

Deal (GA) Kilpatrick (MI) Pascrell
DeFazio Kilroy Pastor (AZ)
DeGette Kind Paul
Delahunt King (IA) Paulsen
DeLauro King (NY) Payne
Dent Kingston Pence
Diaz-Balart, L. Kirk Perlmutter
Diaz-Balart, M. Kirkpatrick (AZ) Perriello
Dicks Kissell Peters
Dingell Klein (FL) Peterson
Doggett Kline (MN) Petri
Donnelly (IN) Kosmas Pingree (ME)
Doyle Kucinich Pitts
Dreier Lamborn Platts
Driehaus Lance Poe (TX)
Duncan Langevin Polis (CO)
Edwards (MD) Larsen (WA) Pomeroy
Edwards (TX) Larson (CT) Price (GA)
Ehlers Latham Price (NC)
Ellison LaTourette Putnam
Ellsworth Latta Radanovich
Emerson Lee (CA) Bahall
Eshoo Lee (NY) Rangel
Etheridge Levin Rehberg
Fallin Lewis (CA) Reichert
Farr Lewis (GA) Reyes
Fattah Linder Richardson
Filner Lipinski Rodriguez
Flake LoBiondo Roe (TN)
Fleming Loeb sack Rogers (AL)
Forbes Lofgren, Zoe Rogers (KY)
Fortenberry Lowey Rogers (MI)
Foster Lucas Rohrabacher
Foxy Luetkemeyer Rooney
Frank (MA) Luján Ros-Lehtinen
Franks (AZ) Lummis Roskam
Frelinghuysen Lungren, Daniel Ross
Gallegly E. Rothman (NJ)
Garrett (NJ) Lynch Roybal-Allard
Gerlach Mack Royce
Giffords Maffei Ruppertsberger
Gingrey (GA) Maloney Rush
Gohmert Manzullo Ryan (OH)
Gonzalez Marchant Ryan (WI)
Goodlatte Markey (CO) Salazar
Gordon (TN) Markey (MA) Sánchez, Linda
Graves Marshall T.
Grayson Massa Sanchez, Loretta
Green, Al Matheson Sarbanes
Green, Gene Matsui Scalise
Griffith McCarthy (CA) Schakowsky
Grijalva McCarthy (NY) Schauer
Guthrie McCaul Schiff
Gutierrez McClintock Schmidt
Hall (NY) McCollum Schock
Hall (TX) McCotter Schrader
Halvorson McDermott Schwartz
Hare McGovern Scott (GA)
Harman McHenry Scott (VA)
Harper McHugh Sensenbrenner
Hastings (FL) McIntyre Serrano
Hastings (WA) McKeon Sessions
Heinrich McMahan Sestak
Heller McMorris Shadegg
Hensarling Rodgers Shea-Porter
Herger McNeer Sherman
Herseth Sandlin Meek (FL) Shimkus
Higgins Meeks (NY) Shuler
Hill Melancon Shuster
Himes Mica Simpson
Hinchev Michaud Sires
Hinojosa Miller (FL) Skelton
Hirono Miller (MI) Slaughter
Hodes Miller (NC) Smith (NE)
Hoekstra Miller, George Smith (NJ)
Holden Minnick Smith (TX)
Holt Mitchell Smith (WA)
Honda Mollohan Snyder
Hoyer Moore (KS) Space
Hunter Moore (WI) Speier
Inglis Moran (KS) Spratt
Inlee Moran (VA) Stark
Israel Murphy (CT) Stearns
Issa Murphy, Patrick Stupak
Jackson (IL) Murphy, Tim Sullivan
Jackson-Lee Murtha Sutton
(TX) Myrick Tanner
Jenkins Nadler (NY) Tauscher
Johnson (GA) Napolitano Taylor
Johnson (IL) Neal (MA) Teague
Johnson, E. B. Neugebauer Terry
Johnson, Sam Nunes Thompson (CA)
Jones Nye Thompson (MS)
Jordan (OH) Oberstar Thompson (PA)
Kagen Obey Thornberry
Kanjorski Olson Tiahrt
Kaptur Olver Tiberi
Kennedy Ortiz Tierney
Kildee Pallone Titus

Tonko Wamp Whitfield
Towns Wasserman Wilson (OH)
Tsongas Schultz Wilson (SC)
Turner Waters Wittman
Upton Watson Wolf
Van Hollen Watt Woolsey
Velázquez Waxman Wu
Visclosky Weiner Yarmuth
Walden Welch Young (AK)
Walz Wexler Young (FL)

NOT VOTING—8

Engel Kratovil Souder
Fudge Miller, Gary Westmoreland
Granger Posey

□ 1412

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1404, FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT ACT

Mr. POLIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 281 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 281

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1404) to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final

passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. ROSS). The gentleman from Colorado is recognized for 1 hour.

Mr. POLIS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my colleague on the Rules Committee, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. POLIS. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 281 provides for consideration of H.R. 1404, the Federal Land Assistance Management and Enhancement, or FLAME, Act under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Natural Resources.

The rule makes in order 13 amendments, which are listed on the Rules Committee report accompanying the resolution. Each amendment is debatable for 10 minutes. The rule also provides one motion to recommit, with or without instructions.

All Members were given an opportunity to submit amendments to the Rules Committee on the bill, and a number of Members on both sides of the aisle did so: 21 amendments were submitted to the Rules Committee on this bill; two amendments were subsequently withdrawn; and three amendments were nongermane to the underlying bill. Of the remaining 16, 13 were made in order, five of those from Republican sponsors. This was a very fair rule and a very fair process.

My district and the State of Colorado are tied closely to the lands and landscapes that our citizens interact with on a daily basis. These landscapes are majestic and rugged, and define the character of Colorado. The FLAME Act ends a cycle of growing costs for fighting wildfires. These costs are draining the coffers of our Federal land management agencies.

The character of our wilderness is being tested every summer when districts like mine and many others face the threat of wildfires, and anxiety grows in the minds of mountain residents and local communities. This anxiety has grown in recent years due to the health of forests, which has worsened.

Mr. Speaker, the FLAME Act is a bill of personal interest to me and the residents of Colorado. My district, like many Western districts, is dealing with a mountain pine beetle outbreak of

catastrophic proportions. This outbreak has killed millions of acres of lodgepole pines, altering the landscape, and has put more Colorado, New Mexico, Wyoming, Montana, and Idaho communities at risk of wildfire.

I bring your attention to this picture. This is some land in my district in Grand County near Granby, Colorado. My district has many tourists coming through it; and I have Vail, Beaver Creek, Copper Mountain, Winter Park. Recently, I had somebody who came through in July and noticed that many of our trees were red and said, "Fall comes early in Colorado." I had to respond that, "No, it is not fall. Our trees are dying." This is a typical landscape across many parts of the Mountain West of Colorado. The red trees are actually dead or in the process of dying, having been felled by the pine beetle. The danger is that when we have a forest of dead trees, it is in effect a tinderbox and is a major forest fire risk.

This bill includes amendments in the underlying language that free up resources to help address the underlying causes of forest fires rather than just after the fact dealing with emergencies.

The culprit in this particular case, the mountain pine beetle, a small little fellow, *dendroctonus ponderosae*. I have some here, life-size. Again, not just affecting Colorado, but affecting many areas of our Mountain West; and, in addition to the devastation of our forests, visually and ecologically, creating a very real risk of forest fires, which this bill gives us the ability to begin to address.

Our land management agencies are working quickly to reduce the potential fire risks where communities and wildlands come face to face. These wildland-urban interface zones, or WUI zones, are critical in decreasing the number and threat of catastrophic wildfires. But our agencies simply don't have the resources to effectively respond to the risk or the increased risk because of the changes. The Forest Service and Bureau of Land Management have multiple environmentally friendly projects simply waiting to be funded.

Fire suppression costs have increased with alarming speed in recent years. In 2008, fire suppression costs consumed 46 percent of the Forest Service's budget compared to 13 percent in 1991. The account established in the FLAME Act frees up capital and resources for needed and lasting forest health improvements.

Mr. Speaker, the beetle epidemic in the West puts Coloradans on the front lines of changing climate, which only further strains our national land management budgets. Across the Nation, climate and weather modeling shows our future to be growing both drier and hotter. These models point to extreme intense thunderstorms with insufficient quantities of rain.

Our communities deserve a land management policy that not only reflects

crucial priorities, but is unimpeded by the costs of frequent and overwhelming fires and the crises that arise from time to time. Our policy needs to make sure that, as these fires grow in scope and number, we are not forced to make hard choices between money and safety, between dealing with catastrophes and preventing them from occurring. This is exactly what this legislation is designed to do.

The FLAME Act addresses the anxiety of our communities by removing hurdles that currently restrict the Forest Service and BLM's ability to proceed with projects. By establishing the FLAME fund, this bill separates the increasing costs of fighting fires from the annual budget that agencies rely on for maintenance and mitigation. This bill keeps the critical budget of—our Forest Service from being consumed by potentially just one or two major wildfires each year.

Mr. Speaker, this bill has gained the support of every environmentally conscious constituency, from land management agencies to environmental and community leaders to local governments. It has garnered bipartisan support, as reported out of the Natural Resources Committee in the 110th Congress by a voice vote.

Mr. Speaker, I want to reiterate the importance and the critical nature of this legislation to thousands of communities like mine across the Nation and to millions of acres of our public lands. This is an excellent opportunity to provide necessary resources to our Forest Service and BLM so they can do the work that they are meant to do, and prevent forest fires from occurring. I urge passage of the bill and the rule.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend, the gentleman from Colorado (Mr. POLIS) for the time, and I yield myself such time as I may consume.

With the serious conditions in our Nation's forests, drought and more and more development closer to our forests, the size and severity of wildfires have dramatically increased. The costs to our public lands, wildlife, private property, and, most importantly, to human life have been tragic.

Federal fire suppression spending has grown substantially over the past several years, with approximately 48 percent of the Department of Agriculture's Forest Service budget now accounting for these activities. Just over a decade ago, only 18 percent of the Forest Service budget was dedicated to fire suppression. Much to the detriment of other important programs, the Forest Service and the Department of the Interior have been forced to borrow funds from other agency accounts to cover these emergency costs. When agencies transfer funds from other accounts, they must reimburse those accounts when additional funds become available, usually through emergency supplement appropriations.

This legislation that is being brought to the floor today establishes a fund that will be separate from budgeted wildland fire suppression funding for the Forest Service and the Department of the Interior. This fund will only be used for the suppression of catastrophic emergency wildland fires. The annual agency budgets will continue to fund anticipated and predicted wildland fire suppression activities. Thus, this fund will help ensure that fire prevention resources of the Forest Service and the Department of the Interior are not completely overwhelmed by emergency firefighting expenses. Appropriations for the fund will be based on the average costs incurred by these agencies to suppress catastrophic emergency wildland fires over the preceding 5 fiscal years.

Although I support the underlying legislation, I know there is concern that the legislation is reactive and not proactive. A number of Members in the minority have expressed their concern that the legislation only addresses one aspect of the problem, the suppression funding side, without providing real relief and dealing with the underlying problem to help prevent wildfires. I hope that the Natural Resources Committee will review these concerns and work to prevent these devastating fires.

Last week, I had the honor of addressing the International Association of Firefighters, IAFF. It was a great honor to stand before those courageous men and women to thank them for their noble service to the Nation. Firefighters put their lives in danger in order to rescue their fellow citizens from peril and to protect our communities. Our heartfelt gratitude goes out to them, and I am pleased that the underlying legislation recognizes the selfless acts of bravery of these men and women by ensuring that our firefighters have the resources necessary and readily available to combat the catastrophic fires that ravage our public lands and threaten surrounding communities.

I would like to thank Chairman RAHALL and Ranking Member HASTINGS for their bipartisan work on the legislation. Unfortunately, in what is becoming quite a familiar pattern, the House majority leadership and the majority on the Rules Committee continue to block an open debate even on noncontroversial legislation.

This legislation passed the House of Representatives by a unanimous voice vote last Congress. That vote clearly shows that this legislation has broad support from both sides of the aisle. Yet, the majority is apparently so afraid of losing control of the debate that even on something with obvious consensus support the majority blocks Members from offering amendments to improve the legislation.

I reviewed some of the amendments blocked by the majority, and I cannot understand what is so objectionable.

One amendment, for example, by Representative HERGER would have required that any wildlife suppression funds in excess of amounts annually appropriated be made available for hazardous fuels reduction projects. Another amendment by Ranking Member HASTINGS that was blocked would have included fire prevention activities as part of the fire management strategy.

Mr. Speaker, I am not going to go into the rest of the amendments, but none of them seem so objectionable that the House should be prevented from even considering them. The pattern is clear. The pattern of procedural unfairness by this majority continues. It is petty and it is unfortunate.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, of the 16 amendments that were germane and were offered, 13 were made in order, and indeed five of those were by Republican sponsors. And I know that the Rules Committee did give every consideration to amendments from both sides and indeed allow a reasonable number for discussion.

□ 1430

The issue is an urgent one. By freeing up the pot of money that is otherwise able to be used for single events or catastrophes as sometimes in the past it has been used for one or two events, it prevents ongoing forest maintenance and prevention activities. As my colleague from Florida mentioned, this bill does have strong bipartisan support. I too would like to applaud Chairman RAHALL and Ranking Member HASTINGS for their work in bringing this bill before us.

Not only my district, but many other parts of the country deserve a better equipped agency that can work to address the challenges faced by our communities on public lands. The pine beetle epidemic will leave an increased risk of forest fire for many years to come. And the further effects of climate change will put many more strains on our ecosystems and the economy, not just in Colorado, not just for the southern pine beetle in Florida, not just in areas that are currently affected, but indeed in public lands and areas across our great Nation. In many ways, this is one of the costs of climate change which this body talks about in other pieces of legislation from time to time.

I would like to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield such time as he may consume to my friend, the former member of the Rules Committee, who now is the ranking member of the Resources Committee, Mr. HASTINGS of Washington.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my good friend and former seatmate on the Rules Committee for yielding the time.

Mr. Speaker, while I support the underlying goals and indeed the idea of this bill, I have fundamental concerns

with what is lacking in both the bill and the rule.

This rule and bill have focused on clearing up how to budget for fighting forest fires. That is good. But the Democrat leadership is averting its eyes and its legislative power from the need to prevent forest fires from happening in the first place.

Under the Democrat majority, not a single hearing has been held on wildland fire prevention in this Congress, and only one hearing was held in the last Congress. Hundreds of millions of dollars have been provided to place more forested land under Federal control. But little has been allocated to actively manage these lands or help the Forest Service and Department of the Interior clear areas and create firewalls between populated areas and potential tinder boxes.

I note that while this rule has been much more generous, and sometimes when I say that with all the closed rules we have had, even one amendment would be generous, but while this rule has been much more generous in making amendments in order than recent examples, of the five amendments that I filed, the two which explicitly address fire prevention were not allowed by the Rules Committee, as was Congressman HERGER's amendment, a commonsense, budget-neutral one that the gentleman from Florida pointed out would simply say excess funds in this account should go to fire prevention.

I don't understand what is wrong with even debating it. Keep in mind, Mr. Speaker, when we allow these amendments to be made in order, we are not saying they are going to pass. We are simply going to say that they will be made in order to debate. Why wouldn't we want to have a debate that says we have excess funds, and if there is no fires, so there is some funds left over, we will put that in fire prevention? Why, for goodness' sakes, could we not even debate something like that on the floor? But that seems to be a pattern, unfortunately, in this Congress.

Mr. Speaker, we immunize our children to prevent illnesses and suffering. We treat our homes for termites and other pests to save us from expensive extermination and repairs down the line. Farmers spray their crops to prevent plant disease and infestation and to produce healthy products. Why can't we extend the same principle to our forests? Preventing devastating forest fires or reducing their severity will save money, property and even lives.

I note that my friend from Colorado in his opening remarks made mention of a forest that is devastated by a beetle. There is nothing in this bill that prevents the beetle infestation. Now there are some amendments that may address, and frankly my amendments that I wanted to offer would address it more fully. I think that this bill of carving out something to say that the Forest Service or anybody that fights

forest fires will have a dedicated sum of money to fund those, I think that is good policy. But, once again, this does not address the underlying issues, and that is really where we should be focusing.

So I hope in the future my majority colleagues will heed the words of the beloved icon of the Forest Service, Smokey the Bear, when he says, "Only you can prevent forest fires."

With that, I thank the gentleman for yielding.

Mr. POLIS. Mr. Speaker, the gentleman from Washington had three amendments that were ruled in order of the several he submitted before the Rules Committee, and those, of course, will be given consideration. There are also two amendments that directly relate to our friends, the invasive species in this case, *dendroctonus ponderosae*, and other species in other areas.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. POLIS. Yes.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding. And I'm very thankful that you made three of my amendments in order. But as I explained in my remarks regarding the Herger amendment, when you make an amendment in order, you are not ensuring its passage. All you are ensuring is you are going to have a debate on the issue. And so I wonder why you wouldn't, because there were some 20 amendments, why didn't you make them all in order and then we would have a debate on all of them.

Mr. POLIS. Reclaiming my time, of all individuals, those who have served on the Rules Committee are well aware of the functions of that committee and have, in fact, in previous sessions of Congress undertaken even more severe restrictions on a number of bills. Again, with regard to allowing 13 of the 16 amendments that were germane I think is an excellent example of the Rules Committee not only doing their job but actually working to improve the bill.

Our land management agencies shouldn't have to choose between fighting fires and preventing them or preparing our communities or promoting healthier forests. Our agencies should be given the tools that allow them to fulfill their mission statements, protecting our forests and serving our communities. The FLAME Act addresses these problems by providing a source of emergency funds to suppress severe fires that pose a threat to life and property. It ensures that during fire-fighting seasons when the agencies' budgeted fire suppression funds are exhausted, they won't be forced to cut other vital projects, indeed prevention-related and forest health-related projects as a result.

I would like to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I yield such time as he may consume to the distinguished gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I thank the gentleman for yielding, and I wish my friend from Colorado had yielded to me.

He is right. I served on the Rules Committee for 12 years. And I understand what it is like for the majority to have to control their agenda. I fully understand that. But this is the people's House. And we ought to be able to debate issues on where there may be some disagreement.

Now you're a new Member here. I hope that at some time you will enjoy, and I say that in all sincerity, enjoy having a bill on the floor under an open rule to debate under the 5-minute rule. Now I'm not sure if you know what that is, but that allows every Member to speak for 5 minutes on a rule for unlimited time. I see my friend from California (Mr. MILLER) sitting here. And I remember in my first term in 1995, we had some humongous debates on the floor here on forest lands, probably some other things. And those debates went well into the night. I remember very specifically. And at end of the day, we voted. And one side won and one side lost, and we went on to the next issue. But the pattern in this Congress has been not even to have a debate. I don't expect you to totally agree with me. You're new here. Maybe you ought to go back and look at some debates that we have had in the past or look at some rules.

We are coming to a time here in this process where we call appropriations season. Appropriations season has historically been a time when there is open debate. Now, I hope I am wrong. I hope I am wrong. But I suspect that the Rules Committee will come up with what they call preprinting requirement open rules. Well, that is not an open rule. Just by definition, if you have a preprinting requirement, how can it be open? But I suspect that that is what is going to happen.

And so, one more step here where the people, I think, will be denied access to their Members, their Representatives having access to an open debate. It just seems to me that we have gone through this year in the ruckus we had on the floor with AIG last week, oh, my gosh, we were shocked because of that provision that was in the bill. It was an 1,100-page bill under which we had absolutely no chance to read it.

Now, clearly, people on your side of the aisle didn't read it. Clearly, people in the other body didn't read it, because the whole debate on that was, my goodness, how could these AIG executives get the bonuses?

And what is ironic about this, we found out now that one Senator admitted, yes, in fact, I did put that provision in there at the beckoning of the administration. We still don't know who in the administration told that Senator that that provision should be in there. But I only make that observation because it seems to me we should learn. We should learn that some of these things don't work good. Because

the laws that we are passing are affecting all Americans. And if we have to come back and say, goodness, we didn't know that was in a particular bill, that doesn't do justice to what we as representatives, people's representatives, should be doing in this House.

So I'm pleased that at least some of my amendments were made in order. I wish they all could have been made in order. I would have taken the consequences if the majority of my colleagues didn't agree with my approach to that. I would hope to have an opportunity to at least debate that. But I wasn't allowed that opportunity. And I think that is a bad trend in this House, and I hope it gets more open. But I suspect that will not be the case.

With that, Mr. Speaker, I thank my friend for yielding.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. POLIS. Mr. Speaker, I was beginning to wonder when our friends would try to connect AIG with forest health and preventing forest fires. Indeed we did not have to wait too long.

This bill promotes accountability by requiring the Secretaries of Agriculture and Interior to monitor their accounts and anticipate relevant costs. This is a valuable tool in the long term to improve the efficacy and sustainability of our public lands management. We will note that the arguments being made are purely procedural. We should not allow these procedural issues to get in the way of what is substantively agreed on.

I have heard very positive comments with regard to the substance of this bill from both sides of the aisle, indeed giving our land management agencies the flexibility they need to make sure that their budgets are not consumed by signal events and to focus on what they need to do and are, in fact, required to do under law in terms of forest management and forest fire risk mitigation.

For nearly a decade, the GAO has called for our agencies to draft a strategy which will identify agencies to environmental and community leaders alike. This bill has garnered strong bipartisan support, and it was reported, as I mentioned before, by a voice vote from the Natural Resources Committee.

I want to reiterate the importance of this legislation to thousands of communities across the Nation and to millions upon millions of acres of public lands. This is an excellent opportunity to provide the necessary resources to our Forest Service so they can do the work they are meant to do and indeed must do.

I urge the passage of the bill and the rule.

I would inquire if the gentleman from Florida has any remaining speakers.

Mr. LINCOLN DIAZ-BALART of Florida. I don't have any other speakers, but I have not yielded back.

Mr. POLIS. I would like to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I have appreciated this discussion, and again, I thank Ranking Member HASTINGS for having come down during the time of debate on the rule. He has perhaps a very unique perspective having served on the Rules Committee for so many years. He knows the importance of process to the functioning of the House. And in addition, obviously, now he is an expert, he always has been, but especially now that he is day in and day out working on these issues in the Resources Committee, he is very much an expert on the underlying legislation.

Hearing the discussion, one thing comes to mind. Mr. HASTINGS pointed, Mr. Speaker, to the fact that we recognize, and I agree with him, we recognize that the majority obviously has a right to carry forth its agenda and obviously a right under the rules to pass out resolutions establishing the framework for debate. But some things I think are important to point out with regard to that. In this Congress, I mentioned there has been a pattern, really an excessive pattern. I don't believe we have passed out an open rule.

□ 1445

In other words, I don't think any legislation in this Congress; am I correct? I don't remember any open rules. That's really breaking with tradition.

Let me explain that, Mr. Speaker. Open rules are, as Mr. HASTINGS said, frameworks by which bills are brought to the floor, where any Member can have an amendment, and any Member can speak on any amendment, for 5 minutes. And we have not seen that at all in this Congress. Now, that is a very significant and, I believe, unfair pattern that's been set.

Now, even having said that, there is another point that I think should be brought out. And I think our colleague from Massachusetts (Mr. FRANK) has made this point more than once, and I think he's made it very eloquently. Issues of genuine contention, all of such issues should be able to be debated.

Now, in other words, if the majority doesn't want to have an open rule, doesn't want every amendment possible to be presented, at least issues of contention that were taken before the Rules Committee in the form of amendments should be allowed to be heard.

Mr. HASTINGS has pointed out that there is an issue in this with regard to this legislation, and this is consensus legislation. The underlying legislation has support from both sides of the aisle. But there is an issue of contention that was brought before the committee, and that is on fire prevention.

Apparently, and I'm not an expert on this area. But apparently, there are objections from the extreme environmental lobby with regard to fire prevention being able to be debated. And

the majority party, listening to that extreme lobby, has not allowed that issue of contention which should be brought before this floor to be even debated. And I think that's unfortunate.

So beyond even the pattern of unfairness that has been set by this majority, where not even one piece of legislation has been brought under an open rule where everybody can file, every Member of this House can file amendments, beyond that even, significant issues of contention that Mr. FRANK of Massachusetts has made clear, and I've heard him. He's been very explicit and, I think, eloquent when he said, no, no, all such issues of contention should be allowed by the Rules Committee. And he's gone so far even to protest his own leadership excluding genuine issues of contention from prior bills brought before this House, and I think that he deserves commendation for that.

So, here's another example. Mr. HASTINGS talks about an issue of contention that has been shut out by the Rules Committee. So yes, Mr. HASTINGS may have had three amendments made in order, but two amendments that deal with the issues of contention have not been made in order, and that's unfortunate. That's what I'm saying with regard to it being, I believe, unfortunate to see unnecessary, totally unnecessary closing of the process, shutting out debate by the majority, even on noncontroversial underlying pieces of legislation like the one we're bringing to the floor today.

So we have no further speakers. Again, I thank my friend from Colorado for his courtesy.

At this time, since we have no further speakers, we yield back the balance of our time.

Mr. POLIS. Mr. Speaker, I believe that it is noteworthy of the issues raised by our friends, none speak to the lack of merit of this bill or, indeed, the 13 amendments that are allowed under this rule which will be subsequently discussed. We must make sure that substance takes priority over procedural processes which could otherwise delay a critical bill for the management of our public lands.

Our public lands management agencies remain constrained every day by the costs of fighting wildfires, which will only worsen in coming years from a changing climate and increasing fuel load.

Some critics may point fingers, but today we stand here with an intelligent, well-designed, responsible and bipartisan solution that puts our taxpayer money to good use by protecting our communities and preserving our national treasures.

This rule allows for 13 amendments, including five from the minority party, and has given fair and due consideration to all the ideas that have been promoted to enhance this legislation, including many that actually impact, at least two amendments that reflect invasive species such as the pine beetle.

Thank you, Mr. Speaker. I urge a "yes" vote on the previous question and the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent Resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 12. Concurrent resolution recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Secretary of the Senate, announces the appointment of Sheryl B. Vogt, of Georgia, to the Advisory Committee on Records of Congress.

The message also announced that pursuant to Public Law 111-5, the Chair, on behalf of the Majority Leader, appoints the following individual to the Health Information Technology Policy Committee: Dr. Frank Nemecek of Nevada.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 286

Whereas, The Hill reported that a prominent lobbying firm specializing in obtaining defense earmarks for its clients, the subject of a "federal investigation into potentially corrupt political contributions," has given \$3.4 million in political donations to no less than 284 Members of Congress.

Whereas, multiple press reports have noted questions related to campaign contributions made by or on behalf of the firm; including questions related to "straw man" contributions, the reimbursement of employees for political giving, pressure on clients to give, a suspicious pattern of giving, and the timing of donations relative to legislative activity.

Whereas, Roll Call has taken note of the timing of contributions from employees of the firm and its clients when it reported that they "have provided thousands of dollars worth of campaign contributions to key Members in close proximity to legislative ac-

tivity, such as the deadline for earmark request letters or passage of a spending bill."

Whereas, CQ Today specifically noted a Member getting "\$25,000 in campaign contribution money from [the founder of the firm] and his relatives right after his subcommittee approved its spending bill in 2005."

Whereas, the Associated Press also noted that Members received campaign contributions from employees of the firm "around the time they requested" earmarks for companies represented by the firm.

Whereas, clients of the firm received at least \$300 million worth of earmarks in fiscal year 2009 appropriations legislation, including several that were approved even after news of the FBI raid of the firm's offices and Justice Department investigation into the firm was well known.

Whereas, the persistent media attention focused on questions about the nature and timing of campaign contributions related to the firm, as well as reports of the Justice Department conducting research on earmarks and campaign contributions, raise concern about the integrity of Congressional proceedings and the dignity of this institution.

Now, therefore, be it *Resolved*, That

(a) the Committee on Standards of Official Conduct, or a subcommittee of the committee designated by the committee and its members appointed by the chairman and ranking member, shall immediately begin an investigation into the relationship between the source and timing of past contributions to Members of the House related to the raided firm and earmark requests made by Members of the House on behalf of clients of the raided firm.

(b) The Committee on Standards of Official Conduct shall submit a report of its findings to the House of Representatives within 2 months after the date of adoption of this resolution.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Mr. GEORGE MILLER of California. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on tabling House Resolution 286 will be followed by a 5-minute vote on adopting House Resolution 281.

The vote was taken by electronic device, and there were—yeas 223, nays 182, answered "present" 16, not voting 10, as follows:

[Roll No. 155]

YEAS—223

Abercrombie	Bishop (GA)	Carney
Ackerman	Bishop (NY)	Carson (IN)
Adler (NJ)	Blumenauer	Childers
Altmire	Boren	Clarke
Andrews	Boswell	Clay
Arcuri	Boucher	Cleaver
Baca	Boyd	Clyburn
Baird	Brady (PA)	Cohen
Baldwin	Braley (IA)	Connolly (VA)
Barrow	Brown, Corrine	Conyers
Becerra	Capps	Cooper
Berkley	Capuano	Costa
Berman	Cardoza	Costello
Berry	Carnahan	Courtney