORD, AUSTIN SCOTT of Georgia, MULVANEY, SMITH of Missouri, HALL, CASSIDY, and RYAN of Wisconsin 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. FLEMING

The Acting CHAIR (Mr. CHAFFETZ). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. FLEMING) 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 230, noes 194, not voting 10, as follows:

[Roll No. 340]

AYES—230

Aderholt	Farenthold	Latham
Alexander	Fincher	Latta
Amash	Fitzpatrick	LoBiondo
Amodei	Fleischmann	Long
Bachmann	Fleming	Lucas
Bachus	Flores	Luetkemeyer
Barletta	Forbes	Lummis
Barr	Fortenberry	Marchant
Barrow (GA)	Fox	Marino
Barton	Franks (AZ)	Massie
Benish	Frelinghuysen	Matheson
Bentivolio	Gardner	McCarthy (CA)
Bilirakis	Garrett	McCauley
Bishop (UT)	Gibbs	McClintock
Black	Gibson	McHenry
Blackburn	Gingrey (GA)	McIntyre
Bonner	Gohmert	McKeon
Boustany	Goodlatte	McKinley
Brady (TX)	Gosar	McMorris
Bridenstine	Gowdy	Rodgers
Brooks (AL)	Granger	Meadows
Brooks (IN)	Graves (GA)	Meehan
Brown (GA)	Graves (MO)	Messer
Buchanan	Green, Gene	Mica
Bucshon	Griffin (AR)	Miller (FL)
Burgess	Griffith (VA)	Miller (MI)
Calvert	Guthrie	Miller, Gary
Camp	Hall	Mullin
Cantor	Hanna	Mulvaney
Capito	Harper	Murphy (FL)
Carter	Harris	Murphy (PA)
Cassidy	Hartzler	Neugebauer
Chabot	Hastings (WA)	Noem
Chaffetz	Hensarling	Nugent
Coble	Herrera Beutler	Nunes
Coffman	Holding	Nunnelee
Cole	Hudson	Olson
Collins (GA)	Huelskamp	Palazzo
Collins (NY)	Huizenga (MI)	Pastor (AZ)
Conaway	Hultgren	Paulsen
Cook	Hurt	Pearce
Cotton	Issa	Perry
Cramer	Johnson (OH)	Petri
Crawford	Johnson, Sam	Pittenger
Crenshaw	Jones	Pitts
Culberson	Jordan	Poe (TX)
Daines	Joyce	Pompeo
Davis, Rodney	Kelly (PA)	Posey
Delaney	King (IA)	Price (GA)
Denham	King (NY)	Radel
Dent	Kingston	Reed
DeSantis	Kinzinger (IL)	Reichert
DesJarlais	Kline	Renacci
Diaz-Balart	Labrador	Ribble
Duffy	LaMalfa	Rice (SC)
Duncan (SC)	Lamborn	Rigell
Duncan (TN)	Lance	Roby
Ellmers	Lankford	Roe (TN)

Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions

Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner

Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—194

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutsch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
García
Gerlach
Grayson

Green, Al
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Nolan
O'Rourke
Owens

Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

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

AMENDMENT NO. 28 OFFERED BY MR. GARAMENDI

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The 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 170, noes 253, not voting 11, as follows:

[Roll No. 341]

AYES—170

Bass	Gibson	Napolitano
Beatty	Grayson	Neal
Becerra	Green, Al	Nolan
Bera (CA)	Green, Gene	O'Rourke
Bishop (NY)	Grijalva	Pallone
Blumenauer	Gutiérrez	Pascarell
Bonamici	Hahn	Pastor (AZ)
Brady (PA)	Hanabusa	Payne
Braley (IA)	Hastings (FL)	Pelosi
Brown (GA)	Heck (WA)	Perlmutter
Brown (FL)	Herrera Beutler	Peters (CA)
Brownley (CA)	Higgins	Peters (MI)
Bustos	Himes	Peterson
Butterfield	Hinojosa	Pingree (ME)
Capps	Honda	Pocan
Capuano	Huffman	Polis
Cárdenas	Israel	Price (NC)
Carney	Jackson Lee	Quigley
Carson (IN)	Jeffries	Rahall
Cartwright	Johnson (GA)	Roybal-Allard
Castor (FL)	Johnson, E. B.	Ruiz
Castro (TX)	Jones	Ruppersberger
Chu	Keating	Sánchez, Linda
Cicilline	Kelly (IL)	T.
Clarke	Kennedy	Sanchez, Loretta
Cohen	Kildee	Sarbanes
Connolly	Kilmer	Schakowsky
Conyers	Kind	Schiff
Cooper	Kirkpatrick	Schneider
Courtney	Kuster	Schrader
Crowley	Larsen (WA)	Schwartz
Cummings	Larson (CT)	Scott (VA)
Davis (CA)	Lee (CA)	Serrano
Davis, Danny	Levin	Shea-Porter
DeFazio	Lewis	Sherman
DeGette	Lipinski	Sires
DeLauro	Loeb sack	Smith (WA)
DelBene	Lowenthal	Speier
Deutsch	Lowe	Takano
Dingell	Lynch	Thompson (CA)
Doggett	Maloney,	Tierney
Doyle	Carolyn	Titus
Duckworth	Markey	Tonko
Edwards	Matsui	Tsongas
Ellison	McCollum	Van Hollen
Engel	McDermott	Vargas
Enyart	McGovern	Veasey
Eshoo	McIntyre	Vela
Esty	McKinley	Velázquez
Farr	McNerney	Walz
Fattah	Meeks	Waters
Foster	Meng	Watt
Frankel (FL)	Michaud	Waxman
Fudge	Miller, George	Welch
Gabbard	Moore	Wilson (FL)
Gallego	Moran	Yarmuth
Garamendi	Murphy (FL)	
García	Nadler	

NOES—253

Aderholt	Andrews	Barletta
Alexander	Bachmann	Barr
Amash	Bachus	Barrow (GA)
Amodei	Barber	Barton

NOT VOTING—10

□ 2156

Mrs. CAPITO changed her vote from “no” to “aye.”

Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clay
Cleaver
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper

Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kaptur
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Latham
Latta
LoBiondo
Lofgren
Long
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo

Posey
Price (GA)
Radel
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walorski
Wasserman
Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Campbell
Grimm
Holt
Horsford

Hunter
McCarthy (NY)
Negrete McLeod
Rogers (MI)

Rush
Schock
Shimkus

□ 2200

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. SPEIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentlewoman from California (Ms. SPEIER) 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 174, noes 250, not voting 10, as follows:

[Roll No. 342]

AYES—174

Amash
Andrews
Bass
Beatty
Becerra
Benishek
Bera (CA)
Blumenauer
Brooks (AL)
Brownley (CA)
Buchanan
Burgess
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke
Clay
Cohen
Colyburn
Cohen
Conaway
Connolly
Conyers
Crowley
Cummings
Daines
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeBene
DeSantis
Deutch
Doggett
Duffy
Duncan (SC)
Edwards
Ellison
Eshoo
Farr
Foxy
Frankel (FL)
Fudge
Gabbard
Garamendi
Gibson
Gohmert
Grayson
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)

Heck (WA)
Herrera Beutler
Higgins
Honda
Hoyer
Huffman
Huizenga (MI)
Israel
Jeffries
Johnson (GA)
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Labrador
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lynch
Maffei
Maloney,
Carolyn
Markey
Matsui
McClintock
McDermott
McGovern
Meadows
Meeks
Meng
Miller (FL)
Miller, George
Moore
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Neugebauer
Nolan
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Petri
Pingree (ME)
Pocan

Polis
Pompeo
Price (NC)
Quigley
Rangel
Ribble
Rice (SC)
Rohrabacher
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schradner
Schweikert
Scott, David
Sensenbrenner
Serrano
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Velazquez
Walden
Walz
Wasserman
Schultz
Waters
Waxman
Welch
Woodall
Yarmuth
Yoder
Yoho
Young (FL)

NOES—250

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Bentivolio
Bilirakis
Bishop (GA)

Brown (FL)
Bucshon
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)

Chabot
Cleaver
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doyle
Duckworth
Duncan (TN)
Ellmers
Engel
Enyart
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Hartzer
Hastings (WA)
Heck (NV)
Hensarling
Himes
Hinojosa
Holding

Hudson
Huelskamp
Hultgren
Hurt
Issa
Jackson Lee
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kelly (PA)
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Lankford
Larson (CT)
Latham
Latta
Lipinski
LoBiondo
Loebach
Long
Lucas
Luetkemeyer
Luján, Ben Ray
(NM)
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCauley
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moran
Mullin
Murphy (PA)
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Perlmutter
Perry
Peters (CA)

Peters (MI)
Peterson
Pittenger
Pitts
Poe (TX)
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Runyan
Ryan (WI)
Scalise
Schock
Schwartz
Scott (VA)
Scott, Austin
Sessions
Sewell (AL)
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Veasey
Vela
Visclosky
Wagner
Walberg
Walorski
Watt
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Young (AK)
Young (IN)

NOT VOTING—10

Barton
Campbell
Grimm
Holt

Horsford
Hunter
McCarthy (NY)
Negrete McLeod

Rogers (MI)
Shimkus

□ 2204

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHABOT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) 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 147, noes 273, not voting 14, as follows:

[Roll No. 343]

AYES—147

Amash	Hartzler	Poe (TX)
Amodei	Heck (NV)	Pompeo
Bachmann	Hensarling	Price (GA)
Barton	Holding	Radel
Benishek	Hudson	Renacci
Bentivolio	Huelskamp	Ribble
Billirakis	Huizenga (MI)	Rice (SC)
Bishop (UT)	Hultgren	Rigell
Brady (TX)	Hurt	Rohrabacher
Bridenstine	Issa	Rokita
Brooks (IN)	Jenkins	Ros-Lehtinen
Broun (GA)	Johnson, E. B.	Roskam
Buchanan	Johnson, Sam	Ross
Bucshon	Jones	Royce
Burgess	Jordan	Ryan (WI)
Calvert	King (IA)	Salmon
Camp	Kingston	Sanford
Carter	Kline	Scalise
Chabot	Labrador	Schweikert
Chaffetz	LaMalfa	Scott, Austin
Coble	Lamborn	Sensenbrenner
Coffman	Lankford	Sessions
Collins (GA)	Latta	Smith (MO)
Conaway	Long	Smith (NE)
Cook	Luetkemeyer	Smith (TX)
Cramer	Lummis	Southerland
Culberson	Marchant	Stewart
Daines	Massie	Stockman
Davis, Rodney	Matheson	Stutzman
DeSantis	McCaul	Thornberry
Doggett	McClintock	Tiberi
Duffy	McKeon	Tipton
Duncan (SC)	McMorris	Upton
Ellmers	Rodgers	Wagner
Farenthold	Messer	Walberg
Flores	Mica	Walden
Forbes	Miller (FL)	Walorski
Fox	Miller (MI)	Lowe
Franks (AZ)	Mullin	Lucas
Gardner	Mulvaney	Lujan Grisham
Garrett	Neugebauer	(NM)
Gingrey (GA)	Noem	Lujan, Ben Ray
Gohmert	Nugent	(NM)
Gosar	Olson	Lynch
Goody	Paulsen	Maffei
Granger	Pearce	
Graves (GA)	Perry	
Graves (MO)	Petri	
Hall	Pittenger	
Harris	Pitts	

NOES—273

Aderholt	Carney	Dent
Alexander	Carson (IN)	DesJarlais
Andrews	Cartwright	Deutch
Bachus	Cassidy	Dingell
Barber	Castor (FL)	Doyle
Barletta	Castro (TX)	Duckworth
Barr	Chu	Duncan (TN)
Barrow (GA)	Cicilline	Edwards
Bass	Clarke	Ellison
Beatty	Clay	Engel
Becerra	Cleaver	Enyart
Bera (CA)	Clyburn	Eshoo
Bishop (GA)	Cohen	Esty
Bishop (NY)	Collins (NY)	Farr
Black	Connolly	Fattah
Blackburn	Conyers	Fincher
Blumenauer	Cooper	Fitzpatrick
Bonamici	Costa	Fleischmann
Bonner	Cotton	Fleming
Boustany	Courtney	Fortenberry
Brady (PA)	Crawford	Foster
Braley (IA)	Crowley	Frankel (FL)
Brooks (AL)	Cuellar	Frelinghuysen
Brown (FL)	Cummings	Fudge
Brownley (CA)	Davis (CA)	Gabbard
Bustos	Davis, Danny	Gallego
Butterfield	DeFazio	Garamendi
Cantor	DeGette	Garcia
Capito	Delaney	Gerlach
Capps	DeLauro	Gibbs
Capuano	DelBene	Gibson
Cárdenas	Denham	Goodlatte

Grayson	Maloney,	Ruiz
Green, Al	Carolyn	Runyan
Green, Gene	Maloney, Sean	Ruppersberger
Griffin (AR)	Marino	Rush
Griffith (VA)	Markay	Ryan (OH)
Grijalva	Matsui	Sanchez, Linda
Guthrie	McCarthy (CA)	T.
Gutiérrez	McCollum	Sanchez, Loretta
Hahn	McDermott	Sarbanes
Hanabusa	McGovern	Schakowsky
Hanna	McHenry	Schiff
Harper	McIntyre	Schneider
Hastings (FL)	McKinley	Schock
Hastings (WA)	McNerney	Schwartz
Heck (WA)	Meadows	Scott (VA)
Herrera Beutler	Meehan	Scott, David
Higgins	Meeks	Serrano
Himes	Meng	Sewell (AL)
Hinojosa	Michaud	Shea-Porter
Honda	Miller, Gary	Sherman
Hoyer	Miller, George	Shuster
Huffman	Moore	Simpson
Israel	Moran	Sinema
Jackson Lee	Murphy (FL)	Sires
Jeffries	Murphy (PA)	Slaughter
Johnson (GA)	Nadler	Smith (NJ)
Johnson (OH)	Napolitano	Smith (WA)
Joyce	Neal	Speier
Kaptur	Nolan	Stivers
Keating	Nunes	Swalwell (CA)
Kelly (IL)	Nunnelee	Takano
Kelly (PA)	O'Rourke	Terry
Kennedy	Owens	Thompson (CA)
Kildee	Palazzo	Thompson (MS)
Kilmer	Pallone	Thompson (PA)
Kind	Pascarell	Tierney
King (NY)	Pastor (AZ)	Titus
Kinzinger (IL)	Payne	Tonko
Kirkpatrick	Pelosi	Tsongas
Kuster	Perlmutter	Turner
Lance	Peters (CA)	Valadao
Langevin	Peters (MI)	Van Hollen
Larsen (WA)	Peterson	Vargas
Latham	Pingree (ME)	Veasey
Lee (CA)	Pocan	Vela
Levin	Polis	Velázquez
Lewis	Posey	Visclosky
Lipinski	Price (NC)	Walz
LoBiondo	Quigley	Wasserman
Loeb	Rahall	Schultz
Loeb	Rangel	Waters
Loftis	Reed	Watt
Lowenthal	Reichert	Waxman
Lowe	Richmond	Welch
Lucas	Roby	Wenstrup
Lujan Grisham	Roe (TN)	Whitfield
(NM)	Rogers (AL)	Wilson (FL)
Lujan, Ben Ray	Rogers (KY)	Wolf
(NM)	Rooney	Womack
Lynch	Rothfus	Yarmuth
Maffei	Roybal-Allard	Young (AK)

NOT VOTING—14

Campbell	Holt	Negrete McLeod
Cole	Horsford	Rogers (MI)
Crenshaw	Hunter	Schrader
Diaz-Balart	Larson (CT)	Shimkus
Grimm	McCarthy (NY)	

□ 2207

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:

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2014”.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. CAPITO) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Com-

mittee, having had under consideration the bill (H.R. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SCHNEIDER. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHNEIDER. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Schneider moves to recommit the bill H.R. 2609 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 4, after the dollar amount, insert “(increased by \$650,000)”.

Page 3, line 16, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 6, line 15, after the dollar amount, insert “(increased by \$7,000,000)”.

Page 22, line 5, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 28, line 10, after the dollar amount, insert “(reduced by \$12,650,000)”.

Page 29, line 2, after the dollar amount, insert “(reduced by \$12,650,000)”.

Mr. SCHNEIDER (during the reading). Madam Speaker, I ask unanimous consent to suspend reading of the motion.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. SCHNEIDER. Madam Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

I rise to offer this motion to recommit to ensure, first, that the Great Lakes and the Mississippi River are protected from the continued threat of invasive species, including and particularly taking practical steps to address the threat of Asian carp to our fishing, tourism, and navigation on our Nation's inland waterways.

Second, that we provide the resources necessary to combat invasive aquatic plant growths that threaten our national fisheries, wildlife, and communities.

Third, that we continue to fund efforts for our coastal communities to help them fully recover from natural disasters, while at the same time proactively prioritizing efforts being made to mitigate future threats to human life and property.

Madam Speaker, the underlying bill represents a historic divestment in American infrastructure, jobs, and energy research.

Instead of prioritizing investments that will safeguard our communities and improve our Nation's navigable waterways, this bill overemphasizes several outdated defense budget expenditures at the expense of making meaningful, forward-looking investments to grow our economy and contribute positively to our environment.

We must not use the guise of fiscal prudence as an excuse to block important investments in alternative energy and basic physical energy research which benefits all sectors of our economy or to block important investments in infrastructure projects to improve our inland waterways and mitigate the potentially devastating consequences of natural disasters or to block investment in weatherization assistance to help our most vulnerable populations.

This bill constitutes a generational abandonment of our communities and children who will have to face the stark reality of the decisions made here today, including a significant rollback of the Clean Water Act.

The proposed amendment does not address all of the concerns I have with the underlying bill, but it will at least help to improve the bill moving forward. Specifically, Asian carp continue to deplete fish stocks and degrade local ecological balance, and must be addressed by a holistic government approach that partners with States to utilize best practices.

This amendment would encourage these partnerships with the States while providing funding that can meaningfully address and prevent the outbreak of this invasive species.

□ 2215

Similarly, the influx of pollution and runoff to our waterways has contributed to an overabundance of aquatic plant life, such as algae blooms in Lake Erie, that choke vital nutrients from our natural ecosystems.

This amendment takes a more practical approach to limiting the causes of this overgrowth, improving our water quality.

The underlying bill also fails to adequately address the continuing needs of coastal communities adversely affected by flooding and other natural disasters.

This amendment would aid in addressing critical vulnerabilities of communities facing severe economic impact from flooding, while prioritizing

projects that will help safeguard human life.

Lastly, but very significantly, this amendment would strengthen the current cooperative energy research being performed between the United States and the State of Israel. For almost two decades, we have partnered with Israel in developing scientific, business, and research relationships that contribute positively to the energy sectors of both the U.S. and Israel. This amendment continues that long partnership and capitalizes on our joint research capacities to identify emerging technologies and best practices for manufacturing while efficiently utilizing taxpayer money to continue to strategically benefit both of our nations.

Madam Speaker, the essential provisions of this amendment will only improve the underlying bill, contributing significantly to American job growth, the safety of our communities, and protecting our vital natural resources. I strongly urge my colleagues to support these commonsense changes.

I yield back the balance of my time.
Mr. FRELINGHUYSEN. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The House has worked its will over the past 2 days, and dozens of amendments have been considered in a very open and amicable process. This bill strengthens national security, fosters a stronger economy, and maintains important infrastructure that keeps American open for business and promotes job opportunities.

And we do all of this while making some tough, but smart, funding decisions, saving taxpayers \$2.9 billion over last year's enacted level. We have just 2½ months left before the end of the year. This is the time to act. Now is the time to pass our government funding bills. I urge my colleagues to vote against the motion to recommit and to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SCHNEIDER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 230, not voting 9, as follows:

[Roll No. 344]

AYES—195

Andrews	Grayson	Owens
Barber	Green, Al	Pallone
Barrow (GA)	Green, Gene	Pascarell
Bass	Grijalva	Pastor (AZ)
Beatty	Gutiérrez	Payne
Becerra	Hahn	Pelosi
Bera (CA)	Hanabusa	Perlmutter
Bishop (GA)	Hastings (FL)	Peters (CA)
Bishop (NY)	Heck (WA)	Peters (MI)
Blumenauer	Higgins	Peterson
Bonamici	Himes	Pingree (ME)
Brady (PA)	Hinojosa	Pocan
Braley (IA)	Honda	Polis
Brown (FL)	Huffman	Price (NC)
Brownley (CA)	Israel	Quigley
Bustos	Jackson Lee	Rahall
Butterfield	Jeffries	Rangel
Capps	Johnson (GA)	Richmond
Capuano	Johnson, E. B.	Roybal-Allard
Cárdenas	Kaptur	Ruiz
Carney	Keating	Ruppersberger
Carson (IN)	Kelly (IL)	Rush
Cartwright	Kennedy	Ryan (OH)
Castor (FL)	Kildee	Sánchez, Linda
Castro (TX)	Kilmer	T.
Chu	Kind	Sanchez, Loretta
Cicilline	Kirkpatrick	Sarbanes
Clarke	Kuster	Schakowsky
Clay	Langevin	Schiff
Cleaver	Larsen (WA)	Schneider
Clyburn	Larson (CT)	Schrader
Cohen	Lee (CA)	Schwartz
Connolly	Levin	Scott (VA)
Conyers	Lewis	Scott, David
Cooper	Lipinski	Serrano
Costa	Loeb sack	Sewell (AL)
Courtney	Lofgren	Shea-Porter
Crowley	Lowenthal	Sherman
Cuellar	Lowe y	Sinema
Cummings	Lujan Grisham	Sires
Davis (CA)	(NM)	Slaughter
Davis, Danny	Luján, Ben Ray	Smith (WA)
DeFazio	(NM)	Speier
DeGette	Lynch	Swalwell (CA)
Delaney	Maffei	Takano
DeLauro	Maloney,	Thompson (CA)
DelBene	Carolyn	Thompson (MS)
Deutch	Maloney, Sean	Tierney
Dingell	Markey	Titus
Doggett	Matheson	Tonko
Doyle	Matsui	Tsongas
Duckworth	McCollum	Van Hollen
Edwards	McDermott	Vargas
Ellison	McGovern	Veasey
Engel	McIntyre	Vela
Enyart	McNerney	Velázquez
Eshoo	Meeks	Visclosky
Esty	Meng	Walz
Farr	Michaud	Wasserman
Fattah	Miller, George	Schultz
Foster	Moore	Waters
Frankel (FL)	Murphy (FL)	Watt
Fudge	Nadler	Waxman
Gabbard	Napolitano	Welch
Galleo	Neal	Wilson (FL)
Garamendi	Nolan	Yarmuth
Garcia	O'Rourke	

NOES—230

Aderholt	Cantor	Duncan (TN)
Alexander	Capito	Ellmers
Amash	Carter	Farenthold
Amodel	Cassidy	Fincher
Bachmann	Chabot	Fitzpatrick
Bachus	Chaffetz	Fleischmann
Barletta	Coble	Fleming
Barr	Coffman	Flores
Barton	Cole	Forbes
Benishek	Collins (GA)	Fortenberry
Bentivolio	Collins (NY)	Fox
Bilirakis	Conaway	Franks (AZ)
Bishop (UT)	Cook	Frelinghuysen
Black	Cotton	Gardner
Blackburn	Cramer	Garrett
Bonner	Crawford	Gerlach
Boustany	Crenshaw	Gibbs
Brady (TX)	Culberson	Gibson
Bridenstine	Daines	Gingrey (GA)
Brooks (AL)	Davis, Rodney	Gohmert
Brooks (IN)	Denham	Goodlatte
Broun (GA)	Dent	Gosar
Buchanan	DeSantis	Gowdy
Bucshon	DesJarlais	Granger
Burgess	Diaz-Balart	Graves (GA)
Calvert	Duffy	Graves (MO)
Camp	Duncan (SC)	Griffin (AR)

Griffith (VA)	McKeon	Royce	Duffy	Lamborn	Roe (TN)	Lynch	Peters (CA)	Sherman
Guthrie	McKinley	Runyan	Duncan (SC)	Lance	Rogers (AL)	Maffei	Peters (MI)	Sinema
Hall	McMorris	Ryan (WI)	Duncan (TN)	Lankford	Rogers (KY)	Maloney,	Peterson	Sires
Hanna	Rodgers	Salmon	Ellmers	Latham	Rohrabacher	Carolyn	Pingree (ME)	Slaughter
Harper	Meadows	Sanford	Flores	Latta	Rokita	Maloney, Sean	Pocan	Smith (WA)
Harris	Meehan	Scalise	Fincher	LoBiondo	Rooney	Markay	Polis	Speier
Hartzler	Messer	Schock	Fitzpatrick	Long	Ros-Lehtinen	Massie	Price (NC)	Swalwell (CA)
Hastings (WA)	Mica	Schweikert	Fleischmann	Lucas	Roskam	Matheson	Quigley	Takano
Heck (NV)	Miller (FL)	Scott, Austin	Fleming	Luetkemeyer	Ross	Matsui	Rangel	Thompson (CA)
Hensarling	Miller (MI)	Sensenbrenner	Flores	Lummis	Rothfus	McCollum	Richmond	Thompson (MS)
Herrera Beutler	Miller, Gary	Sessions	Forbes	Marchant	Royce	McDermott	Roybal-Allard	Tiberi
Holding	Moran	Shuster	Fortenberry	Marino	Runyan	McGovern	Ruiz	Tierney
Hoyer	Mullin	Simpson	Fox	McCarthy (CA)	Ryan (WI)	McIntyre	Ruppersberger	Titus
Hudson	Mulvaney	Smith (MO)	Frelinghuysen	McCaul	Salmon	McNerney	Rush	Tonko
Huelskamp	Murphy (PA)	Smith (NE)	Garcia	McClintock	Sanford	Meeks	Ryan (OH)	Tsongas
Huizenga (MI)	Neugebauer	Smith (NJ)	Gardner	McHenry	Scalise	Meng	Sánchez, Linda	Van Hollen
Hultgren	Noem	Smith (TX)	Garrett	McKeon	Schoc	Michaud	T.	Vargas
Hurt	Nugent	Southerland	Gerlach	McKinley	Schweikert	Miller, George	Sanchez, Loretta	Veasey
Issa	Nunes	Stewart	Gibbs	McMorris	Scott, Austin	Moore	Sarbanes	Velázquez
Jenkins	Nunnelee	Stivers	Gingrey (GA)	Rodgers	Sessions	Moran	Schakowsky	Visclosky
Johnson (OH)	Olson	Stockman	Gohmert	Meadows	Shuster	Nadler	Schiff	Walz
Johnson, Sam	Palazzo	Stutzman	Goodlatte	Meehan	Simpson	Napolitano	Schneider	Wasserman
Jones	Paulsen	Terry	Gosar	Messer	Smith (MO)	Neal	Schrader	Wasserman
Jordan	Pearce	Thompson (PA)	Gowdy	Mica	Smith (NE)	Nolan	Schwartz	Schultz
Joyce	Perry	Thornberry	Granger	Miller (FL)	Smith (NJ)	O'Rourke	Scott (VA)	Waters
Kelly (PA)	Petri	Tiberi	Graves (GA)	Miller (MI)	Smith (TX)	Pallone	Scott, David	Watt
King (IA)	Pittenger	Tipton	Graves (MO)	Miller, Gary	Southerland	Pascrell	Sensenbrenner	Waxman
King (NY)	Pitts	Turner	Green, Gene	Mullin	Stewart	Payne	Serrano	Welch
Kingston	Poe (TX)	Upton	Griffin (AR)	Mulvaney	Stivers	Pelosi	Sewell (AL)	Wilson (FL)
Kinzing (IL)	Pompeo	Valadao	Griffith (VA)	Murphy (FL)	Stockman	Perlmutter	Shea-Porter	Yarmuth
Kline	Posey	Wagner	Guthrie	Murphy (PA)	Stutzman			
Labrador	Price (GA)	Walberg	Hall	Neugebauer	Terry			
LaMalfa	Radel	Walden	Hanna	Noem	Thompson (PA)	Campbell	Horsford	Negrete McLeod
Lamborn	Reed	Walorski	Harper	Nugent	Thornberry	Grimm	Hunter	Rogers (MI)
Lance	Reichert	Weber (TX)	Harris	Nunes	Tipton	Holt	McCarthy (NY)	Shimkus
Lankford	Renacci	Webster (FL)	Hartzler	Nunnelee	Turner			
Latham	Ribble	Wenstrup	Hastings (WA)	Olson	Upton			
Latta	Rice (SC)	Westmoreland	Hensarling	Owens	Valadao			
LoBiondo	Rigell	Whitfield	Herrera Beutler	Palazzo	Vela			
Long	Roby	Williams	Holding	Pastor (AZ)	Wagner			
Lucas	Roe (TN)	Wilson (SC)	Hudson	Paulsen	Walberg			
Luetkemeyer	Rogers (AL)	Wittman	Huelskamp	Pearce	Walden			
Lummis	Rogers (KY)	Wolf	Huizenga (MI)	Perry	Walorski			
Marchant	Rohrabacher	Womack	Hultgren	Petri	Weber (TX)			
Marino	Rokita	Woodall	Hurt	Pittenger	Webster (FL)			
Massie	Rooney	Yoder	Issa	Pitts	Wolf			
McCarthy (CA)	Ros-Lehtinen	Yoho	Jenkins	Poe (TX)	Womack			
McCaul	Roskam	Young (AK)	Johnson (OH)	Pompeo	Woodall			
McClintock	Ross	Young (FL)	Johnson, Sam	Posey	Yoder			
McHenry	Rothfus	Young (IN)	Jordan	Price (GA)	Yoho			
			Joyce	Radel	Young (AK)			
			Kelly (PA)	Rahall	Young (FL)			
			King (IA)	Reed				
			King (NY)	Reichert				
			Kingston	Renacci				
			Kinzing (IL)	Ribble				
			Kline	Rice (SC)				
			Labrador	Rigell				
			LaMalfa	Roby				

NOT VOTING—9

Campbell	Horsford	Negrete McLeod
Grimm	Hunter	Rogers (MI)
Holt	McCarthy (NY)	Shimkus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2223

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 198, not voting 9, as follows:

[Roll No. 345]

YEAS—227

Aderholt	Bridenstine	Cole
Alexander	Brooks (AL)	Collins (GA)
Bachmann	Brooks (IN)	Collins (NY)
Bachus	Broun (GA)	Conaway
Barletta	Buchanan	Cook
Barr	Bucshon	Cotton
Barrow (GA)	Burgess	Cramer
Barton	Calvert	Crawford
Benishak	Camp	Crenshaw
Bentivolio	Cantor	Culberson
Bilirakis	Capito	Daines
Bishop (UT)	Carter	Davis, Rodney
Black	Cassidy	Denham
Blackburn	Chabot	Dent
Bonner	Chaffetz	DeSantis
Boustany	Coble	DesJarlais
Brady (TX)	Coffman	Diaz-Balart

NAYS—198

Amash	Crowley	Heck (NV)
Amodei	Cuellar	Heck (WA)
Andrews	Cummings	Higgins
Barber	Davis (CA)	Himes
Bass	Davis, Danny	Hinojosa
Beatty	DeFazio	Honda
Becerra	DeGette	Hoyer
Bera (CA)	Delaney	Huffman
Bishop (GA)	DeLauro	Israel
Bishop (NY)	DelBene	Jackson Lee
Blumenauer	Deutch	Jeffries
Bonamici	Dingell	Johnson (GA)
Brady (PA)	Doggett	Johnson, E. B.
Braley (IA)	Doyle	Jones
Brown (FL)	Duckworth	Kaptur
Brownley (CA)	Edwards	Keating
Bustos	Ellison	Kelly (IL)
Butterfield	Engel	Kennedy
Capps	Enyart	Kildee
Capuano	Eshoo	Kilmer
Cárdenas	Esty	Kind
Carney	Farr	Kirkpatrick
Carson (IN)	Fattah	Kuster
Cartwright	Foster	Langevin
Castor (FL)	Frankel (FL)	Larsen (WA)
Castro (TX)	Franks (AZ)	Larson (CT)
Chu	Fudge	Lee (CA)
Cicilline	Gabbard	Levin
Clarke	Gallago	Lewis
Clay	Garamendi	Lipinski
Cleaver	Gibson	Loebach
Clyburn	Grayson	Lofgren
Cohen	Green, Al	Lowenthal
Connolly	Grijalva	Lowey
Conyers	Gutiérrez	Lujan Grisham
Cooper	Hahn	(NM)
Costa	Hanabusa	Luján, Ben Ray
Courtney	Hastings (FL)	(NM)

NOT VOTING—9

Campbell	Horsford	Negrete McLeod
Grimm	Hunter	Rogers (MI)
Holt	McCarthy (NY)	Shimkus

□ 2231

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 51

Mr. HUELSKAMP. Madam Speaker, I ask unanimous consent to remove the gentleman from Iowa (Mr. LATHAM) as a cosponsor to H.J. Res. 51.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. LATHAM. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

RECESS

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