Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
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King (IA)
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Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
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Kucinich
Lamborn
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Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
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Spratt
Stark
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Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
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Tierney
Titus
Tonko
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Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Boyd
Cao
Carney
Emerson
Hall (TX)
McCollum
Melancon
Miller (FL)
Mollohan
Radanovich
Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1329

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the 'George P. Kazen Federal Building and United States Courthouse'.''.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2442, BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 830 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 830

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my friend, Mr. DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 830.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Madam Speaker, H. Res. 830 provides for consideration of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

□ 1330

The rule provides 1 hour of general debate, controlled by the Committee on Natural Resources. The rule makes two small changes clarifying the funding in the bill is subject to appropriations and making a purely technical correction to the section numbering in the bill. The rule also provides one motion to recommit with or without instructions.

Madam Speaker, I first want to thank Chairman MILLER and Chairman STARK, as well as Representatives ESHOO, HONDA, WOOLSEY, MCNERNEY, LOFGREN, NAPOLITANO, and SPEIER, for their work on this bill and efforts to address the Bay Area waters' needs.

I also commend Senators FEINSTEIN and BOXER for introducing identical legislation in the Senate and their leadership on this issue.

As the elected Representative from Sacramento, and as a farmer's daughter from the Central Valley, I understand that water is critical to our State's economy and our way of life. After 3 years of drought, pumping restrictions and lost jobs from the valley to the coast, there is no doubt that improving the capability of water recycling will help address these problems and lessen the burden on the bay-delta ecosystem.

While recycling is not the only way to meet the Bay Area and California's water requirements, it must be part of our comprehensive solution. Effective water use will help keep California's agricultural water economy strong and the delta healthy, and ensure that the needs of northern California businesses, farmers and residents are not ignored.

Under the Title 16 water recycling program, H.R. 2442, would authorize six additional water recycling projects for the Bay Area that would provide 7.2 million gallons of water daily and serve more than 24,000 households. Collectively, these projects will save 2.6 billion gallons of water per year in the region, offering a new water supply of treated wastewater for industrial and irrigation use.

Specifically, the Bay Area Regional Water Recycling Program Expansion Act would authorize $38 million in Federal assistance under the Interior Department's Bureau of Reclamation for the design, planning, and construction of these new water projects. It would also expand the authorization for two existing projects.

H.R. 2442 would stipulate that the Federal share of the cost of the projects not exceed 25 percent of the total cost and bars the Department from funding operation or maintenance of the projects. It is important to note that this legislation has been endorsed by the Association of California Water Agencies, commonly called ACWA, which includes every major agricultural and urban water agency in the State and represents the largest coalition of public water agencies nationwide.

Additionally, the WaterReuse Foundation, which serves more than 180 public water agencies, cities and major engineering and technology firms, has urged that we move expeditiously on the bill. These groups understand that no one wins when these kinds of local projects are held hostage because of

disputes over the operation of Federal water projects.

We all know that there are some serious concerns about the water crisis in California. I was back home in my district over the weekend, Madam Speaker, and everyone at home was talking about a water deal trying to be negotiated by the legislature and the Governor.

From local and State levels all the way here to Washington, there are a number of different ideas about how to address our water issues in California. Some of them I prefer more than others, and some of them are preferred more than others by my colleagues on the other side of the aisle.

But one thing is for sure: limiting our State's water supply by holding up recycling projects like those in this bill will not solve anything. In fact, it will only prolong our collective efforts to seek solutions to California's water problems.

For these reasons, I strongly support the rule and the underlying legislation, and I urge my colleagues to do the same.

Madam Speaker, again, I want to thank Mr. MILLER and the committee for their work on this bill.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank my friend, the gentlewoman from California (Ms. MATSUI), for the time.

I yield myself such time as I may consume.

Madam Speaker, the House considered, under suspension of the rules, H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. But the bill failed to get the necessary two-thirds to pass.

The reason that bill failed was not because Members objected to the substance of the legislation, but because the majority leadership brought forth the underlying legislation that provides water projects for the San Francisco area for consideration by the House while blocking the House from debating the desperate need for water in another part of California, the San Joaquin Valley.

On numerous occasions, my colleague from California, Mr. DEVIN NUNES, has submitted amendments to the Rules Committee so that those amendments could be debated and voted on by the full House. His amendments would restrict the implementation of the December 15, 2008, biological opinion issued by the U.S. Fish and Wildlife Service and the June 4, 2009, biological opinion issued by the National Marine Fisheries Service. However, the majority on the Rules Committee routinely blocked consideration of the amendments, twice on the Interior appropriations bill and three times on the Energy and Water appropriations bill.

The reason Mr. NUNES has so steadfastly sought to have the House debate the restriction on those two opinions is that they have diverted water from the San Joaquin Valley, practically turning that area into a dust bowl.

Madam Speaker, why should Congress be concerned with what may look like a simple water issue? The valley is home to a $20 billion crop industry, and the region produces more in agricultural sales than any other State in the country. It can be argued that no agricultural area in the country is more productive and is, therefore, more important to our Nation's food security. If we continue to allow the diversion of water from the valley, food prices are going to increase; and we are also going to put our food security, national security in jeopardy.

According to a recent University of California Davis study, the water reductions have led to revenue losses of over $2 billion, and this year will lead to 80,000 jobs lost. The area now has an unemployment rate of about 20 percent. Some of its communities have an unemployment rate of nearly 40 percent.

Today, the majority comes to the floor with a rule that the House will once again consider the Bay Area Regional Water Recycling Program Expansion Act without giving the House the opportunity to consider amendments, including those proposed by Mr. NUNES. That is most unfortunate.

It is time that the House be given the opportunity to debate the San Joaquin Valley water issue.

I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I yield 2 minutes to the gentlewoman from California, a member of the Natural Resources Committee, Mrs. NAPOLITANO.

Mrs. NAPOLITANO. Thank you, Ms. MATSUI.

Madam Speaker, I rise today in strong support of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. The bill has received extensive review and bipartisan approval from the Subcommittee of Water and Power and was reported on a bipartisan basis favorably from the Natural Resources Committee.

I listened to my colleague, as I am also a Californian, I listened to my colleague on the other side, Mr. DIAZ-BALART, talk about the billions of dollars. Yes, there is a great need of assistance to the Central Valley, but it's not all the San Joaquin.

The fact that the dam is wanting to be pushed forth, I agree. We need additional storage, but right now you need immediate results and water recycling is one of the tools that you need.

H.R. 2442 provides new water to the Bay Area in California. The recycling projects authorized will provide, as Ms. MATSUI pointed out, 2.6 billion gallons of water annually, enough to meet the needs of 24,000 families. Why do we stand against water for other areas? All of us need additional water in California.

Water is life. As we all are very well aware, the drought in California has taken a terrible toll on jobs all over the State, the economy and the environment of the Central Valley in California in particular. At a time when our Nation needs leadership and options to meet our water requirements, H.R. 2442 provides a tool to create more water for the Bay Area and, in the process, reduce the amount of water imported from the Sacramento and delta area.

This bill, and the projects it authorizes, will immediately address California's water crisis through local action and provide economic relief through job creation. It will not solve California's water crisis, as Ms. MATSUI pointed out. However, it does provide a valuable and important tool.

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

Ms. MATSUI. I yield the gentlewoman an additional 30 seconds.

Mrs. NAPOLITANO. It does provide a valuable and important tool to stretch the existing water supply and address the critical water issues of our State. I urge strongly a ''yes'' vote and encourage all Members to support this legislation. Water for our Nation is critical for all of our citizens and we, as legislative leaders, have to provide for solutions.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 3 minutes to my friend from California (Mr. NUNES).

Mr. NUNES. I thank my good friend from Florida.

Madam Speaker, this water crisis has been created by the government. This bill that's on the floor today provides water for San Francisco. I would love for San Francisco to have water.

But in the grand scheme of things, this is a 2-billion gallon project. We are losing 200 billion gallons out to the ocean because we simply won't let the pumps run at historical levels.

This is a closed rule. It never should have been a closed rule, and we need to find out why is it that the majority keeps closing down these rules.

□ 1345

I think we may be getting close to the answer if we look back at a few things that were said a couple weeks ago at a public event at the Department of Interior. The distinguished chairman, who is the sponsor of the bill, the distinguished chairman of the Education Committee, took credit for the lawsuits that turned the pumps off. I was not quite sure which lawsuits he had brought forward, but he said, I don't think I have lost many lawsuits in court over the last 10 or 15 years.

Now, I did some research. I wasn't sure what lawsuits the distinguished chairman had brought forward. So it made me believe, well, maybe there is some coordination going on between the left-wing radicals and the fringe environmental movement, and how is that being coordinated from this body. These are questions that we need to know about.

So the shocking admission of coordination between the Democrats in the

House and radical environmentalists deserves our attention, and I want to ask a few questions that I hope can be answered at some point by some committee in this Congress.

The first is, how much money is going to fund these organizations? Several billion dollars have been paid out to these fringe environmental groups that continue to bring these lawsuits forward, taxpayer dollars funding shutting off water to people.

Another question that needs to be answered: the bureaucrats at the government agencies, such as the National Marine Fisheries Service, are they involved? Have these radical groups been coordinating with the scientists and biologists over at the National Marine Fisheries Service? Because nobody in their right mind would say that these pumps are resulting in the death of killer whales. It is not believable.

Another question we need to figure out is the water czar that the Department of Interior has appointed, that President Obama has appointed, has been active with these special interests in the past at the highest levels. He has served on their boards, and he has given them money. Are there more people at Interior that are involved with these biologists that are coming up with these plans and helping these environmental groups bring these lawsuits that the taxpayers are paying for?

This is a closed rule. It is a California water issue here, to provide water for San Francisco; yet we can't even debate or have an amendment to provide water to the bulk of California.

So we need to get to the bottom of this. Hopefully we will turn down this rule, vote it down, so that we can allow the real issues to be debated.

Vote ''no'' on this resolution.

Ms. MATSUI. Madam Speaker, before I yield to the next speaker, I just want to say that I know that my colleague on the other side of the aisle is upset because his amendment that was offered in the Rules Committee was not allowed on the floor. The fact is his amendment was not germane to the underlying bill and not related to water recycling.

Blaming the Endangered Species Act by waiving it for 2 years to prevent implementation of certain biological opinions will not put his constituents back to work. More importantly, such an initiative would not turn on the water pumps for the Central Valley.

To address the drought—the real cause of the water shortage in the region and the State—we must work collectively toward a solution.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. COSTA).

(Mr. COSTA asked and was given permission to revise and extend his remarks.)

Mr. COSTA. I thank my colleague.

Madam Speaker, I rise today to oppose H.R. 2442, the rule that we are speaking on, the Bay Area Regional Water Recycling Program Expansion Act of 2009. While this measure by Congressman MILLER has merit, there are plenty of meritorious water projects and bills that we have repeatedly tried to bring to the floor to help those of us where the drought is most expansive in the San Joaquin Valley, and unfortunately, they have been ignored.

Unfortunately, yesterday I learned that H.R. 2442 was reported out of the Rules Committee with a closed rule, and therefore, no amendments would be allowed. I oppose this rule because we need every opportunity to offer amendments and to vote on legislation that will bring water to our farmers, our farmworkers, our farm communities and our valley in the middle of this drought crisis.

My district is ground zero for this crisis. Towns from Mendota to Delano have 35 percent and more unemployment. There is no water, there is no jobs, there is no money for our farms and farmworkers to put food on their tables. Can you imagine what it would be like if you lived in a community where a third or more of your citizens had no jobs?

In the 1990s, I was working with many of those water districts, farmers, and urban and environmental groups to pass legislation that would help fix California's broken water system. Unfortunately, we made little progress.

We tried to establish a water ethos that we would all get healthy together again. Clearly, we are not getting healthy in the valley. Our valley agriculture provides half the Nation's fruits and vegetables, and they are withering and dying out. Millions of acre-feet of water have been diverted from the valley, and unfortunately, the fisheries are not improving.

It is incumbent upon this body to come together and help us fix this problem. If we expect to get healthy again, we must secure a sustainable water supply for every region of California, and for Congressmen CARDOZA, RADANOVICH and myself, that begins with the San Joaquin valley.

Let us start anew. Let us start with leadership focusing on addressing California's water crisis in the valley and not shying away from this crisis.

Congressman CARDOZA agrees with my statement.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 3 minutes to my friend from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman for yielding.

You know, I am a native Californian, born in Los Angeles. In fact, I am a fourth-generation Californian. My family was a Gold Rush family in 1849. If you look back in the history of California for those 160 years, it has always been about water, where there is water. Where we could get water in California there are jobs, there is growth, there is prosperity, there is opportunity. When we didn't bring water to places in California, we didn't have those things.

So this debate we are having now is not new for our State, but it is important for our State, and I understand why my colleagues from the Bay Area want this recycling program. As has been mentioned, that is not really the issue here.

As my colleague Mr. MILLER and I have discussed, in Orange County, where I come from, we have some of the world's leading recycling programs. They work, they are effective, and we ought to do more of them in other places. But what we are talking about here is that there are other places where we need water in California.

Now, I don't represent the Central Valley, but the Central Valley is the breadbasket of California, arguably of the country. There are jobs disappearing and there are businesses disappearing and there are farms disappearing, because of a man-made water crisis. It is not because of a drought. It is not because the water isn't available. It is because we won't turn on some pumps 12 months a year to provide the water to those farmers so they can grow food for us and for the world, to create jobs, and to feed Americans and generate export for our economy. The water provided by those pumps, 25 percent of the water in southern California and the L.A. area also comes from the Sacramento River Delta where those pumps come from.

The travesty of this bill is not what is in it; it is what is not in it. And what could have been in it is the opportunity to turn on those pumps, which have been 12 months a year for over 50 years.

It is not like this is a new idea or new environment. It is to get that water for San Francisco, and that is great. But let's get water for the Central Valley and the farmers in California, and let's get water for southern California as well. Let's not just deal with one part of the State. Let's deal with the whole State.

So, Madam Speaker, I would ask that we reject this rule because of what it doesn't have. Let's give the Central Valley a chance. We need jobs. We need economic activity. Turn those pumps on. Turn this rule down.

Ms. MATSUI. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. GEORGE MILLER), the sponsor of this legislation.

Mr. GEORGE MILLER of California. Madam Speaker, I rise in strong support of the rule and the underlying legislation, and I want to thank Ms. MATSUI, Ms. SLAUGHTER, and the entire Rules Committee for their support.

Today's bill responds to a request for assistance from the State of California and local water managers to expand the supply of water in our drought-stricken State. It does no more than that. It is good for our economy. This bill will create thousands of jobs. It will reduce the stress on our oversubscribed fresh water system. This bill expands the water supply of six Bay Area communities, including my own congressional district.

This bill authorizes additional water recycling through the successful Bureau of Reclamation's title XVI program. Title XVI allows local water managers to treat wastewater and use the clean recycled water for other purposes within their jurisdiction. This bill would add 7.2 million gallons of water per day to California's water supply, enough water to meet the needs of 24,000 households.

My bill is one of a series of water recycling bills that have been approved by the House this year and in recent years to expand the water supply in Republican and Democratic districts alike throughout the West and the Southwest. They have been passed without controversy, without amendment, without debate on the larger California water policy needs.

This year alone the House has passed by voice vote and overwhelming majorities five local water bills the same as this legislation to provide for this recycling and this reuse. Why has the House done that? Because across the State of California, the water users in that State recognize the extent to which we can recycle and reuse water. We take immediate pressure off of the entire California water system, both the Federal system and the State system.

This is an investment in which there is unanimity that it must be made. When you talk about doing this, you are talking about helping the Central Valley, because you release the pressure. When you do this, you are talking about helping the Delta.

Clearly the cities, the agencies in southern California, believe this is important to their future. That is why the cities have put up the money to match the Federal effort. That is why my colleagues from both sides of the aisle have come forward and asked for this legislation. That is why they have been approved overwhelmingly on a unanimous bipartisan basis, because they are critical to the long-term water needs.

You cannot help the Central Valley if you cannot relieve the stress on an oversubscribed system. It is just that fact. The pumps are on. The pumps have been on for months. But what they would suggest you do is, you devastate the San Francisco Bay Area. We have already lost tens of thousands of jobs, from the fisheries, from the ice stores, from the gas stations, from the tourist businesses, from the loss of the salmon running from Monterey, the midcoast, all the way up to the Washington border. Those jobs have been impacted.

This is not a good situation. That is why I said I haven't lost many lawsuits that I have supported. The point was to check your guns at the door and see if we could work together. And this has agreement—it has unanimous agreement of the water agencies across the State that this is helpful. This will make a difference. That is why they have supported all these projects.

We can start to work together, water agencies that today are down at the Department of the Interior trying to see if we could get things done that the last administration prohibited the Bureau of Reclamation from doing, such as entering new fish screens within the Delta that we think will save 250,000 acre-feet of water. 250,000. Does that sound familiar in the valley?

But the last administration would not let the Bureau of Reclamation take those projects, even though they would be paid for by State funds. That is the importance of this legislation. This is about whether or not we as a State come together from the Oregon border to the Mexican border and solve this problem across all of our needs, which is agriculture, which is business, which is municipal use of water.

We have the potential to do that, and these pieces of legislation are critical. That is why, up until now, the House decided on a joint bipartisan basis that we would get these bills as fast as we can to the Senate and hopefully get action and get these projects underway, because the cities have already put up the money, the engineering is done, the projects are cleared. That is why many of them were eligible for stimulus money, because they are ready to go. They have been waiting to go. They have been waiting, in fact in many cases a number of years, because the administration wouldn't put up the money until the stimulus bill of this year.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my friend from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. I thank my friend from Florida.

As I listen to my colleague from California, I rise opposed to this rule. You cannot bring water to California when you bring another closed rule to the floor. You cannot bring debate to the floor when you don't allow amendments.

Madam Speaker, the people of the Central Valley are being crushed with record unemployment from a man-made drought, from 14 percent to over 40 percent. Plain and simple, the majority that runs this House is failing to fix this problem. Jobs are being lost because the pumps were shut off.

At a time of crisis, when there is no excuse for partisanship, some appear to be playing partisan games at the expense of people's livelihoods. Instead of coming together as Republicans, Democrats and Independents, the solution to get the water flowing sits behind post office bills and this bill that would recycle water for use in San Francisco Bay.

I ask this simple question: why are we failing to take up a needed bill to turn the pumps on to get the water flowing again? This is not a liberal, conservative or moderate issue. This is a commonsense issue.

Madam Speaker, President Franklin Delano Roosevelt once said the Nation that destroys its soil destroys itself. Well, the pumps are off, the pipes are dry, the land is no longer able to produce, and the soil is being destroyed. How do you bring water to California with a closed rule? How do you sit on this floor and say you are bringing all these bills up for water but you deny the Valley, you deny the breadbasket and you deny the ability for the pumps to be turned on?

I ask for a ''no'' vote on the rule.

□ 1400

Ms. MATSUI. Madam Speaker, I just want to remind everyone here that earlier this year several other local water measures were resoundingly approved by the House. They include the South Orange County Recycled Water Enhancement Act, which was in Representative CALVERT's district; the Lake Hodges Surface Water Improvement Act in Representative BILBRAY's district; the Magna Water District Reuse and Groundwater Recharge Act in Representative CHAFFETZ' district of Utah; the Calleguas Municipal Water District Recycling project in Representative GALLEGLY's district; the Hermiston water recycling and reuse project, Representative WALDEN of Oregon; the Tule River Tribe Water Development Act in Representative NUNES' district.

Until it was caught up in partisanship, H.R. 2442 would have followed the same procedure. H.R. 2442 is no different than any of these bills. What is different is politics.

I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my friend from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I'm here standing in support of Congressman NUNES and the California delegation that has spoken against this rule and for water for the valley. And as I watched this debate unfold here on the floor, something about the depth of the emotion in the voice and in the eyes of DEVIN NUNES told me I needed to go see for myself, Mr. Speaker.

So in late August, I went down to the Fresno area and traveled the valley—most of the valley, not all of the valley—and I looked at 250,000 acres of man-made dust. And I know there are at least 600,000 acres of man-made drought in that Central Valley area, and then I went up to San Francisco with a heavy heart. And I can tell you what I saw when I looked at that dust in the valley. I felt like that Indian in the commercial that saw his river full of junk and tires and the tear trickled down his cheek to think that man could do that to man. And they're watering the lawns in San Francisco while we have a man-made drought and they're taking out dead trees from orchards in California in the valley.

I also led a codel to go look at the swamp Arabs in Iraq, and there, Saddam Hussein, years ago we'll know, decided that he didn't like the politics of the people in the south, the Shias in

the south that lived in that swamp, and so he shut off and diverted the Tigris and Euphrates Rivers and shut off the water and dried out the swamp Arabs in the south. And I visited that area. It was a political decision and a man-made drought for the swamp Arabs in Iraq, and we're quite proud that we sent our American military in to turn on that water and reflood that swamp and give them back the lifeblood of the people in southern Iraq on the delta area there.

Here, we have the valley, and this is a battle going on between San Francisco, the urban areas in California, and the most productive area in the world. And I'm from Iowa and I'm saying this. The most dollars per acre produced out of the valley of anyplace in the world, and we have a man-made drought. We're watering lawns in San Francisco and diverting more water to San Franciscans, who didn't look to me like they were very dry, and throwing dust in the face of the hardworking people in the valley.

I can't believe we can have a man-made tragedy of this magnitude and we're told, check your guns at the door. Check your guns at the door when the cards are dealt, and we have a closed rule that shuts off any debate other than on the rule itself, no amendments allowed, no vote being able to be forced. We can't shape policy in this Congress if it's being shaped up there in the hole in the wall.

I want to bring that debate down to the floor. And if you at least have enough courage to ask for an open rule and allow some amendments so the Members of this Congress can weigh in, then the people of the country can weigh in and they can have their voice heard. We can turn on the water.

This is not about the minnow you'll find and other species. It's about a fight over the water. But a man-made drought and 600,000 acres, 40,000 jobs lost, shut off the water to the swamp Arabs, shut them off to the people down in the Central Valley. It is heartbreaking, Mr. Speaker, and this has got to stop. The voice of the people needs to be heard.

Ms. MATSUI. Mr. Speaker, let me just say that five amendments were submitted to the Rules Committee for this bill. All five were nongermane. Not a single amendment would be allowed on this floor under an open rule.

I reserve my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SERRANO). The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it's my pleasure to yield 5 minutes to my friend from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I rise to strongly oppose this rule. As a former member of the Rules Committee, and currently as the ranking member of the House Natural Resources Committee, I want to address several arguments that have been made that try to justify blocking amendments to provide relief for tens of thousands of suffering people suffering an economic disaster in the San Joaquin Valley as a result of a man-made and government-enforced drought.

First, I want to specifically dispel the notion that allowing the House to vote on relief to these suffering communities wasn't possible because amendments were nongermane. Mr. Speaker, it is entirely within the power of the House Rules Committee to allow debate on any amendment that it wishes and, conversely, to shut down debate on any amendment they do not want to see discussed on the House floor. The Rules Committee does, can, and regularly does, waive the germaneness rule. It simply refused to do so on this matter because the Democrat leadership of this House doesn't wish to have this matter, this matter of the man-made drought in the San Joaquin Valley, debated or discussed on the House floor. Any notion, any notion, Mr. Speaker, that they couldn't allow these amendments even 10 minutes of debate time followed by a vote is simply not true.

So let's be clear about what we're debating here. The underlying bill relates to Federal water recycling projects in the San Francisco Bay Area of California. The amendments not made in order relate to Federal water supply and a man-made drought in the San Joaquin Valley in California. This is hardly a case of mixing apples and oranges. The truth is that the Democrat-controlled Rules Committee chose to hand a shiny red apple to the San Francisco Bay Area and give a giant raspberry to the people in the San Joaquin Valley.

The other argument I wish to address and dispel is that the drought in California is an issue only for those in California to resolve. Mr. Speaker, if this House can debate and vote on a bill to provide millions of taxpayer dollars, Federal taxpayer dollars, for water projects in the San Francisco Bay Area, then this House can certainly debate and vote on providing relief to farmers and farmworkers that are denied Federal water by Federal lawsuits and Federal policies, again, in the San Joaquin Valley of California. This isn't a case of having your cake and eat it, too. It's a matter of water for San Francisco and none for the San Joaquin Valley.

Lastly, to the argument this is a California issue for Californians to resolve, I will note that the votes in the Rules Committee to block the amendments from being heard were by a margin of six ''no'' and five ''yes.'' All four Republicans voted to allow the amendments to be heard on the floor, as did Mr. CARDOZA from California, and a Democrat, but not one single one of Mr. CARDOZA's Democrat colleagues joined him. We were told this is a California matter, and yet relief for the San Joaquin Valley is denied because of the votes of Democrats on the Rules Committee from New York, Massachusetts, Florida, Maine, and Colorado, who all voted ''no'' to block discussion of these amendments on the House floor.

The arguments of germaneness and it's a California only matter are simply excuses being used to try to hide the fact that the Democrat leaders who control this House don't want to allow a vote on solutions and provide relief to the tens of thousands of people suffering in the San Joaquin Valley.

Mr. Speaker, I urge my colleagues to vote ''no'' on this unfair rule.

Ms. MATSUI. Mr. Speaker, we are in a drought. We are in a drought. That's a fact. And this legislation will help ensure that future droughts in California will have less of a damaging impact. When water is used more efficiently, droughts like the one we are currently experiencing become less severe because we have built in defense mechanisms.

We know that the drought, and not the Endangered Species Act or House leadership, is the real reason why so many individuals are suffering in California's Central Valley. In fact, according to Ron Milligan, the U.S. Bureau of Reclamation operations manager for the Central Valley Project, the average delta water exports prior to 2008 were 5.7 million acre-feet. In 2009, the export fell to 3.6 million acre-feet. Of the 2.1 million acre-foot shortfall, 1.6 million is due to the drought. Only 500,000 of the decreased results are from the delta smelt ruling.

If anything, our colleagues who represent that part of the State should support H.R. 2442 as a means of fighting against the drought. They should also support it as a way to increase the amount of water available statewide for local agencies to access.

I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1½ minute to my friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I'm pleased that this bill will apparently benefit people in the San Francisco Bay Area with water. As I understand it, I think we have some leadership on the majority side that is from that area. And that's wonderful that they'll benefit with water, but it is deeply troubling to hear people come to this floor and start trying to blame the past administration for water problems in California.

At what point are people going to acknowledge, you know what? The Democratic majority, we're in the majority as Democrats. We took control over 2½ years ago, and we're responsible here. We have had an opportunity to do something about this for over 2 years, and we have not done anything because the majority leadership has chosen not to do anything.

My friend DEVIN NUNES recruited me over 2 years ago. He had me look at this, and I saw how the smelt were being protected, and that's fine. But the smelt, the 2-inch minnow, while people are starving, the land is starving, the people are starving, they're losing their jobs.

When DEVIN brought this to my attention, it smelt badly back then. It smelt badly a year ago. It's smelt badly all this year, and now, my friends, it stinks. It's time to have open rules that allow us to bring water to everyone who needs it.

Ms. MATSUI. Mr. Speaker, I just want to say that further investing in water recycling is sound public policy. This bill would allow the Bay Area to reuse water. This legislation would not mandate additional water transfers or adversely affect California's Central Valley in any way. H.R. 2442 is a proactive step taken by our delegation to address California's water situation in a positive way.

I'd like to yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy in permitting me to speak on the rule.

I was sitting here waiting to speak on the underlying legislation after the rule is passed because I think it is an important ingredient towards dealing with a serious problem in California that affects us all, but I am compelled to come to the floor to support briefly the rule that is brought before us.

My friend from the other side of the aisle from Texas recently asked, wonders at what point the majority stops blaming the Bush administration. I would hope that at some point the minority looks at a lost decade of Republican stranglehold on reasonable environmental policy, not just for California, but throughout the West, that actually set us back. We're playing catch-up now on things that we should have done for years in water infrastructure and water policy.

□ 1415

Second, the notion that somehow we are wasting water because it flows into the delta and on into the Pacific Ocean, I will tell you, my fishermen in the Pacific Northwest don't think that is a waste. They don't think the smelt—which is a proxy for a collapsing ecosystem that is posing problems throughout the Pacific Northwest on historic fisheries and speaking to other environmental problems—is not a waste.

I find it amusing to hear some people come to the floor and talk about a man-made, government-made drought. For heaven sakes, look at what's happening to the water levels; look at the areas there where they don't even monitor what is happening with groundwater to keep careful control. The California legislature just tied itself into knots unable to advance sensible water policies.

There is a governmental failure all right, a governmental failure that at the Federal Government, the State government, and the local government we haven't dealt meaningfully with these conflicts. Instead we have treated farmers, fishermen, the environment and local communities that rely on these sources, we have treated them shabbily. Well, now with the climate change and persistent drought and the fact that some people aren't going to sit back and take it anymore, it's coming home to roost.

I hope that there is a more spirited and robust discussion about the reality. I hope California gets its act together on a State level.

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

Ms. MATSUI. I yield an additional 30 seconds to the gentleman.

Mr. BLUMENAUER. And I hope that the Federal Government makes up for that lost decade.

We are in a situation now where water is the precious resource for going forward, and what we're seeing here is a blip on the radar screen that is going to be affecting each and every State across the country. We better stop pretending that this drought is somehow government caused. We need to get our act together, get policies in place, protect the environment, be rational and be fair.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to my friend from California (Mr. NUNES).

Mr. NUNES. I thank my friend from Florida.

I just want to make sure that we set the record straight on this salmon fishing issue. A lot of people are probably watching out there and wondering, well, are these salmon fishermen really out of work? The truth is that the salmon fishermen can still fish; they just can't fish for salmon. And that is because the government—us, this body—and others told the fishermen that they cannot fish for salmon. Every other country in the world can fish for salmon, just us.

So not only are we not allowing the salmon fishermen to fish, we are also paying them not to fish; several hundred million dollars we have given the salmon fishermen so that they will not fish for salmon. Meanwhile, we have 40,000 people that are without work, and they get nothing.

So there is no correlation between these pumps that have run for 50 years and salmon fishermen not fishing, except for this: the government says, salmon fishermen, you can't fish for salmon. The government also says, keep the pumps shut off so that people in the San Joaquin Valley don't have any water and can't grow any crops to provide Americans food. So this whole argument about the poor salmon fishermen is complete fiction.

I would like to know where my colleagues were—some of them who were in this body—in the 1980s when they ran every Portuguese American fisherman out of the San Diego area. There were several thousand mostly Portuguese fishermen, and nobody came to their aid. They fished for tuna. All those jobs were lost to foreign countries. And now all of a sudden we're here and we're worried about salmon fishermen? Bogus, absolutely bogus. Shameful on this body.

Ms. MATSUI. Mr. Speaker, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, with regard to the issue that's been debated, one thing continues to come to mind: the merits of this issue, this water issue of such importance to people in the San Joaquin Valley in California, have been debated during this rule debate because there is no other option.

The substantive legislation, two amendments that Mr. NUNES came to the Rules Committee and asked to be authorized for debate by the House, they were denied; they were not made in order. So there is no other option but during the time when we are debating the rule, the terms of debate for an underlying bill that will subsequently be debated, this is the only time when Mr. NUNES and the others who know this issue so intimately and feel it, appropriately, so passionately in representation of their constituents, it's the only opportunity that they have to be able to bring out the issue, to educate us. And it's a shame because the Congress as a whole, the House as a whole, should be able to debate this issue and consider it and decide it.

Mr. Speaker, over the last few months, the American people have written and called many of us and made their opinions known at meetings asking us whether we pledge to read bills before we vote on them. The reason is that many people were outraged when they found out that the majority leadership forced the Congress to vote on a number of sweeping and very expensive bills without giving Members time to understand or even to read the bills.

For example, we were forced to vote on the final so-called stimulus bill and on the omnibus appropriations bill, and on a cap-and-trade bill. I remember that one was presented to us at three in the morning in the Rules Committee, and a few hours after that we had it here on the floor. All those bills were passed without Members being able to read them, having time to do so. That's no way to run the House, and so our constituents are rightfully upset.

You would think that this issue of sufficient time to read legislation should not be controversial. The distinguished Speaker stated, and I quote, ''Members should have at least 24 hours to examine bills and conference reports before floor consideration,'' and yet that has not been the case time after time after time.

So 182 Members have signed a discharge petition at the front desk that

would require all legislation to be available to Members of Congress for at least 72 hours before the legislation is brought to the House floor for a vote.

So, accordingly, I will be asking for a ''no'' vote on the previous question so we can amend the rule and allow the House to consider that legislation, House Resolution 544, a bipartisan bill by my friends and colleagues, Representatives BAIRD and CULBERSON.

Now, with regard to any Members being concerned that that may jeopardize consideration of the underlying legislation, I want to make it clear that this motion provides for separate consideration of the Baird-Culberson bill within 3 days so that we can vote on this underlying legislation, the water bill, and then once we're done, consider House Resolution 544.

Having said that, I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself the remainder of my time.

The rule before us today is a fair rule that allows us to make a strong Federal commitment to sustaining California's economy, water supply, and our environment.

This bill was reported unanimously by the National Resources Committee on September 29. It was voted under suspension on September 30. It was introduced in May. There has been ample time for the minority to review this legislation. Now is the time to act on it.

The Bay Area Regional Water Recycling Program Expansion Act would lessen the limited demand for fresh water by the region and the State. It is critical that we avoid partisan debate and disagreements over water issues and pass this legislation.

Moreover, the House has already expedited similar measures for a bipartisan collection of congressional districts across California. The south Orange County recycling project was passed in February in Mr. CALVERT's district. The Lake Hodges Surface Water improvements was passed in April in Mr. BILBRAY's district. The Calleguas Municipal Water District recycling initiative was approved in September for Mr. GALLEGLY. The Magna Water District Reuse proposal in Utah was passed for Mr. CHAFFETZ's district. The Hermiston water recycling and reuse project in Oregon was passed for Mr. WALDEN's district. And the Tule River Water Development Act was passed by a vote of 417–3 in July for Mr. NUNES' district.

Mr. Speaker, it is clear that local water projects typically have bipartisan support here in the House of Representatives. I am disappointed that my colleagues on the other side of the aisle have set aside that tradition, forcing us to bring this rule to the floor today.

I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 830 OFFERED BY MR. DIAZ-BALART

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 237, nays 178, not voting 17, as follows:

[Roll No. 786]

YEAS—237

Abercrombie	Capps	DeGette
Ackerman	Capuano	Delahunt
Adler (NJ)	Cardoza	DeLauro
Altmire	Carnahan	Dicks
Andrews	Carson (IN)	Dingell
Arcuri	Castor (FL)	Doggett
Baca	Chandler	Donnelly (IN)
Baldwin	Chu	Doyle
Barrow	Clarke	Driehaus
Bean	Clay	Edwards (MD)
Becerra	Clyburn	Edwards (TX)
Berkley	Cohen	Ellison
Berman	Connolly (VA)	Ellsworth
Berry	Conyers	Engel
Bishop (GA)	Cooper	Eshoo
Bishop (NY)	Costello	Etheridge
Blumenauer	Courtney	Farr
Boccieri	Crowley	Fattah
Boren	Cuellar	Filner
Boswell	Cummings	Foster
Boucher	Dahlkemper	Frank (MA)
Brady (PA)	Davis (AL)	Fudge
Braley (IA)	Davis (CA)	Giffords
Bright	Davis (IL)	Gonzalez
Brown, Corrine	Davis (TN)	Gordon (TN)
Butterfield	DeFazio	Grayson

Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—178

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moore (KS)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Boyd
Cao
Carney
Cleaver
Deal (GA)
Emerson
Hall (TX)
Johnson (GA)
Kind
McCollum
Melancon
Mollohan
Radanovich
Scalise
Smith (WA)
Wasserman Schultz
Waters

□ 1453

Messrs. CHILDERS and GOODLATTE changed their vote from ''yea'' to ''nay.''

Messrs. TANNER and WELCH changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 193, not voting 18, as follows:

[Roll No. 787]

YEAS—221

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—193

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cardoza
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Davis (TN)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Ellsworth
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herseth Sandlin
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moore (KS)
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Taylor

Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Boyd
Cao
Carney
Cleaver
Deal (GA)
Emerson
Hall (TX)
Herger
Johnson (GA)
McCollum
Melancon
Mollohan
Olver
Radanovich
Scalise
Smith (WA)
Wasserman Schultz
Waters

□ 1501

Ms. LORETTA SANCHEZ of California and Mr. DONNELLY of Indiana changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 1989

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 1989 the following Representatives: Mr. BARTLETT, Mr. BILBRAY, Mr. LATTA and Mr. SOUDER.

The SPEAKER pro tempore (Mr. DRIEHAUS). Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 3413

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 3413 the following Representatives: Mr. AL GREEN of Texas and Ms. JENKINS.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 4355(a), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Military Academy:

Mr. LEWIS, California
Mr. SHIMKUS, Illinois

APPOINTMENT OF MEMBERS TO NATIONAL COUNCIL ON THE ARTS

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 955(b), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the National Council on the Arts:

Ms. MCCOLLUM, Minnesota
Mr. CARNAHAN, Missouri

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3183) ''An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.''.

BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to House Resolution 830, I call up the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 830, the amendment printed in House Report 111–301 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2442

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bay Area Regional Water Recycling Program Expansion Act of 2009''.

SEC. 2. PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by adding at the end the following:

''SEC. 16. CCCSD-CONCORD RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Central Contra Costa Sanitary District, California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,800,000.

''SEC. 16. CENTRAL DUBLIN RECYCLED WATER DISTRIBUTION AND RETROFIT PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Dublin San Ramon Services District, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,150,000.

''SEC. 16. PETALUMA RECYCLED WATER PROJECT, PHASES 2A, 2B, AND 3.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Petaluma, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000.

''SEC. 16. CENTRAL REDWOOD CITY RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Redwood City, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,000,000.

''SEC. 16. PALO ALTO RECYCLED WATER PIPELINE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Palo Alto, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,250,000.

''SEC. 16. IRONHOUSE SANITARY DISTRICT (ISD) ANTIOCH RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Ironhouse Sanitary District (ISD), California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,000,000.''.

(b) PROJECT IMPLEMENTATION.—In carrying out sections 1642 through 1648 of the Reclamation Wastewater and Groundwater