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## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
February 29, 2012.

I hereby appoint the Honorable ROB WOODALL to act as Speaker pro tempore on this day.

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

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

### THE END OF AN ERA IN CONGRESS

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

Mr. DREIER. Mr. Speaker, what I'm about to announce will not come as much of a surprise. But we all know that this institution has an abysmally low approval rating, and the American people are asking for change in Congress. And so I'm announcing today that I will leave the Congress at the end of this year.

Now, I take the unusual step of announcing it from here in the well of the

House because I am a proud institutionalist. I believe that this institution is as great as it has ever been. Mr. Speaker, I announce it from here because, between the Rules Committee upstairs where you serve with me, Mr. Speaker pro tem, and the House floor, this is where the people of California sent me to represent them.

Now, as we look at the challenges that lie ahead, they are very, very great. I deliberated over this decision, and I have to say that 3 years ago I contemplated leaving at the end of that Congress, but ultimately made a decision that I wanted to continue to serve through this term. I wanted to do so in hopes that we would win the majority, with a goal of pursuing the four-point platform that I had always run on, that being the pursuit of a free economy, limited government, a strong national defense, and personal freedom. Mr. Speaker, I wanted to work with not just my Republican colleagues, but my Democratic colleagues as well, working in a bipartisan way to accomplish a number of things.

First, it was absolutely essential that we do everything to end the course that we had been on that ultimately brought us an 82 percent increase in nondefense discretionary spending. I'm happy to say that we've turned the corner on that.

Second, after years of languishing, we were finally able to pass three trade agreements that will create good jobs for union and nonunion workers in this country by virtue of having passed the Panama, Colombia, and South Korea free trade agreements.

I also believe that it's very important for us to recognize, as we look at our national security, the notion of people all over the world who are seeking to determine their own futures has created a wonderful opportunity for us. The House Democracy Partnership, another strong bipartisan organization, has just now partnered with its 17th

country in central Asia to help the legislative body strengthen and have the kind of independence and oversight of their executive branch that we have a tendency to take for granted here.

Fourth, Mr. Speaker, I feel very strongly—again, working in a bipartisan way—that it was essential to ensure that both Democrats and Republicans have the opportunity to have their ideas heard through their amendments on the floor of the House of Representatives.

Now, I do believe, again, Mr. Speaker, that this is the greatest deliberative body known to man. We've got a great deal of work that lies ahead throughout this year. But I'm looking forward to following the Madisonian directive—that Members of Congress, after serving here, should go out and live with the laws that have passed. I will say that, as passionate as we've been pursuing a pro-growth jobs-creating agenda, I look forward to doing that myself as I move into the private sector next year.

Mr. Speaker, I will say that I want to express my appreciation. I want to express my appreciation, Mr. Speaker, to lots of people. Of course the volunteers, family and friends, supporters, and the people who have offered prayers for our country on a regular basis. I also want to, most important, express my appreciation, Mr. Speaker, to the people of California who, back in 1978, when I was 25 years old living in a dormitory at my alma mater, Claremont McKenna College, they gave me the nomination for my party, and it's been a very, very exciting time.

I also want to say, Mr. Speaker, that I express my appreciation to the very, very dedicated public servants in my office in California and my offices here in Washington for their commitment to do the best job possible to help me represent the people of California.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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WELCOMING PUBLIC BROADCASTING COMMUNITY TO CAPITOL HILL THIS WEEK

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

Mr. BLUMENAUER. Mr. Speaker, yesterday, Senator OLYMPIA SNOWE announced that she wouldn't run for reelection—not that she couldn't win, but that she didn't want to, not in this environment. This storied representative will be a loss to the institution here. But it doesn't have to be that way, Mr. Speaker.

This week on Capitol Hill we have friends who have joined us from the public broadcasting community, representing public television stations across the country. Today, the Women's Garden Club of America are here in force.

Now, these are people that have an approach that can help us unwind the problems that we have here in Congress. Public broadcasting is America's voice, and for most of America it's the only locally owned and managed source of news and local interest. It's commercial free. It is focused on our kids, our culture, our environment.

Last year, amidst the Tea Party effort to defund public broadcasting, we had a poll that showed 78 percent of Americans wanted the funding to remain the same or be increased. Two-thirds of Republicans wanted it to be held steady or increased. Now, from this year's budget it hopefully appears that we've dodged that bullet—maybe some people have come to their senses. Americans were heard from coast to coast: Don't play games with public broadcasting.

We've got a few minor holes in the President's budget, but I hope we can come together in a bipartisan way, listen to Americans, listen to these representatives, and do it right.

With the Women's Garden Club of America, we have a group—primarily women—who are focused not just on a garden club, but a fight for civic improvement through the connection to nature and to one another. Their work in policy is broad and deep. Their position papers on supporting clean air, clean water, climate change, public lands take issues that around here get lost in a partisan theological fog and make clear why they're important, how to represent American interests, and not the narrow theological, the partisan that get us bogged down.

□ 1010

Mr. Speaker, I hope that Members will listen to groups like our public broadcasting supporters and the Garden Club about simple, commonsense approaches to support fundamental American values and get off the partisan merry-go-round. We should listen to them. We should work with them. America will be a better place, and so will Congress.

HONORING FIRST LADY PATRICIA NIXON

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

Mr. LANCE. I rise today to celebrate the centennial of the birth of First Lady Patricia Nixon. The Nixon library in southern California will present a major exhibit about Mrs. Nixon's life opening March 16, and the National Archives here in Washington will host a forum on Mrs. Nixon's work in the international arena in April.

Thelma Catherine Ryan was born on the eve of St. Patrick's Day on March 16, 1912, in Ely, Nevada, a mining town. Her father, William Ryan, called her his St. Patrick's babe in the morn, so she was called Pat within hours of her birth. The Ryans moved to southern California for a better life and settled on a small truck farm in Artesia near Los Angeles. Orphaned early, her mother, Kate Halberstadt Bender Ryan, died in 1924, and her father in 1929, the year she was graduated from high school.

A young person of tremendous courage and determination, Mrs. Nixon had her heart set on higher education and worked continually to secure the necessary funds. She drove an elderly couple to the east coast and worked as an X-ray technician in New York. Returning west, she was graduated cum laude from the University of Southern California in 1937.

While attending USC, she held part-time jobs on campus and was a department store sales clerk and a Hollywood extra, appearing in several motion pictures, including the 1935 film, "Becky Sharp."

Mrs. Nixon taught at Whittier High School in the late 1930s, where she met her husband, who had returned to his hometown to practice law after graduating from Duke Law School. Patricia Ryan and Richard Nixon were married in 1940 and, as was true of so many couples their age, she worked here at home while her husband served in the military in World War II as a naval officer in the Pacific.

Mrs. Nixon campaigned with her husband as he was elected to the House of Representatives in 1946 and 1948 and to the United States Senate in 1950. There's a charming photograph of the Nixons with their infant daughter, Tricia, taken at the Tidal Basin with the cherry blossoms in bloom in the spring of 1947. Julie, their younger daughter, was born the following year.

With her husband's election as Vice President on Dwight Eisenhower's ticket in 1952, Mrs. Nixon became the Second Lady of the land. The Nixons traveled extensively, including for more than 2 months in Asia and the Pacific in 1953, and to South America in 1958, where the couple demonstrated tremendous courage in Caracas while being attacked by a Communist mob, and to the Soviet Union in 1959.

Mrs. Nixon campaigned gallantly in 1960, returning to private life in Cali-

fornia and then New York and proudly held the Nixon family Bible when Richard Nixon was inaugurated the 37th President in 1969.

During the Presidential years, the First Lady was truly our Ambassador of Goodwill, visiting South Vietnam, an active combat zone, in 1969; an earthquake-ravaged Peru in 1970; and China, in the groundbreaking trip of 1972. Mrs. Nixon was responsible for the gift from the Chinese of the two giant pandas to the American people. She traveled to more than 80 countries and five continents during her life.

As First Lady, Mrs. Nixon encouraged volunteer service, the spirit of people helping people. She added 600 paintings and antiques to the White House collection, illuminated the White House at night, and opened the White House gardens to the public.

Mrs. Nixon's service to the Nation extended over many years. Only Dolly Madison, Eleanor Roosevelt, and Hillary Clinton, among our First Ladies, have served the country as long as Patricia Nixon.

Laid to rest in 1993 on the grounds of the Nixon library at Yorba Linda, California, Mrs. Nixon's grave marker reads: "Even when people can't speak your language, they can tell if you have love in your heart." Patricia Ryan Nixon had love in her heart and now, at her 100th birthday, we remember her for her devotion to family, her grace and perseverance, and her patriotism to the United States of America.

HONORING STANLEY ELLSWORTH PETERSON

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

Mr. BOSWELL. Mr. Speaker, today I stand before the 112th Congress to recognize and honor Mr. Stanley E. Peterson for his 40 years of service to the United States as an officer in the United States Navy, and as a supervisor in the Federal Bureau of Investigation, and as the chief of police in Youngstown, Ohio.

My intention is to enter into the CONGRESSIONAL RECORD the true history of this great American patriot and dismiss the lies and innuendoes told by an expelled former Member, dismissed by the 107th Congress for his conviction in Federal court of taking bribes and kickbacks.

Stanley E. Peterson was the youngest recruit to the Federal Bureau of Investigation under Director J. Edgar Hoover in 1947. Like his fellow special agents, he lived his life according to the motto of the FBI: "Fidelity, Bravery and Integrity," and its core values: rigorous obedience to the Constitution of the United States; respect for the dignity of those protected; compassion; fairness; uncompromising personal integrity and institutional integrity; accountability by accepting responsibility for his actions and decisions, as well as consequences for his actions

and decisions; leadership, both personal and professional.

Stan Peterson—he was often called Stan—was an intelligent, disciplined, legendary investigator renowned for his likability and tenacity in his work. When organized crime and its surrogates attacked him, he did not compromise; instead, he protected ongoing investigations, remaining loyal to the core values of the FBI up to the day he died, December 31, 2001, in Des Moines, Iowa.

Stanley Ellsworth Peterson was born July 24, 1923, to Eben Caleb and Lutie Strandquist Peterson in Glencoe, Minnesota. His grandparents and their cousins emigrated from Sweden before the turn of the century, looking for opportunities in the United States. Like so many others, the Peterson family struggled during the Great Depression in southern Minnesota. His father, an honored combat veteran of World War I, farmed and drove a delivery truck to keep his family from receiving welfare. His mother taught him humility, honesty, faithfulness, and to always do his best, work hard, never quit, and to be charitable.

Stan was brilliant in his studies, graduated from Glencoe High School at the age of 16, and adventurous, working for a traveling circus as a bookkeeper during the summer months. He attended and received his diploma from Gustavus Adolphus College, St. Peter, Minnesota. But after the attack on Pearl Harbor, December 7, 1941, he enlisted in the U.S. Navy and was sent to Columbia University for midshipman training, earning the rank of Ensign. He served in the U.S. Navy during World War II in the Pacific aboard LST 711. By the end of the war, he was the youngest Ensign to captain LST 911.

After World War II, Stan Peterson was selected to join the FBI, and he married Kathryn Rose Thomas. His first assignment as a special agent was Richland, Washington, the home of the “Manhattan Project” facility. In 1947, Richland was a federally controlled atomic energy, top-secret community with restricted access. Remarkably, even their mail was postmarked “Seattle” to avoid identification.

□ 1020

After 1 year, he was transferred to Chicago, then Cleveland, and eventually Youngstown, Ohio, the bedlam of organized crime and famous for gangland slayings, illegal gambling, and corruption throughout the city government and the judicial system.

In 1961, the United States Attorney General, Robert Kennedy, directed J. Edgar Hoover and the Department of Justice to take action, initiating the war on organized crime. Stan Peterson became the agent in charge of the expanding regional FBI office with direct communication with the Director and the Attorney General. During his assignment, he received several letters of commendation for his crime-fighting achievements.

After an unprecedented 20 years at the same assignment, he was transferred to Memphis, Tennessee, a few years before his retirement from the FBI in 1975. A few years later, Youngstown Mayor Phillip Richley asked Stanley E. Peterson to become chief of police. This was the first time in the city’s history that a chief would be appointed from outside of the department. As a matter of fact, the succeeding mayor, based upon Peterson’s record, asked him to remain as chief, charging him to stamp out corruption both on city streets and within city hall.

Stan Peterson withstood police strikes, vigilantism, and personal attacks from all sides as the former German fought crime. As a result of Peterson’s actions, the county sheriff signed a confession for taking bribes, and city workers, judges, and politicians were convicted of Federal crimes. In the midst of these events, the local newspaper did not recognize the achievements nor investigate but, rather, chose to parrot cacophony from organized crime figures and their surrogates.

After 8 years, Stanley E. Peterson retired as chief of police and eventually was asked to join an investigation with a former U.S. attorney into monopolies involving the railroads and trucking industry.

At his funeral, he was remembered for his living example as a man who prioritized his life by his dedication and relationship with God, his wife and family. He is remembered today for his integrity and service to our Nation.

In closing, I am pleased to note that Stan’s son, Dr. Gregory Peterson, and his beautiful wife, Ramona, are in the gallery. I am happy that Dr. Peterson is present as we honor and enter into the RECORD the memory and history of this great American patriot, Stanley E. Peterson.

#### MORE REGULATION

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

Mr. WALBERG. With Michigan’s unemployment rate consistently higher than the national average, I remain committed to thoroughly reviewing the implications of burdensome regulations that have the potential to overwhelm my State’s and country’s job creators.

A current effort by the Department of Labor is a new standard being considered by the Occupational Safety and Health Administration called the Injury and Illness Prevention Program, or I2P2. The standard will require all employers to implement safety and health programs to “find and fix” all hazards in their workplace, even those not otherwise regulated.

This regulation could potentially impact every employer covered by OSHA unless OSHA exempts small employers or those with less hazardous work-

places. Many employers who voluntarily issued safety and health programs have improved their workplaces’ safety culture, but there are serious problems about this standard that OSHA has not addressed.

The moment this regulation gets issued, safety and health programs will go from being a good idea to a legal requirement, which means employers will have to meet OSHA’s standards rather than what works best for them and their employees and what is indicated as best in best practices.

OSHA will have the authority to come in and second-guess an employer about how well they have implemented their program. Not surprisingly then, job creators see the I2P2 regulation as just another OSHA enforcement tool rather than something that will help them enhance their safety practices.

But they’re not the only ones.

A recent RAND study found that California’s I2P2 regulation, which has been in place since 1991, has not prevented workplace fatalities and barely made a dent in total injury prevention. Many job creators are worried that OSHA will double dip on citations, issuing one citation for a hazard and another citation because the safety and health program failed to detect and correct the hazard. Talk about double jeopardy.

Finally, another problem is whether employers will be required to find and fix ergonomics hazards. The Clinton administration issued an ergonomic regulation in 2000 that was shot down, thankfully, by Congress.

OSHA will soon hold a small business panel to ask job creators across the country their opinion and insight on I2P2. I hope the Obama administration, against its pattern, listens to the concerns of these business owners instead of imposing a costly regulation that we have proof will not improve worker safety. Imposing a new and costly safety and health program standard will only serve to increase OSHA enforcement with no visible improvement to worker safety and safe health.

As Ronald Reagan once said:

It is not my intention to do away with government. It is, rather, to make it work for us, not over us; to stand by our side, not ride on our back.

It’s my hope we remain committed to this principle and ensure that regulations ensure both productivity and job creation and true health and safety of our workforce.

#### LATINOS IN AMERICA

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

Mr. GUTIERREZ. As my colleagues know, Latinos are America’s fastest growing population. So if you are a Presidential candidate and you want to make sure that every single Latino in America knows you strongly oppose sensible and fair immigration reform, you have to work pretty hard at it. It

takes a lot of time and determination. After all, the Latino population increased more than 40 percent between 2000 and 2010. A lot more Latinos, a lot more Latino citizens, and a lot more Latino voters.

A lot of us live in swing States. We are about 30 percent of the population in Arizona, about 25 percent in Colorado, Florida, and Nevada. Indiana alone has 350,000 Latinos. Not so many, you say; but when you remember that President Obama only won Indiana by 26,000 votes in 2008, his Latino support was the margin of victory.

The truth is we're growing everywhere. One-quarter of all of the children in America are Latino; 500,000 Latinos turn 18, and they all become eligible to vote every year. More than 50 million Latinos live in America. Most of them, 9 out of 10, are citizens of the United States.

Fifty million is a lot of people to keep track of, especially if you want to offend each and every one of them, but that is apparently what Mitt Romney is trying to accomplish.

To appeal to the most extreme elements of his party, last week he called Arizona's harsh immigration law a model for America. Well, he's partially right. Arizona's anti-immigration law is definitively a model. It's just not a model for immigration policy, but it's a model for an awful lot of other things. Let's just count them.

One, if you're a politician, Arizona's law is a model for how to achieve early retirement. State Senator Russell Pearce was an author and lead sponsor of Arizona's draconian anti-immigration law. He talked about little else. His constituents weren't pleased, though, so Senator Pearce became the first State legislator in the history of Arizona to be recalled from office. The biggest backer of Mitt Romney's immigration model is now unemployed.

Two, if you want to wreck your local economy, Arizona's law is a model for lost jobs and tax revenue. The purchasing power of Latinos in Arizona in 2009 was nearly \$35 billion. That's right. One study estimated that undocumented immigrants alone paid \$443 million in local taxes. Another study estimates that Arizona would lose nearly 150,000 jobs if all undocumented workers were removed from the State.

Three, Arizona's law is a model for how to energize Latino voters. In 2004, George W. Bush, when running for President, received nearly 45 percent of the Latino vote in Arizona. That's pretty good. How did anti-immigrant Jan Brewer do for Governor in 2010, 2 years later? More than 70 percent of the Latino voters voted against her. But wait. In 2011, Hispanic voter mobilization led to the election of two Latinos to the Phoenix City Council for the first time ever.

□ 1030

In Daniel Valenzuela's district, Latino voter turnout increased five-fold, 500 percent.

Four—and I'll stop at four because my time is limited—Arizona's law is a model on how to make decent people suffer.

Alabama followed the Arizona model, and a judge advised a woman facing domestic abuse that, if she sought a restraining order against her abuser husband, she would be asked to prove her immigration status and face deportation—while her husband laughed.

In both Arizona and Alabama, citizens and legal immigrants have been harassed and detained because they look suspicious or cannot immediately prove their citizenship status.

So let's review.

Mitt Romney's model for America: has an author who was kicked out of office; means lost jobs and tax revenue for everyone, not just immigrants; has mobilized Latino voters and pushed them away from the Republican Party; and has caused good, hardworking people—immigrants and nonimmigrants alike, documented and undocumented—to live in fear.

Maybe Mitt Romney and I have different ideas of what "model" means. Maybe he thinks Bernie Madoff is a "model" investment banker or adviser. I think "model" means something you can be proud of, something that makes America better and stronger, more just and fair, something that shows America the way to the future.

By that standard, Arizona's law is a perfect model. It shows America exactly the policy to avoid on immigration, and it shows Americans exactly the type of candidate to avoid for President of the United States.

#### IN HONOR OF THE LIFE AND BRAVERY OF MICHAEL COLALILLO

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

Mr. CRAVAACK. About 450 U.S. soldiers, sailors, and pilots received the Nation's highest combat award during World War II. One of these was a former soldier from West Duluth, who earned the medal during the closing days of the war.

Michael Colalillo was born on December 1, 1925, in Hibbing, Minnesota, the son of an Italian immigrant father who worked in the iron mines. Michael was one of nine children, and at 18, he was drafted into the United States Army.

On April 7, 1945, a month before the war in Europe ended, Colalillo's unit came under heavy fire in a small, rural town in Germany. Pinned on the ground, Colalillo and his fellow soldiers were in a death trap. Lying on the ground, bullets and shells flying everywhere, Colalillo decided something had to be done, and he was the guy who had to do it.

Even though he was a private and not in command, Colalillo rose up and yelled to the other soldiers to follow his lead. Inspired by his confidence, the soldiers advanced in the face of savage

enemy fire. When Colalillo stood up that fateful day, he marched forward into America's military history. Mr. Colalillo surged towards the Germans, firing his submachine gun until it was knocked from his hands by shrapnel. He then ran toward an American tank to take control of the machine gun mounted above its cannon turret. Bullets clanged off the tank's armor and zipped by his body as Mr. Colalillo responded to the onslaught of German enemy fire.

"It was a rough time and I was scared," Mr. Colalillo said, "but I had to do what I had to do."

Mr. Colalillo blasted at one enemy position "with such devastating accuracy," the Medal of Honor citation read, that he killed or wounded 25 German soldiers and silenced a machine gun nest. After this gun jammed, Mr. Colalillo dismounted from the tank and grabbed another submachine gun to continue his assault on foot. When ordered to withdraw, Mr. Colalillo stayed behind and carried a wounded soldier over his shoulder through open enemy terrain while artillery and mortar rounds pulverized the ground around him.

A few weeks later, he was approached by two military police officers, who escorted him to a nearby headquarters. He was informed that the tank's commander had nominated him for the Medal of Honor, which he received in December 1945 at a White House ceremony.

In an interview in 2008 with the 100th Infantry Division Association newsletter, Colalillo recalled "the good Lord was with me" during that battle. "I could see our guys getting shot . . . I could see the muzzle flashes of the Germans shooting at us, and I aimed at them."

Mr. Colalillo died on December 30 at a nursing home facility in Duluth, Minnesota. He was 86 years old. Mr. Colalillo is survived by his son, Al, of Hayward, Wisconsin, and by his daughter, Michele, of Meadowlands, Minnesota.

In Minnesota, we have a track record of military excellence. According to the Medal of Honor Society, 46 Minnesotans have received our Nation's highest award for bravery. In the Eighth District, we honor those who have served, and for Michael Colalillo, the Medal of Honor Park in Duluth bears his name. We are forever grateful for his service to our great country.

Thank you, Mr. Colalillo. You make us all proud to be Americans. May God's peace be with you.

#### TOO SILENT ON SUDAN

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

Mr. MCGOVERN. Mr. Speaker, once again, the world is standing by, silent and passive, while the Government of Sudan wages war on its own people.

We have been here before when hundreds of thousands of people perished in Darfur before the international community finally woke up and took action to try to protect innocent civilians from their own government's brutality. The humanitarian crisis continues in Darfur. There is no peace, and villagers, refugees, and humanitarian personnel still live and work under the constant peril of attack. President Bashir has expelled many humanitarian workers from Darfur—and even today, threatens to shut down their lifesaving operations.

Last May, we witnessed the ruthless ethnic cleansing of Abyei by the Sudanese people. More than 100,000 people of the Dinka indigenous population were forcibly displaced. They fled to South Sudan, seeking safe haven, where they remain today in very, very poor conditions. When Sudanese President Bashir saw that the world was indifferent to this brutal assault, he began military operations in June against insurgents in South Kordofan and, more generally, against the Nuba people.

And still the world stood silent.

So, in September, Khartoum launched attacks on another border region. This time, the state of Blue Nile was under siege with attacks by the Sudanese Army and the bombings of civilians. Thousands fled to the neighboring countries of Ethiopia and South Sudan for safety, joining the desperate refugees from South Kordofan.

So Sudan has undertaken a bloodbath against its own people in the states of South Kordofan and Blue Nile—house-to-house arrests and killings, rape, the merciless bombings of civilians.

For nearly 8 months, Khartoum has blocked all humanitarian aid to South Kordofan and Blue Nile. It has not only continued to bomb in those states, but it has crossed the border and has bombed refugee camps and towns inside South Sudan, where tens of thousands had hoped to find food and shelter.

Here are some photos of some people in refugee camps in South Sudan:

Saleh Kora is from the Angolo tribe in South Kordofan. The government dropped bombs on her fields when she was trying to plant. Then the government dropped six bombs on her village. This poor woman here grabbed her children and hid in a nearby ditch. After the bombings stopped, Sudanese soldiers moved into the village and burned several homes. When they began shooting people, Saleh ran and hid with her children. The soldiers didn't care if you were an unarmed civilian, a woman or a child. She fled with her children across the border in January to the Yida refugee camp in South Sudan.

This woman over here to my far right and her little girl are from the Nuba Mountains. She is married to a man who fled the nightmare of Darfur in 2005. Both were suffering from malnutrition when they arrived at the refugee camps.

The people of South Kordofan and Blue Nile are being subjected to bomb-

ings, murder, rape, scorched earth, and starvation. This should come as no surprise when Ahmed Haroun, the Sudanese official wanted by the International Criminal Court for crimes against humanity in Darfur, is now the governor of South Kordofan.

Mr. Speaker, we are fast approaching the month of March, the point at which the Famine Early Warning Systems Network, or FEWS NET, has predicted that South Kordofan and Blue Nile will reach emergency levels of food insecurity. This is just one level short of all-out famine. Yet Khartoum still denies food and medical relief to the suffering people of these regions.

Last week, the United Nations Security Council called on the Sudanese Government and the armed rebels to allow unhindered access for humanitarian aid and for both sides to return to talks and to cease hostilities.

□ 1040

President Bashir said “no.” The United States and the international community, including China, Russia, and others, must increase the pressure on Sudan to allow the delivery of aid to the suffering people of South Kordofan and the Blue Nile, and to reach agreement on a cease-fire. The safety and security of the Sudanese people, whether in Darfur, Abyei, South Kordofan, Blue Nile, or elsewhere, must be our first priority.

Mr. Speaker, we have been silent for too long.

[From the New York Times, Feb. 15, 2012]

IN SUDAN, SEEING ECHOES OF DARFUR

(By Nicholas D. Kristof)

YIDA, SOUTH SUDAN.—A great humanitarian catastrophe and vicious ethnic cleansing is unfolding here in the remote and impoverished region where Sudan and South Sudan come together.

For some in the Nuba Mountains, living in thatch huts far from electricity or paved roads, the sharpest acquaintance they are making with 21st-century technology is to be bombed by Sudanese aircraft.

Bombings, ground attacks and sexual violence—part of Sudan's scorched earth counterinsurgency strategy—have driven hundreds of thousands of people from their homes in South Kordofan, the Sudanese state where the Nuba Mountains are located. In some ways, the brutality here feels like an echo of what Sudan did in Darfur, only now it is Nubans who are targets.

“They said that they want to finish off the black people; they said they want to kill them all,” recalled Elizabeth Kafi, a 22-year-old Nuban who said she was kidnapped in December by Sudanese uniformed soldiers. She and others say that the mostly Arab Sudanese soldiers scorn Nubans partly for their darker skin, partly because some are Christian, but mostly because many Nubans back an armed uprising against decades of Sudanese misrule. In 23 days of captivity, she said she saw the soldiers use guns to execute several Nuban men, including her grandfather and brother-in-law. She described watching soldiers gang rape and then cut the throat of a young Nuban woman, and also stab to death the woman's 3-year-old son.

Kafi said that she also saw 20 to 25 soldiers hold down two Nuban girls, who she guessed to be about 14 or 15 years old, and gang rape them. The girls died from the rapes and beatings, she said.

It's impossible to confirm Kafi's full story, but others verified that she had been kidnapped. And many other Nubans recount similar attacks, or describe similar racial epithets. As in Darfur, the Sudanese soldiers often call their darker-skinned victims their “slaves.” Ahmed Haroun, a Sudanese official wanted by the International Criminal Court for committing crimes against humanity in Darfur, is now the governor of South Kordofan, and he seems to be employing similar tactics here.

While the Sudanese government is trying to suppress an armed rebellion in the Nuba Mountains, it is civilians who bear the brunt of the suffering. In an apparent effort to starve the rebels, Sudan is blocking aid groups and food assistance from reaching the area, and the United Nations Security Council a few days ago expressed “deep and growing alarm” at rising hunger levels there. Some 28,000 Nubans have sneaked out and settled in a new refugee camp here in Yida, South Sudan, just south of the border with Sudan. Scores more straggle in most days, many half-starved.

“I came because I was starving,” said Muhasin Kuwa, a 24-year-old woman who just arrived at the refugee camp. Both her parents had starved to death, along with seven small children in her small village, she said.

The Sudanese military has tried to block access routes, making escape perilous. I spoke to members from a group of 16 who had crowded into a car, paying \$45 each for what they hoped would be a flight to safety in the refugee camp. But then, the day before I interviewed them, they came to a checkpoint manned by Sudanese soldiers.

“They called us over,” said the vehicle's owner, Haroun Suleiman, 42. “Then they shot at us with guns.”

Two male passengers, ages 41 and 25, were shot dead, he said. Two women, one with a month-old baby, are still missing. The others ran frantically into the bush and escaped, eventually making their way to the refugee camp.

The Sudanese government bombed this refugee camp in November, and, just a week ago, it bombed the nearby town of Jau, in South Sudan. Fears are growing of a new all-out war between Sudan and South Sudan, in part because of an oil dispute. South Sudan separated from the rest of the country just in July, and the two sides can't agree on the oil pipeline fees that the South should pay. The South then shut off oil production, so both countries are now facing an economic crisis. Some experts warn that the North may try to seize oil wells from the South.

Nuban children are already growing up in war. When kids surrounded me in the refugee camp, I asked them how many had lost a brother or sister in the war. About one-third raised their hands.

When the food runs out in the Nuba Mountains, perhaps in two or three months, there will be a risk of mass starvation. I saw one 4-year-old girl at a feeding center run by Samaritan's Purse, the aid group, who weighed only 22 pounds. Unless outside countries enforce humanitarian access into the Nuba Mountains, we can expect more famished children like her.

The Sudanese armed forces try to keep aid workers and journalists out, so the story of suffering has not received much international attention. I'm going to try to slip into the Nuba Mountains and report back. Stay tuned.

BELL STREET MIDDLE SCHOOL  
SCIENCE OLYMPIAD TEAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from

South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, I rise today to recognize an exceptional group of students, teachers, and parents of the Bell Street Middle School Science Olympiad Team, which just won its 10th consecutive Science Olympiad State Championship. Let me repeat that: 10th consecutive Science Olympiad Championship.

The Science Olympiad program is one of the premiere science competitions in the Nation, providing rigorous standards-based challenges to nearly 6,200 teams in 50 States. Science Olympiad's continuously changing event lineup exposes students to a variety of career choices and gives them an opportunity to meet participating and practicing scientists, as well as the opportunity to have life-changing mentors.

Science Olympiad was founded in 1982, and Bell Street Middle School, there in Clinton, South Carolina, began competing in that in 1986. The Science Olympiad Team at Bell Street was formed by three very inspirational teachers: Rosemary Wicker; Dr. David O'Shields, who is a close personal friend; and Michael Mack. Mr. MACK and Dr. O'Shields still work in the school district in Clinton today. Michael Mack is a member of the science faculty at Clinton High School, and Dr. David O'Shields is currently the superintendent of Lawrence County School District 56. Both continue to be active event coaches for the incredibly successful Bell Street Science Olympiad Team. Many of the Bell Street Middle School's Science Olympiad alumni have gone on to become extremely successful in the areas of science and technology.

One example is the gentleman Dedric Carter. Dedric was a former member of the Bell Street Middle School Science Olympiad Team who went on to enroll at MIT for college. He later became MIT's assistant dean for engineering and a lecturer in the Department of Electrical Engineering and Computer Science. He is currently the senior adviser for strategic initiatives to the Director of the National Science Foundation.

Another one, Jarrett Campbell, is also an alum of Bell Street Middle School's Science Olympiad Team. After competing in the Science Olympiad teams in middle and high school, Jarrett went on to complete a doctorate degree in chemical engineering at the University of Texas at Austin. Jarrett worked for Advanced Micro Devices, where he was awarded over 25 patents in the area of semiconductor technology. Today, Jarrett works as a global energy management specialist for a U.S. company in Paris, France. When he was asked about his experience with the Science Olympiad, Dr. Campbell said this:

Not only did the teacher, coaches, and parent volunteers pique my interest in science and math, they continually challenged me to

expand my knowledge by competing in new disciplines. Looking back, I see how important the camaraderie, teamwork, and constant desire to excel, along with the examples set by these role models leading the team, was exceptional in setting the stage for my career in engineering and energy management.

I believe this statement sums up how valuable this program is to our Nation's youth.

Finally, I would like to take time to congratulate all of the coaches and the members of this year's State championship Science Olympiad Team from District 56's Bell Street Middle School. This year's team included: Mike Beasley, Stephanie Braswell, Jalen Carter, Lawrence Coleman, Terry Craig, Andrew Gann, Karl Gustafson, Dalton Langston, Beth Meadors, Zack Ray, Jonathan Shiflet, Kyle Smith, Bowen Tiller, Nathan Vondergeest, Clay Wright, Triston Moon, Daniel Moore, Luke Ragin, Jacob Wesson, Audrey Atkinson, Chris Cannon, Justin Easter, Dawson Green, Jack Harkins, Tara Hiller, Ami Meadors, Jill Meadors, Olivia Moore, Brianna Motte, Jakob Pountain, Michael Richey, Justin Shockley, Dillon Snead, and Bailey Stephens. Those are the students, but the teachers and the parents that volunteer need to be singled out as well. I don't have them by name, but let them know that we certainly appreciate their efforts.

These are the future scientists. These are the new innovators coming along. I'm excited that at middle school they're challenging these students to be the best they can.

May God continue to bless those students, teachers, and parents. May God continue to bless Bell Street Middle School, and may God continue to bless America.

#### ENGAGING AFGHANISTAN PEACEFULLY, NOT FORCIBLY

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

Ms. WOOLSEY. Mr. Speaker, it is February 29, a date that exists only once every 4 years, and yet this is the third February 29, the third leap day, that we've been at war in Afghanistan.

I have my granddaughter here with me. She's 8 years old. She's not lived in the United States when we were not at war.

Last week in particular, we were exposed to the grave dangers and the fundamental flaws of our Afghanistan strategy. The week started with the burning, accidentally, of several copies of the Koran by U.S. troops. That sparked days of violence and protests throughout the country. Angry Afghanis tried to storm U.N. compounds and other Western installations.

At our largest military base, thousands, including many who worked at the base, gathered to throw rocks and

shout "Death to America." Days later came the killing of two NATO soldiers, shot in the back of the head while working at their desks inside the Afghan interior ministry. The killer was apparently a Taliban insurgent who had infiltrated the government security forces and penetrated what is supposed to be one of the most secure buildings in Kabul.

Mr. Speaker, it is clear that police officers, the ones we are supporting and training to keep militants at bay, are losing patience with our continued military occupation of their country. One of them told *The Washington Post*:

Afghans and the world's Muslims should rise against the foreigners. We have no patience left. We will attack the military foreign people.

In response to all of this, General John Allen has ordered the removal of all NATO personnel from Afghan government ministries in and around Kabul. Out in the field, some U.S. soldiers have been instructed not to engage too directly with Afghan security forces, even though the training of these forces is at the heart of our very mission in Afghanistan.

Mr. Speaker, can there be any doubt, given what has happened over the last week or so and the last 10 years, that our 10-year military occupation is losing and not winning over there? The hearts and the minds of the Afghanis have been lost to the United States.

The amazing thing is there is talk that the recent unrest might delay the withdrawal of our troops from Afghanistan. If anything, we need to accelerate that withdrawal. It's this war that has sewn the seeds of resentment and mistrust. It's this war that has increased instability and strengthened the insurgency. It's this war that is fraying the partnership and heightening the tension.

Mr. Speaker, what if we engaged Afghanistan in a different way—peacefully, rather than forcibly, not in war? What if we sent—at a fraction of the cost and pennies on the dollar, I might add—what if we sent civilian experts to help rebuild Afghanistan and invest in its people?

□ 1050

What if we focused on humanitarian aid instead of military aggression? That's the SMART Security philosophy that I've been advocating for many years now.

I'm convinced that such an approach would show the way to greater peace, greater security and prosperity in Afghanistan. We can't begin to do this soon enough. Despite everything that's happened—not just this past week but over the last decade—the Pentagon continues to tell us the Afghanistan strategy is sound and it is succeeding. Do they think we're not paying attention?

It couldn't be clearer that what we're doing isn't working. It's time for SMART Security, Mr. Speaker. It's time to bring our troops home, and the time is now.

## THE GREAT RULER PAGE II

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

Mr. POE of Texas. Mr. Speaker, the country cannot afford the great ruler, his administration, and especially his policies.

He costs too much.

He spends too much.

He blames others too much.

He violates the Constitution too much.

He blames George Bush too much.

He infringes on religious liberty too much.

He ignores our border security too much.

He divides the people too much.

He refuses to assume responsibility too much.

He misleads the poor too much.

He sues States too much.

He refuses to compromise too much.

He blames the rich too much.

He subsidizes failed green energy projects too much.

He encourages people to depend on the government too much.

He vilifies capitalism too much.

He preaches government intervention too much.

He regulates too much.

He campaigns too much.

He blames businesses too much.

He blames George Bush too much.

He taxes too much.

He punishes people who pay taxes too much.

He promises "free stuff" to non-taxpayers too much.

He likes the word "debt" too much.

He regulates our lives too much.

He likes big government too much.

He blames oil companies too much.

His budget hurts veterans too much.

He likes high gasoline prices too much.

He blocks offshore drilling too much.

He stonewalls domestic energy too much.

He gambles taxpayer money on unproven energy projects too much.

He sends money to countries who hate us too much.

He despises the Keystone XL pipeline too much.

He apologizes for America too much.

He blames George Bush too much.

He cuts benefits to our veterans too much.

He blames the Tea Party too much.

He blames Congress too much.

He preaches America's best days are behind us too much.

He blames conservatives too much.

He likes the word "czar" too much.

He turns his back on Israel too much.

He treats our enemies better than our friends too much.

He blames our problems on Greece too much.

He blames our problems on the Europeans too much.

He ignores individual freedom too much.

He is anti-free market too much.

He cuts defense spending too much.

He infringes on personal liberty too much.

He has to have it his way too much.

He tramples on states' rights too much.

He blames Congress too much.

He blames George Bush too much.

And he really, really, really despises Texas too much.

Mr. Speaker, we no longer can afford the great ruler, his administration, and especially his policies.

And that's just the way it is.

## HONORING SHERRY STINEBISER

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize Sherry Stinebiser for decades of service to the communities of northwestern Pennsylvania.

On June 25, 2011, Sherry was elected to a 1-year term as president of the ladies auxiliary to the Department of Pennsylvania Veterans of Foreign Wars, the VFW. Like every task Sherry has taken on in her long career of service, her primary goal as president has been serving others.

Joining the Ladies Auxiliary in 1996, Sherry is a life member of Cleo Bargerstock Auxiliary 1424 in Marienville, Pennsylvania, which is located within the Pennsylvania Fifth Congressional District.

Outside of the auxiliary, Sherry has worked for more than 30 years as a licensed practical nurse. She has volunteered her spare time as an emergency medical technician and serves as a board member of a group called Experience Incorporated, a local organization in Warren and Forest Counties dedicated to providing services to elderly citizens.

Albert Einstein once said: Only a life lived for others is worth living.

A model citizen who has committed her life to serving others, I believe Sherry would agree.

Thank you for your service, Sherry.

## KEYSTONE UPDATE

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

Mr. OLSON. Mr. Speaker, I rise to give the American people an update on the Keystone XL pipeline.

Monday, President Obama took the first step to get out of the way and bring tar sands oil from Canada to my home, southeast Texas. It's the yellow pipeline line here on this chart.

The administration agreed to build the first segment from Cushing, Oklahoma, right here, to southeast Texas, the Port of Houston and the Port of Port Arthur. In announcing the administration's changed position, White House spokesman Jay Carney said:

Moving oil from the Midwest to the world-class, state-of-the-art refineries on the gulf

coast will modernize our infrastructure, create jobs, and encourage American production.

Amen.

430 miles down, 1,223 to go. But there is no new oil with this pipeline being built. None. So, Houston, we still have a problem. And that problem is exploding prices for gasoline.

Since the day President Obama took office—and he took office on January 20, 2009—since that time, gasoline prices have doubled, from \$1.84 per gallon to over \$3.70 per gallon. Doubled. This hits Texas families hard. If you have a pickup truck with a 24-gallon gas tank and fill it up every 2 weeks, that's a \$90 increase in gas expenses per month. There goes the \$1,000 every American got by the payroll tax cut extension, something we fought for 2 months here in Congress, just thrown away.

In a speech in Miami, our President said there was "no magic bullet" to lower gas prices, and there's some truth to that statement. The President is limited in what he can do to lower gas prices, but there's a lot a President can do to increase gas prices. Unfortunately, President Obama's policies have put us on a path to the worst summer for gas prices in our country's history. We enter this summer with the highest gas prices in our country's history at this time of the year. They're only going to go up. And the President had a knee-jerk reaction to the Gulf of Mexico spill. He shut the gulf down for nearly a year. That's at least 10 American rigs that left the gulf for overseas, taking American energy with them, and American jobs.

□ 1100

He chose Hollywood elitists and radical environmentalists over American unions and the American people by putting the Keystone pipeline in limbo. And while a small portion of the 20,000 jobs the full pipeline would have created are going to be kept by this new decision—4,000 of them—we still have no new oil. Eighty thousand barrels a day flowing through the Keystone XL pipeline is not going to happen. We're just basically building another lane on the freeway.

The most alarming thing to me is that the Obama administration has spent 3 years watching Iran export terror and develop their own nuclear weapons to destroy Israel. Now that the House and Senate, followed by the European Union, have imposed sanctions on Iran over their nuclear ambitions, the Iranians are threatening to shut down the Strait of Hormuz.

This is a map of the Strait of Hormuz, and as a former naval aviator who deployed for 6 months to the region in 1994 and flew low-level missions through the strait, I can tell you that the Iranian threat to shut it down is real—very real. It's a narrow body of water, 30 miles wide at some points. It's worse because, as you can see, the sea lanes where the ships go through

and commerce goes through are very close to Iran. This island over here, Abu Musa, that is an Iranian military base.

There is an old saying that “a picture is worth a thousand words.” And this is our President as a candidate in 2008 at a gas station in Indianapolis. What’s missing? Action to support low gas prices at that time.

I urge the President to listen to the American people and to fully approve the Keystone XL pipeline. Do it now, and put America back in business.

#### PRESIDENT OBAMA ENERGY MYTHS AND FACTS

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

Ms. FOXX. Mr. Speaker, I know I’m going to repeat some of the things that my colleague from Texas has gone over as it relates to energy in our country and the response of the Obama administration. But, Mr. Speaker, these facts bear repeating because the media has been complicit with the Obama administration in hiding the facts from the American people about the extraordinarily negative impact that the President and his administration have had on the American people as it relates to energy prices.

Let me say, again, that on his inauguration date in 2009, the average price of gasoline in this country was \$1.84. The average price of gasoline today is \$3.73. That is a 102 percent increase. By spring, the estimates by Barrons are that the price of gasoline will be \$4.50. This is a tremendous burden on the hardworking American taxpayers. We hear the President and his people in his administration talking about how they want to be fair—fair to the middle class. Well, what’s not fair to hardworking American taxpayers is the President’s inability to see how the price of gasoline is hurting those hardworking American taxpayers.

A 1-cent increase in the cost of gas equals \$1 billion out of our economy and is a \$4 million per day cost to consumers. A 50-cent increase in gasoline equals a \$70 billion yearly loss to the U.S. economy. Again, how does it affect the average family? In 2009, it cost them \$173.80 more; in 2010, \$281.06; in 2011, \$368.09.

The Republicans have a plan to do something about this, but again, we have to explain to the American people we’re only one-half of one-third of the Federal Government. We’ve passed five bills in the House to increase energy production from the abundant supply of natural resources we have in this country.

Mr. Speaker, we could be energy independent in this country, but the President and the people who work for him and the Senate are stopping us from being that way. We’ve passed legislation to ensure construction of the Keystone pipeline. Together with the

Keystone pipeline and the other bills we’ve passed, we’d decrease our reliance on Middle Eastern oil and stabilize gas prices. They will create hundreds of thousands of good American jobs and make our Nation more secure.

But what is the Obama administration saying? And they are being helped to perpetuate these myths by the lamestream media. They claim they are not responsible for the increased prices and that there’s nothing they can do. But they are trying to take credit for previous Presidents Clinton and Bush pro-energy policies. The reason oil production is up today is because of development on private and State lands. North Dakota alone produced almost 16 million barrels of oil in January 2011 compared to only a little more than 2 million in January 2012, the majority of which is on State and private lands.

The Obama administration is not opening new offshore areas for energy production. The President and the administration claim to be opening more than 75 percent of offshore lands for energy exploration. This is absolutely false.

The Obama administration has blocked energy production on Federal lands, and the Obama administration denies the potential of domestic oil production. So everywhere we turn, the President and the people who work for him are keeping us from becoming energy independent.

Let me give you some quotes from the President. January 2008:

Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket.

We all remember that.

Energy Secretary Steven Chu, December 2008:

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

And another one:

Mr. Chu has called for gradually ramping up gasoline taxes over the next 15 years to coax consumers into buying more efficient cars and living in neighborhoods closer to work.

Mr. Speaker, we Republicans have a plan. We need the Senate to act on that plan.

#### DOMESTIC OIL EXPLORATION

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, while we are all aware of the debt this country has hanging over our heads, over \$15.3 trillion, we have to also be aware of what it takes to grow our way out of this debt. Part of the way of growing us out of this debt is by having jobs. But there is also another burden hanging over our heads, and that is the cost of gasoline to American families, which adds to their own personal debt.

Bear in mind at the last inauguration in 2009, the price of gasoline was \$1.83 a

gallon. Now, it’s approaching \$4 a gallon. Think about what that means to the average family where they’re spending a couple thousand dollars more per year for gasoline and no end in sight. It’s expected that prices will go up to well over \$4, perhaps \$5, per gallon in some States in the coming months. It is a burden that families, unfortunately, have to bear when they find themselves needing to travel to and from work or to and from other important activities and they cannot avoid this, especially in areas where public transportation is weak or not available.

Now, we have put forth a plan in this House to open up some other areas for drilling for our own oil. It has been criticized by some who say it would take too long for that oil to get to market and by others who say it wouldn’t have that much of a price difference on oil. I beg to differ. Four or 5 years ago when I put forth a bill, a bipartisan bill with many of my colleagues, to open up the Outer Continental Shelf for drilling, we had noted at that time the impact that would have upon our economy. It’s anticipated that there’s about \$8 trillion worth of oil and natural gas off our coast, and that would lead, if that were invested in our infrastructure, to over 1 million new jobs per year for the next few years.

□ 1110

The Federal revenue that would come from that over the next 20 years would be about \$2.5 trillion to \$3.7 trillion. Even when you’re talking about our national debt, those are large numbers. If we invest that in America’s infrastructure, noting that for every \$1 billion we invest it’s about 30,000 to 35,000 jobs, that’s a lot of jobs, and it takes care of our many unemployed and underemployed in this country.

Well, for those who say it will not lower gas prices, I beg to differ. Certainly, there are studies in the past that have been flawed when they look at only the impact of Alaska in terms of what that would mean. But I would like to put forth some other numbers that are important and that is, if you open up the Outer Continental Shelf also, it has a big impact.

Right now, we import perhaps 60 percent or more of our oil. Some of that comes from Canada and Mexico, our North American neighbors; but much of that oil also comes from OPEC nations. Further, OPEC has stated time and time again they would like to see gasoline and oil prices go up so much that oil is at \$200 a barrel. It’s critical for their economies. And when OPEC leaders get together, it also includes some countries that are not very friendly to us, such as Iran and Venezuela, and other countries which we have defended with our blood and treasure over the years, which has cost us more. But look at this, in terms of international policy, of using our own oil versus OPEC.

In 2011, our trade deficit with OPEC was \$127 billion. In 2010, it was \$96 billion. In 2009, it was \$62 billion. And in 2008, the last time we had a big oil price jump, it was \$177 billion. That means we're buying more oil from OPEC than they're buying of our own goods. But it goes beyond that. There is also the cost of blood.

In our first Iraq war in Desert Storm, one Army group in my district, the Quartermaster Unit, was hit by a scud missile, and it killed many of those soldiers. How do you put a price on that cost of war? And clearly we are battling Iraq because they also invaded Kuwait and were attempting to control more oil fields in the market. Yes, it was about dealing with Saddam Hussein; but, yes, it was also about dealing with control of oil.

Look what we're doing now with the costs—patrolling the Strait of Hormuz with our 5th and 6th Navy Fleet out there to patrol the Mediterranean and the Persian Gulf to make sure Iran doesn't cut off world oil supplies and cause more problems.

But look also at the lives cost in the Iraq war in Operation Iraqi Freedom. Sixty-three Pennsylvanians have been killed, including many from my own district, whose lives were lost defending our causes in Iraq. There are also, in Pennsylvania, 553 wounded. But overall, 4,484 have died up to 2011 in Operation Iraqi Freedom—Americans. Pennsylvania has certainly paid a high price on that; but also know between 224,000 and 258,000 civilians were killed in Iraq directly from warfare.

Now, although other countries may have paid us back in dollars for what we spent in first Desert Storm, gulf war, we are bearing the costs of Operation Iraqi freedom. And we can never, ever return to the families the lives of their loved ones, their wives and sons and daughters and mothers.

Let's remember that opening up our own oil fields in America is not just about paying the price for families and what it cost them, but also making sure we know we will never have to pay again the price of blood. That reason and that reason alone is enough to say let's be drilling for our own oil.

#### RECESS

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

Accordingly (at 11 o'clock and 13 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at noon.

#### PRAYER

Reverend Gerald Theriot, The American Legion, Schriever, Louisiana, offered the following prayer:

Most gracious and all-enabling God, awaken within our hearts and minds the ability to reason and discuss differences so that we may realize reasonable, fair, and just solutions to the issues that are before us.

Allow our legislators to meet the desires of those who support them and, at the same time, to do what is best for all in our Nation.

We know that we all must meet the obligations of the trust that is placed upon us, and we therefore come to You in faith seeking courage and strength to perform our tasks well.

Dear God, as I stand here today, I am thankful for and ask for Your continued blessing on this House as they endeavor to perform their duties.

We ask Your blessing on our Nation and the defenders of our freedoms, both civilian and military.

Amen.

#### THE JOURNAL

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

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

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

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

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

Mr. LANCE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. CRAWFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. CRAWFORD led the Pledge of Allegiance as follows:

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

#### WELCOMING REVEREND GERALD THERIOT

The SPEAKER pro tempore. Without objection, the gentleman from Louisiana (Mr. LANDRY) is recognized for 1 minute.

There was no objection.

Mr. LANDRY. Mr. Speaker, I rise today to thank our guest chaplain, Mr. Gerald Theriot, for his dedicated life of public service.

Chaplain Theriot is a retired veteran of the United States Air Force, a cryptologic linguist specializing in French, Vietnamese, and Korean. Mr. Theriot rose through the ranks and retired as a first sergeant. Following his military service, Mr. Theriot served his Louisiana neighbors in the Department of Social Services.

Chaplain Theriot is a loyal member of American Legion Post 513 in Thibodaux, Louisiana, where he has served as a vice commander, historian, service officer, and chaplain. He has also served as Louisiana's department chaplain since 1997. And on September 1, 2011, Mr. Theriot was appointed the national chaplain of The American Legion.

Chaplain Theriot is the proud husband of Mrs. Ethel Theriot, father of four, and grandfather of our State's future leaders.

On behalf of Louisiana's Third Congressional District and the United States House of Representatives, I applaud Mr. Gerald Theriot for his sacrifice and service and commitment to our country.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

#### PRESIDENT FULFILLS PROMISE TO INCREASE GAS PRICES

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

Mr. WILSON of South Carolina. Mr. Speaker, in his 2008 campaign, during an interview with the San Francisco Chronicle, the President promised energy rates "would necessarily skyrocket" under his policies. Since February 2009, the price of gas has jumped from \$1.92 per gallon to an outrageous \$3.72 per gallon. Hardworking Americans continue to watch as a substantial amount of each paycheck is diverted by rising energy costs destroying jobs.

Although the President claims to have changed his policies, his decision to terminate the Keystone pipeline project from Canada shows that he remains dedicated to his campaign promise. House Republicans are focused on helping Americans feel relief at the pump by supporting legislation that expands supply and allows for the continuation of the Keystone pipeline.

I urge the President to put party politics aside and work with House Republicans to find ways to lower energy costs, which is necessary for American families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

## LET'S WORK TOGETHER

□ 1210

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

Mr. BACA. Mr. Speaker, it's been over 400 days since the Republicans took control of the House of Representatives and they still have not put forward a jobs agenda.

Instead of focusing on creating new jobs, Republicans have been working on a partisan agenda that would end Medicare as we know it, protect tax breaks for companies that send jobs overseas, and cut jobs, including 550,000 jobs that would be lost in the Republican transportation bill.

Now prices at the pump are on the rise across the Nation. American families are hurting. It's time for Republicans to stop political games and work with Democrats on all-of-the-above energy solutions that stop the speculators who are inflating oil prices, extend production tax credits to create over 37,000 new jobs in solar energy, and cut \$40 billion in tax breaks for oil over the next decade. Let's work together on a responsible energy plan to lower gas prices and create new jobs at home.

Before I close, I would just like to announce that I'm having a woman's health conference next month, March 15.

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 LOWERING GAS PRICES AND  
CREATING JOBS

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

Mr. JOHNSON of Ohio. Mr. Speaker, here's the sign at a gas station at the corner of Pike Street and I-77 in Marietta, Ohio: \$3.69 for a gallon of unleaded regular. It's one example of surging gas prices across southeastern Ohio.

When President Obama took office, the price for a gallon of gas was \$1.86. It has now doubled, and some estimate that it will be around 5 bucks by this summer. This is just one indicator that President Obama's energy policies have failed America and are continuing to make our economy worse.

He says that he wants an all-of-the-above approach to energy, but his actions do the exact opposite. In fact, President Obama cut oil production on Federal lands by 11 percent last year and he blocked the Keystone XL pipeline.

We can't afford President Obama's destructive energy policies anymore. Not only will increased energy production lower the price at the gas pump, but it will create much-needed jobs right now. Hardworking Americans need both, not more of the same from President Obama.

KICKOFF OF WOMEN'S HEALTH  
WEDNESDAY

(Ms. DEGETTE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEGETTE. Mr. Speaker, today I rise to announce the inaugural Women's Health Wednesday. Starting today and continuing for every Wednesday, Members of this distinguished body will take to the floor to talk about mammograms, about comprehensive family planning, and, yes, even about birth control.

Mr. Speaker, I would like to kick off this first Women's Health Wednesday by reminding everybody this is 2012, not the dark ages. So it amazes me that the debate we've been having lately, both in the Halls of this Congress and out in the political scene, is about birth control. Birth control.

Ninety-nine percent of women have used birth control at some point in their lives, including 98 percent of Catholic women; and 1.5 million women in this country rely on birth control for noncontraceptive purposes to treat a variety of medical conditions. The Institute of Medicine has determined, based upon science, that birth control is a fundamental part of women's preventive care. Yet here we are, debating about birth control.

Mr. Speaker, over the next coming weeks, we will have many conversations, and I'm excited to talk about women's health.

## PASTOR YUCEF

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

Mr. PITTS. Mr. Speaker, this evening the House will consider H. Res. 556, condemning Iran for their persecution, imprisonment, and sentencing to death of Christian Pastor Youcef Nadarkhani. Pastor Youcef has been in prison for 2½ years now under the charges of apostasy and condemned to death by hanging. His wife, too, was arrested and condemned to life in prison, but later released.

Christians and other religious minorities are under assault in Iran today. Hundreds have been imprisoned and many have been executed on trumped-up charges. In fact, while the official charges against Pastor Youcef are apostasy and evangelism, the state media said that he has been charged with rape and extortion.

The authorities in Iran know that they are violating both their own constitution and the Universal Declaration of Human Rights in their treatment of Pastor Youcef and other minorities.

This week, the House will call on Iran to respect these agreements and to release Pastor Youcef so that he, his wife, and children may practice their

religion freely and not according to the dictates of the state.

## WOMEN'S HEALTH WEDNESDAY

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

Ms. CHU. Mr. Speaker, today I'm thinking about the 99 percent of American women who have used birth control. Today, I'm thinking about the 98 percent of Catholic women who have used birth control.

Birth control is a necessity for many women, and it is unfair that women have to pay 68 percent more for it in out-of-pocket costs than men because it is not covered by all health insurance plans.

It is especially unfair to the women who use birth control pills to save their lives. In fact, these pills have prevented 200,000 ovarian cancers and 100,000 deaths.

The nurses, secretaries, and janitors who work at religiously affiliated hospitals and universities should not have to pay more for their health care costs and be punished because of where they work. That's not fair. The Obama administration's policy changes this and is fair. It's about time that women get a break for all that they do to raise children in this world.

## TRIBUTE TO CHRIS PARR

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

Mr. CRAWFORD. Mr. Speaker, I rise today to honor the memory of Christine Parr. Although Chris passed away earlier this month, her memory will live on with her family and friends.

For nearly 40 years, Chris was married to husband Al Parr. Together, they built a life and family in Harrisburg, Arkansas. Chris and Al have two children, Will and Angela. Chris joined Al in being active members of the Harrisburg Church of Christ where Al serves as pulpit minister.

Chris was a homemaker and a collector of souvenir spoons, bears, and Russian stacking dolls, among other things. Years ago she also operated a sewing business and day care from her home. She enjoyed anything to do with a needle and thread and over the years has made many clothes and quilts for her family and friends.

I will always remember Chris and the kindness that she showed my family and me. Chris had a passion for America. She loved people; and once she committed herself to a cause, she and Al devoted themselves completely and worked tirelessly.

My thoughts and prayers are with Chris's family. As a person of great faith, I know that Chris is now in Heaven with her Lord and Savior Jesus Christ. While her presence here on Earth will be missed, her example will be a guide for her family and friends for years to come.

God bless Chris Parr, and God bless her family.

#### WOMEN'S HEALTH AND CONTRACEPTIVES

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

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to speak about the importance of ensuring coverage for contraceptives and the impact this has on women's health.

For centuries, important aspects of women's health care have been treated as a political football by advocates on all sides of the issue. In politicians' efforts to score political points, women suffer because of a lack of access to coverage, a lack of reliable information about health care choices, and because many women are vilified for some of the health care choices they make.

It's time to take politics out of women's health, and it's time to ensure that women's health coverage includes full access to contraception. Birth control can have significant health care benefits for women and their families. It can significantly reduce health care costs. And it's one of the most commonly taken drugs in the United States.

We need to stop playing games with people's health and instead live up to our responsibilities to protect the right of women to make the health care choices that are right for them. I look forward to working every Wednesday to talk about women's health.

#### FIFTH ANNUAL INTERNATIONAL RARE DISEASE DAY

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

Mr. LANCE. Mr. Speaker, today, February 29, marks the fifth annual International Rare Disease Day, a day devoted to bringing attention to the needs of those with rare diseases.

There are nearly 7,000 rare diseases. Research opportunities remain difficult; and approved therapies are scarce, despite the fact that rare or orphan diseases afflict nearly one in 10 Americans. Bureaucratic hurdles and a lack of research incentives add to the challenges of those with rare or orphan diseases and the organizations that serve them.

As cochairman of the Rare Disease Caucus with my colleague, Congressman JOSEPH CROWLEY, I am committed to working in a bipartisan capacity with like-minded Members, policy advocates, and families across the Nation to increase awareness and education of rare diseases.

It is through greater awareness that we are able to bring hope to those who suffer from rare and orphan diseases.

#### GAS PRICES

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, I represent San Diego, California, which has the dishonor of being home to the highest gas prices in the Nation. The most expensive gas in San Diego was going for \$4.75 a gallon, and that hurts my constituents.

My friends on the other side of the aisle believe the solution is simple—more production means lower prices. However, our Nation's oil production is the highest it has been in years. And yet so are gas prices. The conclusion? More drilling does not mean lower prices.

Independent analysis has pointed to Wall Street speculators as a culprit for the rise in gas prices. Mr. Speaker, we've heard this story before: Wall Streeters gaming markets to make big bucks at the expense of consumers.

Another culprit? There is nothing truly competing against gasoline. Prices will go down when there are alternative fuels and real transportation choices to compete with oil.

There are two things that Congress can do to relieve the pain at the pump: an innovative 21st-century approach to our energy problems, and we need to tame the speculative markets.

#### JOB CREATION

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

Mr. BUCSHON. Mr. Speaker, I rise today in support of commonsense policies that will help create jobs.

I had the pleasure of meeting with one of my constituents, Jon David of Evansville, Indiana. Jon owns a small business, David Enterprises, an asphalt contractor and concrete supplier. He would like to expand his business, but onerous regulations are preventing him from doing it.

When I sat down with Jon, he talked about how EPA rules—such as emissions controls, dust regulations, the permitting process for oil refining, and wetlands designations on his property—these regulations, he tells me, are keeping him from selling his product and services that would allow him to expand his business and hire more employees. Instead, he spends his time dealing with regulations that increase his costs and prevent him from expanding.

The EPA under this administration should take note of how rules and regulations are hurting job creation. This is unacceptable. The House has passed bills to help out Jon and others like him, but the Senate has ignored them. There are 27 bills, at least, that we've passed here that we've sent to the Senate that would help Jon so he could quit spending his days fighting regulations so his business can survive.

#### HONORING REACH OUT AND READ RHODE ISLAND

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

Mr. CICILLINE. Mr. Speaker, I rise today to honor Reach Out and Read Rhode Island, a program that works with doctors to encourage young patients and their families to read.

In honor of the upcoming Read Across America Day, I wish to recognize the contributions this program makes in my home State, where it reaches 35,000 infant-to-preschool-aged children each year in 44 locations. Reach Out and Read Rhode Island provides free books through pediatricians' offices for children between the ages of 6 months and 5 years old, creating a small library for children and emphasizing the importance of reading.

Reach Out and Read Rhode Island helps to distribute 60,000 books each year to young children and their families, working to build a foundation for when a child enters school. Reach Out and Read Rhode Island should take great pride in the contributions it makes to our young children. I congratulate Reach Out and Read Rhode Island on its success.

□ 1220

#### EXPAND DOMESTIC ENERGY PRODUCTION TO REDUCE GAS PRICES

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

Mr. HULTGREN. Mr. Speaker, last week, I heard from my constituents about the impact rising gas prices are having on their families and on their small businesses.

Congress must act to protect our constituents from even higher gas prices by expanding our Nation's domestic energy production. The solution is pretty simple—let's expand American energy production. This will reduce the cost of gas, putting money back in the wallets of every American, and it will create the kind of good-paying jobs that so many people need and would help get our economy moving again.

The House has already passed four bills to expand domestic energy production. It's time for the Senate to pass those bills and send them to President Obama so that he can show us whether his commitment to an all-of-the-above energy policy is mere rhetoric.

Creating jobs, saving our constituents money, and helping our economy should be bipartisan goals, and we can achieve them by expanding American energy production.

#### ASSAD'S ATROCITIES

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

Ms. KAPTUR. Mr. Speaker, first, I join with my female colleagues in supporting full health coverage for every single woman in our Nation.

I also rise to condemn the actions of Syria's Assad government, which are

truly appalling. America and this House should not be sitting silent as thousands of Syrian civilians are slaughtered by their government. Assad is not a man of peace, as some in this body have asserted. He is an international war criminal. His blood-stained hands should be shunned the world over.

The United Nations now believes that over 100 civilians are being murdered daily, including women and children. Estimates vary as to how many civilians have been killed since Assad's regime launched its brutal crackdown down on peaceful demonstrators in Syria in the spring of last year. CNN is reporting as many as 9,000 people have been killed in the last year, yet the leadership of this House remains silent. The Senate passed a resolution in mid-February. Why haven't we?

I and my colleague, Congressman KEITH ELLISON, have introduced a resolution identical to the bill the Senate just passed on a bipartisan basis. And I urge my colleagues to speak out against the unspeakable violations that take place every moment.

Doing right is long overdue. Let's stop the horrors and mobilize the world to stop the killing.

#### CABOT GUNS AND PENN UNITED TECHNOLOGIES

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

Mr. KELLY. Mr. Speaker, I recently had the pleasure of visiting with an outstanding new company in western Pennsylvania called Cabot Guns, a company whose belief in American exceptionalism and dedication to uncompromising quality have resulted in a new standard of precision-made handguns. In fact, Cabot Guns are already being described as the finest pistols in the world by the Blue Book of Guns. Cabot Guns embodies the best of what this great Nation's finest machinists, engineers, and master craftsmen have to offer, and is proof of the enduring prowess of the American dream.

These highly prized firearms provide a new industry for my district and are made in collaboration with Penn United Technologies, a pioneering manufacturer of precision components for the defense, aerospace, medical, energy, and nuclear industries that was founded 40 years ago by the great innovator and patriot, Carl Jones, a man whose legacy lives on through Cabot Guns and Penn United's strong belief in family, God, and country and a firm commitment to our Second Amendment.

#### CONTRACEPTIVE COVERAGE

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

Ms. BONAMICI. Mr. Speaker, contraceptive coverage is an issue of women's health, access to health care, and af-

fordability that affects our entire health care system. As we deliberate this important issue, it's imperative that we consider all of the benefits of access to contraceptives, starting with the prevention of unplanned pregnancies.

One thing about which we should all agree is that we need to reduce the number of abortions. Now, access to contraceptives plays a critical role in that goal, but the benefits don't stop there. Contraceptives are often prescribed for certain medical conditions that, untreated, could keep women from work, lead to more serious health problems, or otherwise impact the quality of their lives. These negative consequences are easy to prevent with access to preventive health care, which can help with unnecessary costs, both intangible and tangible.

Unfortunately, too many women across the country suffer every day because they don't have access to health care that includes contraceptives. This is an issue of access, of affordability, and of the rights of women to receive quality health care. I urge my colleagues to make that their focus.

#### ENERGY SECURITY

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

Mr. STUTZMAN. Mr. Speaker, Hoosiers across northeast Indiana paid \$3.85 for a gallon of gasoline this morning. Gas prices are skyrocketing, and people in my district are looking for long-term solutions.

Unfortunately, for the past 3 years, President Obama has rejected serious efforts to promote American energy security. By failing to put forward a responsible energy policy, this administration is making things worse at the pump.

In 2008, Energy Secretary Steven Chu said, "Somehow we have to figure out how to boost the price of gasoline to the levels in Europe."

Well, if something doesn't change, Hoosiers could see those prices soon.

In January, President Obama rejected the bipartisan Keystone XL pipeline and blocked the flow of over 800,000 barrels of oil each day. The President's decision does nothing to lower prices or protect us from uncertainty in the Middle East. It's a serious blow to Hoosier families already struggling in the real economy.

Hoosiers deserve a true all-of-the-above approach. The House has already passed five energy bills that are being held up in the Senate. It's time to promote real energy security.

#### WOMEN'S HISTORY MONTH

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

Mr. CARNAHAN. Mr. Speaker, today I rise to honor the start of Women's

History Month, which starts tomorrow. This month gives us all the opportunity to recognize the important and glass ceiling-shattering work women across our country and around the world have done and continue to do. Despite the tremendous progress that has been made over the past century towards gender equality, more still needs to be done.

Over the last 14 months, we've seen the rights of women come under attack again and again in this body. Though I firmly believe in encouraging healthy debate, the attacks that we have seen are an affront to the rights and health of women around this country. That's why I was so heartened by the recent compromise on contraceptive care. While I have deep respect for the religious and moral beliefs of all Americans, I am pleased with this compromise because these guidelines increase access to contraceptive services for women while respecting religious liberty. It protects the beliefs and health of all American women and families.

In the spirit of Women's History Month, I ask that we put an end to this partisan bickering and focus on achieving better women's health.

#### STOP DEFICIT SPENDING

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

Mr. CHAFFETZ. For 4 consecutive years, President Obama has introduced a budget with a \$1 trillion deficit—4 years in a row. This has never happened in our Nation's history.

Well, how much is \$1 trillion? If you spent \$1 million a day every day, it would take you almost 3,000 years to get to \$1 trillion. No longer can we do this. We're paying more than \$733 million a day in interest on our national debt. We deficit spend something like \$4 billion a day.

Ladies and gentlemen, we cannot sustain the spending that we have. Our Nation is going bankrupt. It is imperative that this Congress get a grip on its fiscal future and put forward a budget that is responsible and over the course of time will actually balance our books and pay off the national debt.

□ 1230

#### ATTACKS ON WOMEN'S HEALTH

(Mrs. CAPPs asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPs. Mr. Speaker, I rise today in opposition to the extensive attacks made on women's health in recent weeks.

We have seen an almost unprecedented number of attacks on women's access to health care, reproductive options, and even prenatal care. From a

hearing on women's health that included a panel with no women witnesses, to public statements diminishing the importance of women's access to a full range of preventive health services, to accusations that prenatal testing is in some way a pathway to abortions, it has been open season on women's health. This is not acceptable.

We need to trust women to know what is best for their families and for themselves, and those of us in Congress should always have their best interests in mind. Women do not deserve to have their health used as a political football.

#### WOMEN'S HEALTH CARE

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, former New York Governor Mario Cuomo, a man who saw the duality in being a legislator and a man of faith, once noted that "all religiously based values don't have an a priori place in our public morality." I think my colleagues have forgotten that message in recent days when it comes to women's health, ignoring the important impacts that access to contraceptives can mean for women.

Contrary to what some of my colleagues may believe, contraception is not a cheap, easily accessible solution for all women. An objective, non-partisan panel developed recommendations for contraceptive coverage paid for by religiously affiliated employers. The Obama administration adopted new regulations based on these recommendations.

These regulations were not designed to jeopardize anyone's religious freedom. These regulations were designed to protect the health needs of women, period. We should be doing everything possible to support women's health, not attacking women for demanding better health care.

#### ACCESS TO CONTRACEPTION

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, 25 years ago I was diagnosed with ovarian cancer. I was lucky, had excellent doctors who detected the cancer by chance in Stage 1. I am alive today by the grace of God and biomedical research. Many women today are not so lucky.

Ten women in the U.S. are diagnosed with a gynecological cancer every hour, and yet we know that using contraception for a year reduces the risk of ovarian cancer by 10 to 12 percent, using it for 5 years reduces that risk by roughly 50 percent. Twenty-six thousand women will die from these terrible cancers each and every year. This is just one of the ways that access to contraception is beneficial to women's health.

Improved access to birth control is directly linked to declines in maternal and infant mortality and helps to reduce unintended pregnancies. It significantly reduces a woman's risk of endometrial cancer. That is why, after an impartial and comprehensive review of the scientific data, the Institute of Medicine made the decision to include contraception among covered preventive services under the Affordable Care Act because contraception is very much part of women's health. It can help prevent ovarian cancer. It can save women's lives.

#### SAN JOAQUIN RIVER RELIABILITY ACT

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

Ms. SPEIER. Mr. Speaker, I rise today in strong opposition to H.R. 1837, the so-called San Joaquin River Reliability Act. This bill should be called the San Joaquin River Runs Dry Act. It will literally divert water from fishing and farming communities in California and send it right into the open arms of agribusiness.

The author and backers of this bill don't want a sustainable water policy for California. Instead, they want to overturn a century of California law that protects healthy waterways for fish, crops, and drinking supplies.

This bill should be called the GRAB Act, Give Rights to Agribusiness. It represents an unprecedented intrusion on States' water rights by the Federal Government. This goes beyond California and would affect water policy across the Western States.

Taking water away from farmers and fishermen struggling to make ends meet is bad for our economy and bad for our country. I urge my colleagues to protect States' rights, to support farming and fishing families, and vote against this extreme overreach of a bill.

#### ACCESS TO WOMEN'S HEALTH SAVES LIVES

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Yesterday, Mr. Speaker, I had the privilege of meeting with leaders who treat women as OB/GYNs from Baylor College of Medicine and from St. Joseph Hospital in Houston, Texas. They acknowledged the importance of access to women's health care.

In a hearing in Judiciary, a very renowned doctor, an OB/GYN, indicated that thousands of women are impacted with respect to cervical cancer by having access to contraceptives and to be able to be treated properly.

Let me be very clear: Now, with the established compromise, no religious institution will have to pay any money. One of the witnesses who happened to be a bishop said, That's fine;

I'm not interfering with what some woman does elsewhere.

So why do we have this crisis? We have a settlement to resolve—the protection of religious liberty and the protection of women's rights.

May I quickly indicate that just recently I introduced H.R. 83 that has to do with preventing bullying. And with the tragic incidences of the last 48 hours—now three young people dead—it's time again for this House to move again on a bill that deals with best practices to help our schools understand how to help our children.

I look forward to this legislation moving forward. I also look forward to acknowledging that access to women's health saves lives. Let's save lives.

#### MAKING IN ORDER CONSIDERATION OF HOUSE RESOLUTION 562, DIRECTING OFFICE OF HISTORIAN TO COMPILE ORAL HISTORIES FROM MEMBERS INVOLVED IN ALABAMA CIVIL RIGHTS MARCHES

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that it shall be in order at any time through the legislative day of March 1, 2012, to consider in the House House Resolution 562; the resolution be considered as read; and the previous question be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except 1 hour of debate equally divided and controlled by the majority leader and the minority leader or their respective designees.

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

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 1837, SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 566 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 566

*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. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour 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. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider

as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-15. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. 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. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

This resolution provides a structured rule for the consideration of H.R. 1837. It's entitled the Sacramento-San Joaquin Valley Water Reliability Act and provides for 1 hour of general debate, equally divided and controlled by the chairman and the ranking member of the Committee on Natural Resources.

This is a bipartisan bill that came from our committee on a bipartisan vote.

□ 1240

In like manner, the Rules Committee has decided to make this a bipartisan amendment process because we made in order all amendments filed at the Rules Committee which were germane, which complied with the House rules. I think this is very fair, and it's a generous rule to talk about a bill that has support on both sides of the aisle.

With that, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the 30 minutes, and I yield myself such time as I may consume.

I'd like to begin by acknowledging the service of DAVID TIMOTHY DREIER to this House of Representatives and to this country. There will be many more opportunities prior to his departure to acknowledge his work for his country,

but our chairman today announced that he will be retiring at the end of this session. Chairman DREIER said:

We all know that this institution has an abysmally low approval rating, and the American people are asking for a change in Congress. So I am announcing today that I will leave Congress at the end of the year.

I would like to reassure my chairman that the change the American people, my constituents, and our country had in mind was not, in fact, his retirement. That will be a tremendous loss to this body.

DAVID DREIER is a proud institutionalist, somebody who has capably served the country, has been a friend and mentor to me, first as ranking member and now chair of the powerful Rules Committee, and somebody that I've had the opportunity and the privilege to work with on a number of bipartisan issues around trade and U.S.-Mexico relations.

His retirement will constitute the loss of not only a wealth of knowledge but of a tireless and dedicated and honorable public servant, and I hope that he continues to find opportunities to serve the public, as he truly has much more to give and is too young to call it quits. I hope that, at the end of this session, his retirement from this body will be a new beginning for our chair.

I rise today with great concern over this bill's impact on my home State and its number one resource and scarcest resource in issue, water. You know, we have an old saying in the West that "whiskey is for drinking and water is for fighting."

I think, Mr. Speaker, we're going to see some of that fighting here on the floor of the House tonight, and I would argue that this isn't the appropriate venue to settle inter-California disputes that have long been settled through case law and settlements.

Water fights are long, expensive, tiring, but, you know, they've led to an established and workable framework within which States and localities have operated for years.

Mr. Speaker, this bill is not just about California. This bill has far-reaching implications for nearly 17 other States, including my own State of Colorado. This bill would override the century-long legacy whereby the Bureau of Reclamation respects each State's legal ability to control, appropriate, use, and distribute irrigation water. Because of this, more than several dozens letters from stakeholders in opposition to this legislation, including the nonpartisan Western States Water Council and the States of Colorado, Wyoming, and Oregon, have all been received by the Natural Resources Committee.

Mr. Speaker, I submit for the RECORD a letter in opposition from my home State of Colorado.

COLORADO DEPARTMENT  
OF NATURAL RESOURCES,  
Denver, CO, August 19, 2011.

Hon. TOM MCCLINTOCK, *Chairman,*  
*Subcommittee on Water and Power, House Committee on Natural Resources, Longworth House Office Building, Washington, DC.*

Hon. GRACE NAPOLITANO, *Ranking Member,*  
*Subcommittee on Water and Power, House Committee on Natural Resources, Longworth House Office Building, Washington, DC.*

DEAR CHAIRMAN AND RANKING MINORITY MEMBER, COMMITTEE ON NATURAL RESOURCES: The State of Colorado would like to join with the Western States Water Council (WSWC) in an expression of unified opposition to House Resolution 1837, the "San Joaquin Water Reliability Act". The State concurs that this Act is an "unwarranted intrusion on the rights of the states to allocate and administer rights to the use of state water resources." Furthermore, in light of the current atmosphere of cooperation and amiability between the Western states and Federal agencies, this Act could detract from the hard work and efforts that have gone into the evolution of Western water law and policy.

The development of water law in the arid West has been a long incremental process, involving ratification of treaties, negotiation of interstate compacts, and litigation before the United States Supreme Court. To allow this Act to proceed would have the effect of throwing a proverbial "monkey wrench in the machinery", especially in regards to current projects, such as the Bay Delta Conservation Plan, a bipartisan deal reached by the California Legislature.

The testimony on June 2 of John Laird, Secretary for the Natural Resources Agency of California, reminded the Subcommittee of Justice Rehnquist's opinion in the 1978 case *California v. United States*: "The history of the relationship between the Federal Government and the States in the reclamation of the arid lands of the Western States is both long and involved, but through it runs the consistent thread of purposeful and continued deference to state water law by Congress."

For these reasons, and the reasons stated in the Western States Water Council correspondence and resolution passed on July 29, 2011, the State of Colorado opposes the passage of House Resolution 1837.

Regards,

MIKE KING,  
*Executive Director,*

*Colorado Department of Natural Resources.*

In this letter that I submitted to the RECORD from my home State of Colorado, our Natural Resources Department wrote:

The development of water law in the arid West has been a long incremental process, involving ratification of treaties, negotiation of interstate compacts, and litigation before the United States Supreme Court. To allow this Act to proceed would have the effect of throwing a proverbial "monkey wrench in the machinery."

And so today, under this rule, this House will be considering, with one broad, sweeping stroke of the Federal legislative brush, numerous unintended consequences that will undo the existing framework, wiping away decades of settled water law, wiping away relative certainty, to the detriment of our Western States and to the sole benefit of attorneys.

Mr. Speaker, I know that many of us in this body are concerned about frivolous lawsuits and States rights. Anybody who shares my concerns about

States rights and frivolous lawsuits should join me in opposing this bill. This legislation will open up a century of water law to new litigation across the West. If you ask me, that's the definition of needlessly frivolous lawsuits.

This bill imposes Federal law over bipartisan local agreements, in this case those reached by the California legislature on the Bay-Delta, all while imposing unintended consequences and burdens on other States. This bill simply isn't true to our values of local control.

Unfortunately, Mr. Speaker, the committee has refused to address many issues with this bill and how it will impact the West. Now, that's not because the committee was unaware of the problems. In fact, the testimony on June 2 of John Laird, the Secretary for the Natural Resources Agency of California, reminded the subcommittee of Justice Rehnquist's opinion in the 1978 case, *California v. United States*, where Justice Rehnquist wrote:

The history of the relationship between the Federal Government and the States in the reclamation of the arid lands of the Western States is both long and involved, but through it runs the consistent thread of purposeful and continued deference to State water law by Congress.

Mr. Speaker, this bill does the exact opposite. The Western States Water Council wrote to express their strong opposition to H.R. 1837 as an "unwarranted intrusion on the rights of States to allocate and administer rights to the use of State water resources."

Mr. Speaker, this bill would set a dangerous precedent of preempting State water rights, leaving other States vulnerable to this kind of Federal infringement, effectively letting Representatives from New York, from Michigan, from Florida and from Texas vote on California water. And I know as the Representative from Colorado, I wouldn't want the shoe to be on the other foot and having Representatives from across the country deciding what we do with our water.

Finally, this bill would erode any efforts in the multistate work to recover listed salmon species along the West Coast, with immense impact to local economies and fisheries. It would preempt California State law, which is why the California Natural Resources Secretary has written in opposition to this bill, and why the California Attorney General is also opposed.

I encourage my colleagues to join me in a "no" vote on the rule and the underlying legislation.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, will the gentleman yield for a colloquy, please?

The SPEAKER pro tempore. The gentleman from Colorado controls the time.

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

Mr. BISHOP of Utah. Mr. Speaker, at this time, I yield 5 minutes to the gentleman from California (Mr. NUNES), who is the sponsor of this bipartisan piece of legislation, to talk about his particular underlying bill.

Mr. NUNES. Mr. Speaker, I was asking my good friend from Colorado to enter into a colloquy with me, and that's okay. But I do want to say that the gentleman from Colorado and myself work in a bipartisan manner. We're both cochairs of the Mexico-U.S. Caucus. We've worked hard on that, and I would hope that the gentleman from Colorado would listen to the debate today because I think after we listen to the debate—I understand some of the concerns that he raises.

But as Mr. BISHOP pointed out, the Rules Committee was very gracious to allow all the amendments on the Democrat side and the Republican side to be offered and accepted to be debated here on the floor. So I would just urge my colleague, with whom we work together on numerous other issues in this Congress, that we find today a way to come together in a bipartisan manner. Hopefully, the gentleman from Colorado will listen to all the facts as they're presented.

Mr. Speaker, after decades of California water being controlled by the Federal Government, Congress can conclude one thing: flushing water into the San Francisco Bay is not helping to recover species, and people are suffering needlessly.

We're going to hear a lot from opponents about this bill, about science. I want to start right off the bat and make one thing clear: we're supporting sound science with H.R. 1837, and we are rejecting junk science that has long been foisted on the people of California, junk science the Federal court has labeled the unlawful work of zealots.

It is important for me to impress upon the House, the opponents of H.R. 1837 do not possess scientific high ground, as they are all but certain to allege. Their experts, and the activists masquerading as experts who support them, have been biased from the beginning and have molded their work to produce the findings that best suit their radical agenda.

□ 1250

We can say this with certainty that this agenda has not improved the fish populations. If that were true, we would not be here today.

Mr. Speaker, the U.S. District Court has thrown out the biological decisions used to justify the horrible regulations that cut off water supplies to families throughout California. The court's decision was a shocking indictment of the kind of government operating in America today when it comes to our environmental laws. The U.S. District Court judge said, I've never seen anything like it. He went on to say that government scientists acted like zealots and had attempted to mislead and to deceive the court into accepting junk science.

These are powerful statements by the Federal court and should give anyone who believes in due process, open government, and justice a cause for concern.

But the band has marched on without missing a beat; and instead of disciplining these scientists, the Fish and Wildlife Service actually gave them an award for outstanding service under pressure.

The arrogant disregard for public trust didn't stop there. Just yesterday, the President issued a veto threat, essentially doubling down on the dishonest smear campaign accusing House Republicans, and I believe many Democrats, of doing just the sort of thing that his administration has been found guilty of by a Federal court.

Mr. Speaker, we are not ignoring the latest science in favor of special interests. We are not the people who are sending zealots into the Federal court to lie in the defense of junk science. We are not the people rigging regulations to favor a small minority of special interest groups.

The agenda of junk science governing the bay delta is indefensible. Just as the Federal court had said, it's dishonest.

Congress needs to ask itself, who are these people that come up with these things? Who are they?

I think the Congress will be interested to find out that one of the leaders just weeks ago, a guy by the name of Dr. Peter Gleick, he spent his career trying to dry up farmland in rural communities throughout California; and, in fact, he's even testified before Congress to this. But Dr. Gleick is an activist. He's an activist who poses as a scientist.

Just a few weeks ago, he admitted to impersonating another person and stealing information from a nonprofit. He then mingled that stolen information with a fake memo in an effort to discredit his intellectual critics. Radicals like Dr. Gleick lie; they make it their mission to destroy scientists who do not agree with their twisted, anti-human views.

Meanwhile, they are used by some in this House as an excuse to take people's water away, to take their private property rights away, to dry up farm land and, worst of all, to justify human suffering.

Mr. Speaker, people in our Nation's bread basket are standing in food lines, and they're getting carrots that have been imported from China.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. NUNES. Mr. Speaker, their sacrifices have done nothing to improve the environment. Fish populations have declined, and I think what we will prove today here in the Congress is that there is a better path forward, and H.R. 1837 provides that path forward.

So I would urge not only my Republican colleagues but also my Democrat colleagues to listen to the evidence, and I would urge them to vote for this rule so we can move on to the debate so we can finally restore sanity to California's water system.

Mr. POLIS. Mr. Speaker, it's my honor to yield 3 minutes to the gentlewoman from California, a former member of the Rules Committee, Ms. MATSUI.

Ms. MATSUI. I thank the gentleman for yielding me time.

Mr. Speaker, I rise in strong opposition to this rule and to this bill. The issue of water in California has been debated for many decades because it is such a critical issue for our States. As a daughter of a California Central Valley farmer, I grew up on a farm; and I deeply understand the value of and the controversy over water.

Being able to plan the next growing season is critical for farmers. Unless they can count on the water being provided, there is no assurance for their crops. Now, in northern California, we have balanced our watershed. We have provided water for our farms, our cities, and our sensitive habitats in a way that we can have sustainability. But this legislation throws out the ability of the people of California to decide their own water future.

Mr. Speaker, any real solution to California's water issues will need to be crafted with consensus within California, not in a partisan manner on the House floor the way H.R. 1837 has been written.

This legislation purports to have the support of northern California, but I'm here to tell you that nothing could be further from the truth. My district, the Sacramento region as a whole, the five delta counties, are among countless others who oppose this bill, and the list continues to grow.

Some of the strong concerns include the loss of the State's right to manage its own water, the decimation of environmental protections for our Sacramento-San Joaquin Delta, the ability to manage the Folsom Dam reservoir for the benefit of the lower American River, and, most importantly, the overall instability that this bill would create in California. The idea of usurping the rights of States to control their own water is incredibly damaging, not only to the Sacramento area but to California and even to our country.

For those of our colleagues who represent areas outside of California and plan to support the bill because they may not impact your State, I have news for you. This is not just about California. H.R. 1837 will set a precedent that will create a domino effect so that it could happen next in Utah, Colorado, Nevada, Texas, and so forth. We don't need Federal legislation that only creates more problems for an already intractable problem. We cannot afford to give up California's right to control its own water future. The stakes are just too high.

I urge my colleagues to strongly reject this legislation.

Mr. BISHOP of Utah. Mr. Speaker, I had the honor of attending a public hearing in California with the gentleman to my right from California. It was an honor to listen to these people,

and I'm pleased to yield 5 minutes to the chairman of the subcommittee that worked through this bipartisan bill, Mr. MCCLINTOCK.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, in 2009 and again in 2010, hundreds of billions of gallons of contracted water were expropriated from California farms and instead dumped into the Pacific Ocean in the name of the delta smelt.

This tragic policy followed hundreds of thousands of acres of some of the most fertile and productive farmland in America. It threw thousands of hardworking families into unemployment. It devastated communities throughout the region, and it created the spectacle of unemployed farm workers standing in food lines to receive carrots imported from China in a region that, just a short time before, had produced much of American-grown fruits and vegetables; and it contributed to rising grocery prices that families felt far beyond the congressionally created dust bowl of California's Central Valley.

In the last Congress, the then-minority Republicans begged and pleaded for hearings to address this catastrophe. The majority turned a deaf ear.

Last year, we returned as the new House majority to take testimony on what could be done to correct this disaster. The result of those hearings is the bill by Mr. NUNES that this rule brings to the floor.

This bill restores the water allocations established under the historic Bay-Delta Accord in 1994. When that agreement, commanding broad bipartisan support, was signed, Interior Secretary Bruce Babbitt assured all parties:

A deal is a deal. And if it turns out that there is a need for additional water, it will come at the expense of the Federal Government.

The water diversions shattered that promise. This bill redeems it.

The Federal Central Valley Project is part of a coordinated operating agreement with the State Water Project at California's request and consent. The two are inseparable. In order to protect the water rights of every Californian, this bill brings the full force of Federal law to protect those rights so that there is no ambiguity. This protection has earned this provision the support of the Northern California Water Association, representing the water districts that serve the farms and communities and families throughout the areas of origin in California.

My opponents just said this preempts State water rights. It doesn't preempt State water rights. It specifically invokes and protects State water rights against infringement by any bureaucracy—local, State, or Federal—a legitimate constitutional function of the Federal Government established under the 14th Amendment and made essential by the terms of the State-approved joint operating agreement of these intertwined water systems.

□ 1300

The bill also restores common sense and practicality to protections for endangered native species like salmon and the delta smelt. One of the greatest threats to these endangered native species is nonnative invasive predators like the striped bass. Indeed, it is common to find striped bass in the Sacramento Delta gorged with endangered salmon smolts and delta smelt. This bill allows open season on these predators, and it encourages the use of fish hatcheries to assure the perpetuation of thriving native populations of salmon and smelt.

It replaces the cost-prohibitive provisions of the San Joaquin River Settlement Act, which contemplates spending an estimated \$1 billion to achieve the stated goal of establishing a population of 500 salmon below the Friant Dam. That comes to \$2 million per individual fish. This bill replaces the absurd mandate of a year-round cold water fishery on the hot valley floor with a warm water fishery that actually acts in concert with the habitat. It removes disincentives in current law that discourage groundwater banking in wet years. It allows for the recycling of environmental flows by communities once they've achieved their environmental purpose.

Mr. Speaker, the movement for stronger environmental protections began over legitimate concerns to protect our vital natural resources; but like many movements, as it succeeded in its legitimate ends, it also attracted a self-interested constituency that has driven far past the borders of common sense and into the realms of political extremism and outright plunder.

This bill replaces the cost-prohibitive and unachievable dictates that caused so much human suffering in California with workable, affordable, and realistic measures based on real science and not on what one Federal judge rightly called the "ideological zealotry" of rogue bureaucrats.

This debate will determine if we are about to enter a new era when common sense can be restored to our public policy and when a sensible balance can be restored between environmental and human needs. I welcome that debate, and I ask for the adoption of the rule to bring it forth.

Mr. POLIS. It is my honor to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

174 days ago, the President of the United States came to this floor and made a series of proposals to help small businesses and big businesses create jobs for the American people.

Only one element of that jobs plan has been dealt with, belatedly, which is the extension of the middle class tax cut. There has been no vote on a bill to create construction jobs, on the rebuilding of our libraries and schools; no

vote on a bill to cut taxes for small businesses that create jobs; no vote on bills that would put our police officers and firefighters back on the job or our teachers back in the classroom.

Nothing.

Now, the bill that is before us today is very important, not just for California but for the country, and it is something that needs to be taken up. I respect all views on all sides, but I think it's time that the House leadership respected the urgent economic problems of this country.

Since the President came here, there has been another increasingly urgent economic problem, which is the manipulation of gasoline prices by speculators, and Americans are seeing the consequences of this at the pump every day. Members on our side have some ideas to stop this speculation and to stop the pillaging of the wallets of American consumers at the gas pumps every day. Not surprisingly, that's not coming up for a vote either.

The priorities of the House are misaligned with the priorities of the American people. Let's put on this floor legislation that creates jobs and that gives relief to our people at the fuel pumps.

Mr. BISHOP of Utah. I appreciate the gentleman from New Jersey's comments. I would remind him also that the CBPA, the bill that started this problem, was actually authored by the Senator from New Jersey at the time, and I appreciate that. This is one of those things we are trying to fix.

I gladly yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. First, I want to mention to my friend from New Jersey that we have several bills, including that of the Keystone pipeline, sitting over in the Senate. They're bills that will create tens of thousands of jobs, maybe hundreds of thousands of jobs. Yet it does not seem that HARRY REID would like to bring those to the floor, so we are doing our job here.

Mr. Speaker, this bill today is about creating, really, a new environment for job creation in recognizing the human suffrage that has occurred in the Central Valley. I visited out there almost 2 years ago and saw the level of employment and the human impact of this Federal mandate upon California under the Endangered Species Act.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. TERRY. I don't know about the court case where it really raised some serious issues regarding the credibility behind the rule, itself. What I do know is that, by passing this bill today, we basically push the restart button so that the entities that are hurt and the environmentalists can work together for an appropriate balanced rule that protects people's livelihoods as well.

This should be a bipartisan bill. It came out of committee as a bipartisan bill. This is exactly the type of thing

that we should be working together and across the aisle on, and I would encourage my friends on the Democratic side of the aisle to join with us in passing this bill.

Mr. POLIS. I yield 2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. I thank the gentleman from Colorado for yielding.

Mr. Speaker, I rise today in support of the rule providing for the consideration of H.R. 1837.

California's water system is broken. For too long, the San Joaquin Valley, which many of us represent, has borne the brunt of the water challenges facing our State. We have a water system designed for 20 million people. We have 38 million people today living in California. By the year 2030, we could have 50 million people. My district was and is ground zero for the hydrological and regulatory drought that occurred in 2009 and 2010. I was in the food lines in which farmworkers, sadly, found themselves because there wasn't sufficient water to employ them.

My constituents who rely on water for their livelihoods are looking to Congress to see that we are listening and that we care to work on real solutions that impact their futures. The politics of water are not new in California nor in the West. They've existed for decades. I would hope that at some point we could put the politics aside. This debate is too important. It has been put off for too long.

For the farmers, the farmworkers, and the farm communities that I represent, I urge my colleagues to support this rule on a bipartisan basis.

Mr. BISHOP of Utah. With gratitude to the last speaker, this may be about California water, but it impacts all of us who eat, and as you can tell, I am one who does that very well.

I yield 2 minutes to the gentleman from Michigan (Mr. McCOTTER).

Mr. McCOTTER. I rise in support of the rule and the underlying bill, a bill which is a piece of bipartisan legislation that was introduced not to serve mere partisans but to serve real people, not to promote one's party but to promote everyone's prosperity.

I say this in a true spirit of inclusion as someone who comes from a manufacturing State, as one whose auto companies stared into the abyss of potential bankruptcy. It was a bipartisan coalition that helped to save it and a policy that was put forward by a Republican President named Bush and continued by a Democratic President named Obama.

Today, we must come together in a similar bipartisan fashion, for there is a federally dictated drought in the San Joaquin Valley, one that devastates farmers and all of our fellow Americans who live and who, if they can, work there.

To me, as someone who has watched and lived with my constituents through such an experience, I see no choice but for the Federal Government to rectify its legislatively imposed

drought and to allow the people of the San Joaquin Valley the same rights that we have to pursue our prosperity and continue to keep the fruits of our labor without the heavy hand of government coming in and making it more difficult for us to pursue and to create a better life for ourselves and for our children.

□ 1310

Finally, on a note, I know that these are very contentious times, and one of the underlying issues regarding this bill is the Endangered Species Act. But whether you are wholeheartedly for the Endangered Species Act or wholeheartedly opposed, can we agree on one thing? The Endangered Species Act exists to preserve wildlife, not to impoverish human life.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I rise in opposition to the rule, and I rise in opposition to the legislation.

There is going to be an argument today about science. This bill makes it very simple. It ends that argument. It simply says that we will use the science that was in effect in 1994.

We use the science that's what, 18 years ago? That will be the science for the purposes of this legislation. You might as well tell the people of California to use the same telecommunications systems they had in 1994, no iPhones, no BlackBerries, no advancement in knowledge, skills, training, or technology.

It's a pretty simplistic approach to science. You might say it's mindless. The Federal Government is going to come in and tell the State of California that it cannot use its regulatory process or scientific process to determine what's best for its State.

As the Attorney General of our State says and the Supreme Court says, the Federal Government simply cannot commandeer the legislatures of the States, but that's what this legislation does. I love the fact that we have people here with wonderful conservative credentials who are now suggesting the Federal Government should preempt California law, preempt the California Legislature, preempt the Federal law, and go back to 1994.

Where else would you take America back to 1994 in terms of imposing the will of the Congress on the States, and that's why almost all of the Western States, their water agencies, their executive offices, oppose this legislation, because this is the greatest preemption of State water rights in the history of this country.

The people who are supporting this, these heavily subsidized farmers who have more than one or two or three subsidies from the Federal Government to grow their crops, are now insisting that the Federal Government take what is a contract right. It's a contract

right, that's it. They want to turn it into perpetuity. They want the water in perpetuity, and the hell with the rest of the State of California. That obviously isn't acceptable.

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

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

Mr. GEORGE MILLER of California. That is not acceptable to any Member of this Congress about their own State. Why is it acceptable all of a sudden to do that to the State of California?

You simply cannot do this. We have in place a process that is working today for the first time in 40 years, and that's why the resources director of the State of California, that's why both of our Senators oppose this process, because this group of people had never come together in the last 40 years to work on California problems.

The urban users, the rural users, the agricultural interests, the manufacturing interests, the municipal interests, with the blessings of the State legislature that set out the guidelines, that set out the goals, that set out the purposes—that's going on today. Every party to that agreement except for this select few of special interests. This party is the only party that says "blow it up." Use the United States Congress to blow up a process that for the first time has the possibility of solving the water problems in this State and making it sustainable for agriculture, for the environment, for manufacturing, and for municipal use in our State. Yes, we have a tough problem. We have 30 million people. The drought that they talk about, that was imposed.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. GEORGE MILLER of California. That was a Statewide drought. Yes, they lost some employment in farm work, but, in fact, agricultural employment, even through the drought, was pretty stable.

The big employment in the Central Valley came because we were selling homes to people who couldn't pay for them. That was the crash. It was first place and the longest crash that we had in this country in terms of mortgages and the loss of the people who were working in those trades.

But that drought was still felt across the State. Thousands of people lost their jobs in tourism in northern California, in commercial fisheries, in recreational fisheries, in the bait shops and the support services all across our State. That drought was an equal destroyer of this California economy from north to south.

Don't wreck this opportunity for California to settle California's problems.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an

amendment to the rule to provide that immediately after the House adopts this rule, it will bring up H.R. 964, the Federal Price Gouging Prevention Act. Mr. ANDREWS mentioned that, rather than discussing this, why aren't we tackling the big issues of the day, such as gas prices? Well, my colleague from New York (Mr. BISHOP) has a proposal to do just that.

I yield 2½ minutes to the gentleman from New York (Mr. BISHOP) to talk about his proposal.

Mr. BISHOP of New York. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this rule and urge the House to defeat the previous question so we can bring to the floor today my bill that would have an immediate impact on lowering gas prices.

Leap day arrives more often than a Republican energy plan. A year ago, when it became clear that the Republican leadership wouldn't help Americans fight rising gas prices, I introduced a bill that this motion is modeled after to crack down on speculation, which forces prices up artificially.

This legislation makes it illegal to sell gasoline at excessive prices and prevents Big Oil from taking advantage of consumers by manipulating prices. This is real help for consumers in a tough economy.

Domestic oil output is the highest it's been for 8 years. In fact, we've become a net exporter of gasoline, unable to consume all that we produce. And yet it's clear speculators are behind the spike in prices. They will never take delivery of oil, but they make up 64 percent of the market.

When speculators place their bets that prices will rise, it follows that actual prices will rise. They have for 21 straight days. In that time, the average price per gallon went up 60 cents in my district.

Still the Republican leadership has yet to address market manipulation or turn off the spigot of subsidies for Big Oil, which made a record-high \$137 million in profits last year. That's up 75 percent from the profits they realized in 2010.

We could invest in an energy plan that further expands domestic production, develops renewable sources, and forges a long-term strategy that weans us off Middle Eastern oil and protects consumers from rising gas prices over the long run. Mr. Speaker, let's make a leap to support American families while striking at the heart of rising American gas prices.

To that end, I urge my colleagues to support this motion.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, I want to talk about two issues here, one of which was discussed by my colleague from California, which is the bill that will be up later this afternoon.

While the rule allows for amendments, some of the amendments that were proposed are not going to be before us. Specifically, this bill is a blatant attempt to do two things: one, steal 800,000 acre feet of water and transfer it to heavily subsidized farmers on the west side of the San Joaquin Valley; and, secondly, completely overrule and override State law. That's why, I suppose, States such as Colorado, Montana, New Mexico, Oregon, Wyoming, and the Western States Water Council, which is composed of the representatives of the Governors of 16 Western States, are all opposed to this bill.

This is a terrible precedent. If you care anything about your State's ability to control its own destiny insofar as water is concerned, you do not want this bill to pass because it is a blatant attempt by the Westside Farmers to simply grab water and take total control of the California water system.

It blows away all of the environmental laws of the Federal Government and all of the environmental laws of the State of California and even overrides the State Constitution. I cannot think of a worse policy for anyone to be supporting if you care anything at all about States' rights.

In addition to that, the bill totally destroys the efforts that have been underway to solve the problems that do exist in California water. There is absolutely not one new drop of water in this bill, but there is 800,000 acre feet stolen and delivered to the southern water contractors. For many, many reasons it ought to be defeated.

Briefly on Mr. BISHOP's attempt to have his bill heard on this floor: not a bad idea. Consider for a moment the fact that 26 million gallons of gasoline are exported from the United States every day. Something is wrong when that is occurring at the same time we're finding higher and higher gas prices.

□ 1320

Mr. BISHOP of Utah. I remind the body, once again, that 9 out of the 10 amendments were made in order, and the only one that was not made in order had a question of its germaneness to the body here.

I am pleased to yield 3 minutes to the gentleman from California (Mr. DENHAM), who does have a germane amendment that will be debated later on on the floor.

Mr. DENHAM. Thank you. I appreciate the opportunity to talk on this not only in support of the rule, but in support of the bill. This is something we went through in committee with very great debate, but it goes well beyond the debate of committee.

We've debated this in the State of California for many, many years, if not decades now. To have Members from California come down to the floor and say that this is mindless, this is anything but mindless. These are jobs. When you go down to DENNIS CARDOZA's district and see 30 percent unemployment in the Los Banos area or

down to JIM COSTA's district and see 30 to 40 percent unemployment in Firebaugh or over in Mendota, and you call it mindless? Come down and talk to the people in our districts and tell them that their jobs are mindless, that their homes are mindless, that their cars that they're having to give up are mindless. These are farmworkers. These are individuals. These are farmers that are seeing their families destroyed right now. It is not mindless. They are certainly not special interests. Come down to these districts.

We have invited the President, on a bipartisan basis, many times now to come to California. Don't just go to L.A. and San Francisco, but come see the Central Valley and the challenges that we have. See how, when the water is shut off, we see our farms destroyed.

This absolutely has impact on the rest of the Nation. If you want a safe food supply, if you want a reliable food supply, make sure we have reliable water delivery. That is simply all this does.

Anytime that we talk about water throughout the Nation, or certainly throughout California, it becomes a battle. A lot have talked about pre-'94 when a deal was a deal. That deal hasn't been changed by the farmers. That deal has been changed by Members of Congress that have preempted State water rights.

We want a deal. We want a deal every year. We want an agreement that says that if you're going to have a contract for 100 percent of your water, you actually get 100 percent of your water. This year, because we had a lack of storage last year on the wettest of water years in California, this year we're going to have a 30 percent water allocation. We're still going to pay 100 percent of the cost of the contract but have 30 percent of the water, which means once again we will see 30 percent unemployment in JIM COSTA's district, in DENNIS CARDOZA's district, in my district, and in many of the districts throughout the Central Valley.

Before you start to ignore many of our agriculture acres and many of the jobs that go with it, let's come together in a bipartisan fashion as we've done in the committee level, as we've done elsewhere within the State, but making sure that Republicans and Democrats are working together and, more importantly, that the House and Senate are working together.

I give a great deal of praise to the author of the bill, Congressman NUNES, for getting a regional perspective for this, getting north and south and central California to actually work together. That is a tremendous accomplishment. The bigger accomplishment is actually getting the Senate and the House to work together.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. DENHAM. It is time that we come up with a solution that avoids

further cost, that avoids further delay, that avoids us having to continue to cut jobs in the Central Valley and in California. It's time to come to an agreement that will actually save the Central Valley and our farming industry and making sure that we've got certainty in water year in and year out. This bill will show the priority of the House. If the Senate has a different priority, let them show that. But the California public expects the Senate and the House to work together, just as we've come together in a bipartisan fashion on this bill.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker and Members, I think it was Einstein that said: If you start with the wrong numbers in your equation, you can never get to the correct solution. What we just heard was a textbook perfect example of that.

The idea that there's 30,000 to 60,000 lost jobs as a result of what is happening south of the delta, I don't know where those numbers came from. You're certainly welcome to your own opinion, but you're not welcome to your own facts. The facts tell a whole different story.

If you look at what UC Davis did, if you look at what the University of the Pacific did, UC Berkeley, all their numbers point to a loss associated with certain things: a loss of jobs associated with the drought, a loss of jobs associated with an endangered species. But these are in the hundreds or the single-digit thousands, not anywhere close to 30,000 or 60,000. We need to get this thing right.

My friend from California was absolutely correct when he called for us to work together. That's exactly what we've been trying to do, to work together. This bill was not crafted with the stakeholders at the table. This bill was crafted in the proverbial back room with not all of the stakeholders present. None of us who have a legitimate dog in this fight were included in this.

If this bill were to pass, there will be thousands of jobs lost. They'll be north of the delta. They'll be farming jobs; they'll be fisheries jobs; they'll be recreational jobs. They'll be all kinds of jobs associated with the economy north of the delta.

You can't come to this floor with legislation that creates winners and losers in the marketplace without bringing everybody to the table to work on that. That's exactly what this bill does—it creates winners and losers. It chooses jobs south of the delta at the expense of jobs north of the delta. That's wrong and this bill should be defeated.

Mr. BISHOP of Utah. Mr. Speaker, sometimes it is hard to estimate jobs when you're thirsty, but I realize if there was even one job that is cost because of bad Federal behavior, that is one job too many.

I would be happy to yield 2 minutes to my friend from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. I'm glad, sir, that you just mentioned that, because I just heard here that, no, no, it's not maybe X thousands of jobs that are going to be lost; it is X minus a few thousand jobs that are going to be lost.

What? Did I just hear that? I just did.

Rarely do you see such a reckless and immoral disregard for American families, for American farmers, for American farmworkers, for hardworking people than what we have in front of us and what this bill is trying to solve in a bipartisan way, because this does have bipartisan support.

I keep hearing about all of these horrors. But wait a second. Take a step back, Mr. Speaker. These are farmers who have been farming that very land for generations. This is not like they are trying to do something new. They've been doing this for generations.

Can you imagine the circumstances if the Federal Government steps in and says, "No, we are going to cut off your water. You're not going to be able to farm, and forget about those jobs. Go do something else," just because some bureaucrat someplace decides that they found a fish all of the sudden after these farmers have been there for generations?

Sometimes a little common sense has to prevail and sometimes a little moral sense has to prevail. Let's stand up for these farmers who have been there for generations. Let's stand up for these farmworkers, the poorest, hardest working individuals for generations. Let's say "no" to a Federal Government that thinks that, oh, just a few less jobs won't hurt, won't matter.

This is grotesque. This is immoral. Let's stand up together in a bipartisan way to stand up for American families, for American farmers like they deserve this Congress to do for them.

Mr. POLIS. Mr. Speaker, I would like to inquire of the gentleman from Utah how many speakers he has remaining.

Mr. BISHOP of Utah. To be honest, I'm not quite sure. I know I have a speech and there may be another one coming down here.

Mr. POLIS. I will reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I had the opportunity of going down to California to one of the hearings where we met the farmers who are living in this particular area. I heard their anguish. I understood their anger. Their ability to make a living was being prohibited while we in Congress simply talked about unrealistic concepts. They were living in pain while we continued to talk. Actually, our actions and talking were causing that particular pain.

This bill is about trying to help people. This is time to put people in the forefront and put our ideology behind

so that we can solve a problem that has been caused by us. This effort is to put forward legislation that corrects harms that are inflicted by onerous, extreme, completely unbalanced Federal regulations which too often seem to favor a narrow special interest group constituency as opposed to a balanced approach to protect our environment while considering jobs and the needs of real human people.

□ 1330

As many have said already, our colleagues have put forth a program which, unfortunately, is causing massive unemployment in the San Joaquin Valley, causing thousands of acres which were the most productive farmland to go fallow, and risks turning this productive area into a dust bowl causing erosion. These are negative environmental and economic impacts that were not considered in the Federal Government's original decision, but ought to have been and should be considered now.

The unfortunate reality is that California's Central Valley is one place where our actions and other regulations have had a negative impact on the country, leaving those farmers in danger but also affecting all of us. If you are an artichoke lover, which I am not, 98 percent of those that are sold in the supermarket are raised in San Joaquin Valley of California. For those who enjoy walnuts—I'm now zero for two—or almonds and garlic—which I finally like—98 percent of those supplies come from California. Nearly all of the domestic avocados and nectarines are raised in California. Just for the record, I'm three out of six for those particular food items.

California's man-made drought does not just impact Californians. It attacks and it touches each and every one of us in some way. The next time we go to the grocery store and stop and take a look at where these products come from, the chances are pretty good they're coming from California's Central Valley. You can nearly have a complete food meal group just by looking at what comes out of a 10-square-mile area of Central Valley California.

As prices continue to rise at the grocery store for fresh produce of all kinds, you can be assured that some of the main drivers of those increased costs come from a combination of skyrocketing fuel costs under this administration's poor domestic energy production policies, as well as less domestic food caused by this water diversion.

Ironically and sadly, in recent years since the Federal water takings—and that's takings by the Federal Government—more and more produce has found its way from other foreign sources to replace what should have been produced in our own particular country. This bill addresses that problem in a positive way by reinstating water rights to farmers from water that was unjustly taken away by Federal regulations.

With that, Mr. Speaker, I advise the gentleman from Colorado I have no further speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am prepared to close, and I will yield myself the balance of my time.

Mr. Speaker, I ask unanimous consent to insert the text of the previous question amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. My colleague, Mr. BISHOP, has brought forth something that I think is an important national issue that my constituents have certainly been calling me about. And I know that there has been concern from across the country about rising gas prices. If we defeat the rule and the previous question, we will be able to immediately bring forth Mr. BISHOP's bill and the discussion about price gouging and gas prices.

Mr. Speaker, this bill sets a dangerous precedent for preempting State water rights, leaving other States vulnerable to this kind of Federal interference. This bill is opposed by the State of California, California's two U.S. Senators, the leaders of both State legislative houses, commercial and recreational fishing associations, water districts, local governments and the California Bay Delta Farmers. This bill overrides a bipartisan local settlement to restore the San Joaquin River that ended 18 years of costly litigation and uncertainty. This bill guts the review process for water projects in California's Central Valley and eliminates science-based protections for many species required under both California law and the U.S. Endangered Species Act.

There is simply no reason to support legislation that has a myriad of unintended consequences. It is an attack on certainty, and it is an attack on issues that should be decided, frankly, by States and stakeholders.

H.R. 1837 would eliminate desperately needed protections for fisheries, threatening thousands of fishing jobs and millions of dollars in income that sustains families, as evidenced by the impact seen during the first-ever closures of California's salmon fishery in 2008 and 2009 due to collapsing runs.

This bill is a recipe for lawsuit after lawsuit, an attack on a century of State leadership on water law and a dismissal of the consensus agreement that the people of California have reached without the needless meddling of this body, without those from other States being called upon to settle a California matter of water.

Mr. Speaker, this bill is a solution in search of a problem, a bill that ends up creating more problems for more people than the problem it's trying to solve. Simply put, this bill is cutting

off the nose to spite the face; and my State, along with 17 others, stands to get harmed over in the process, particularly by the dangerous precedent of Federal second-guessing of local water rights.

If this bill were really about the delta smelt, then it should be drafted more narrowly. If this bill were really about jobs, then take into account the jobs of the salmon industry which the bill would decimate. Take those concerns to local stakeholders and to the State of California and work out a solution that is in the best interests of California citizens. Unfortunately, this bill is not about real problems. It's about scoring political points and advancing sound bites.

I urge my colleagues to join me on a "no" vote on the rule and the underlying bill and defeat the previous question.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, in addition to restoring agricultural productivity in this area, what has been referred to as "America's salad bowl," this bill is a comprehensive piece of legislation which would reduce Federal spending by \$300 million by allowing certain water users, presently obligated to repay Federal loans on water projects in this area, to repay those loans early on a penalty-free basis.

In addition, as we are facing unprecedented debt, this bill would stop wasteful spending, terminate over a billion dollars in unproven and unnecessary Federal spending projects, and it codifies the historic, previously-agreed-upon bipartisan State and Federal agreement known as the Bay-Delta Accord. It is pro-environment by restoring warm-water fish habitats. It also protects northern California waterfowl habitat and still helps those who are trying to make a living as farmers in this area.

Mr. Speaker, in this body, we always use comparatives and superlatives at the drop of the hat or any other cliché you wish to use. If a bird flies over this Capitol, we will talk about it in superlatives. We often do that. We talk about bills being so important. In this case, I think superlatives are appropriate. This is a significant bill that is life and death for these farmers, and it is unique. Even though it deals with California, there is no other State that has this particular problem. We are not setting any precedent for anywhere else.

I yield the balance of my time to the gentleman from Ohio (Mr. BOEHNER), the Speaker.

Mr. BOEHNER. Let me thank my colleague for yielding. My colleagues know that I don't often come to the floor and speak on bills; but as I saw this bill coming up today, I thought to myself, here is a perfect example of government getting in the way.

I never thought, in my wildest dreams, I'd ever run for public office or ever seek to come here to Congress. But as a small businessman, I was concerned about the ever-growing size of

the Federal Government and the ever-growing reach of the Federal Government. I saw it in my own business, I saw it with my suppliers, and I saw it with my customers. And out of that frustration, I came here because I thought government was too big, spent too much, and was far too intrusive into our economy and, frankly, our society.

Look at this bill and you will see it's a perfect example of the overreach of government. We've got a group of people in California who don't like production agriculture and who think that using water to grow crops to feed the world is environmentally dangerous. They're using the endangered species law for what I would describe as an unintended purpose. They're using a law to shut down production agriculture that they don't like, and they're abusing a law that was created by this Congress. It is wrong, and it should not stand.

Secondly, here we are in a country where the American people are asking where are the jobs. The President says he's doing everything he can to help create more jobs in America.

□ 1340

Well, here's a situation where we've got tens of thousands of farmers and those who work on those farms in the Central Valley of California being denied the use of their own land, being denied the labor to feed their own families because someone is abusing the law.

This is a good bill, and it ought to pass.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 566 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 964) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

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 Republican 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 Republican 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 Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In 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 impli-

cations. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. 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 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 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 178, not voting 14, as follows:

[Roll No. 80]

YEAS—241

Adams	Duffy	King (NY)
Aderholt	Duncan (SC)	Kingston
Akin	Duncan (TN)	Kinzinger (IL)
Alexander	Ellmers	Kissell
Amash	Emerson	Kline
Amodei	Farenthold	Labrador
Austria	Fincher	Lamborn
Bachmann	Fitzpatrick	Lance
Bachus	Flake	Landry
Barletta	Fleischmann	Lankford
Bartlett	Fleming	Latham
Barton (TX)	Flores	LaTourette
Bass (NH)	Forbes	Latta
Benishek	Fortenberry	Lewis (CA)
Berg	Fox	LoBiondo
Biggart	Franks (AZ)	Long
Bilbray	Frelinghuysen	Lucas
Billirakis	Gallely	Luetkemeyer
Bishop (UT)	Gardner	Lummis
Black	Garrett	Lungren, Daniel
Blackburn	Gerlach	E.
Bonner	Gibbs	Mack
Bono Mack	Gibson	Manzullo
Boren	Gingrey (GA)	Marchant
Boustany	Gohmert	Marino
Brady (TX)	Gosar	Matheson
Brooks	Gowdy	McCarthy (CA)
Broun (GA)	Granger	McCaul
Buchanan	Graves (GA)	McClintock
Bucshon	Graves (MO)	McCotter
Buerkle	Griffin (AR)	McHenry
Burgess	Griffith (VA)	McKeon
Burton (IN)	Grimm	McKinley
Calvert	Guinta	McMorris
Camp	Guthrie	Rodgers
Campbell	Hall	Meehan
Canseco	Hanna	Mica
Capito	Harper	Miller (FL)
Cardoza	Harris	Miller (MI)
Carter	Hartzler	Miller, Gary
Cassidy	Hastings (WA)	Mulvaney
Chabot	Hayworth	Murphy (PA)
Chaffetz	Heck	Neugebauer
Coble	Hensarling	Noem
Coffman (CO)	Herger	Nugent
Cole	Herrera Beutler	Nunes
Conaway	Huelskamp	Nunnelee
Costa	Huizenga (MI)	Olson
Cravaack	Hultgren	Palazzo
Crawford	Hunter	Paulsen
Crenshaw	Hurt	Pearce
Culberson	Issa	Pence
Davis (KY)	Jenkins	Petri
Denham	Johnson (IL)	Pitts
Dent	Johnson (OH)	Platts
DesJarlais	Johnson, Sam	Poe (TX)
Diaz-Balart	Jordan	Pompeo
Dold	Kelly	Posey
Dreier	King (IA)	Price (GA)

Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)

Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)

Thornberry  
Tiberi  
Tipton  
Turner (NY)  
Turner (OH)  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

NAYS—178

Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi

Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinchev  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Insee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larsen (CT)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Napolitano  
Neal

Olver  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Chabot  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

NOT VOTING—14

Ackerman  
Bass (CA)  
Cantor  
Crowley  
Goodlatte

Lee (CA)  
Myrick  
Nadler  
Paul  
Payne

Rangel  
Ros-Lehtinen  
Sherman  
Woolsey

□ 1407

Mr. KUCINICH changed his vote from “yea” to “nay.”

Messrs. ALEXANDER, STIVERS, and BURGESS 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.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 245, noes 173, not voting 15, as follows:

[Roll No. 81]

AYES—245

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Amodei  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishak  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Bostany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Buschon  
Buerkle  
Heck  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Eilmer  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming

Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.

Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Murphy  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Runyan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner

Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan

Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner (NY)  
Turner (OH)  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West

Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

NOES—173

Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Boswell  
Brady (PA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge

Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinchev  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Insee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kildee  
Kildeer  
Cohen  
Kucinich  
Langevin  
Larsen (WA)  
Larsen (CT)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Davis (CA)  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Napolitano

Neal  
Olver  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Pelosi  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Schwartz  
Scott (VA)  
Kind  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

NOT VOTING—15

Ackerman  
Bass (CA)  
Braley (IA)  
Cantor  
Crowley

Goodlatte  
Lee (CA)  
Nadler  
Paul  
Payne

Rangel  
Rivera  
Ros-Lehtinen  
Ruppersberger  
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1415

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

A motion to reconsider was laid on the table.

Stated against:  
Mr. BRALEY of Iowa. Mr. Speaker, on roll-call No. 81, had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. GOODLATTE. Mr. Speaker, on rollcall Nos. 81 and 80, due to being unavoidably detained, had I been present, I would have voted "aye."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

Mr. HASTINGS of Washington. 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 283, nays 127, answered "present" 2, not voting 21, as follows:

[Roll No. 82]  
YEAS—283

Aderholt	Cuellar	Hurt
Alexander	Culberson	Issa
Altmire	Jenkins (CA)	Jenkins
Amodei	DeGette	Johnson (GA)
Austria	DeLauro	Johnson (IL)
Baca	Denham	Johnson, Sam
Bachmann	DesJarlais	Kaptur
Bachus	Deutch	Kelly
Barletta	Diaz-Balart	Kildee
Barrow	Dingell	King (IA)
Bartlett	Doggett	King (NY)
Barton (TX)	Dreier	Kingston
Bass (NH)	Duncan (SC)	Kissell
Becerra	Duncan (TN)	Kline
Berg	Edwards	Labrador
Berkley	Ellison	Lamborn
Biggert	Ellmers	Landry
Bilbray	Engel	Langevin
Bilirakis	Eshoo	Lankford
Bishop (GA)	Farenthold	Larsen (WA)
Black	Farr	Larson (CT)
Blackburn	Fincher	LaTourrette
Blumenauer	Flake	Latta
Bonamici	Fleischmann	Levin
Bonner	Forbes	Lewis (CA)
Bono Mack	Fortenberry	Lipinski
Boren	Frank (MA)	Loeb
Boustany	Franks (AZ)	Lofgren, Zoe
Brady (TX)	Frelinghuysen	Long
Bralley (IA)	Gallely	Lowe
Brooks	Garamendi	Lucas
Broun (GA)	Gerlach	Luetkemeyer
Brown (FL)	Gingrey (GA)	Lujan
Buchanan	Gonzalez	Lungren, Daniel
Bucshon	Gosar	E.
Buerkle	Gowdy	Mack
Burton (IN)	Granger	Maloney
Butterfield	Graves (GA)	Manzullo
Calvert	Green, Al	Marchant
Camp	Green, Gene	Marino
Campbell	Griffith (VA)	Matsui
Canseco	Grimm	McCarthy (CA)
Capito	Guinta	McCarthy (NY)
Capps	Guthrie	McCaul
Carnahan	Hahn	McClintock
Carney	Hall	McCollum
Carson (IN)	Hanabusa	McHenry
Carter	Harris	McIntyre
Cassidy	Hartzler	McKeon
Chabot	Hastings (WA)	McKinley
Chaffetz	Hayworth	McMorris
Cicilline	Heinrich	Rodgers
Coble	Hensarling	McNerney
Cohen	Herger	Meehan
Cole	Higgins	Meeks
Connolly (VA)	Hinojosa	Mica
Cooper	Hirono	Michaud
Courtney	Hochul	Miller (FL)
Crawford	Huizenga (MI)	Miller (MI)
Crenshaw	Hultgren	Miller (NC)

Miller, Gary	Rogers (KY)	Smith (WA)
Miller, George	Rogers (MI)	Speier
Moran	Rohrabacher	Stark
Mulvaney	Rokita	Stearns
Murphy (CT)	Roskam	Stutzman
Myrick	Ross (AR)	Sullivan
Napolitano	Ross (FL)	Sutton
Neugebauer	Rothman (NJ)	Thompson (PA)
Noem	Roybal-Allard	Thornberry
Nugent	Royce	Tiberi
Nunes	Runyan	Tonko
Nunnelee	Ruppersberger	Towns
Olson	Ryan (WI)	Tsongas
Palazzo	Sanchez, Loretta	Turner (NY)
Pascarella	Scalise	Upton
Paulsen	Schiff	Van Hollen
Pelosi	Schmidt	Walden
Pence	Schock	Walz (MN)
Perlmutter	Schrader	Wasserman
Petri	Schwartz	Schultz
Pitts	Schweikert	Watt
Platts	Scott (SC)	Waxman
Polis	Scott (VA)	Webster
Pompeo	Scott, Austin	Welch
Posey	Scott, David	West
Price (GA)	Sensenbrenner	Westmoreland
Price (NC)	Serrano	Whitfield
Quigley	Sessions	Wilson (FL)
Rehberg	Sewell	Wilson (SC)
Reichert	Sherman	Wolf
Reyes	Shimkus	Womack
Richardson	Shuster	Yarmuth
Rigell	Simpson	Young (FL)
Rivera	Smith (NE)	Young (IN)
Roby	Smith (NJ)	
Rogers (AL)	Smith (TX)	

NAYS—127

Adams	Gibbs	Olver
Andrews	Gibson	Pallone
Baldwin	Graves (MO)	Pastor (AZ)
Benishek	Griffin (AR)	Pearce
Bishop (NY)	Grijalva	Peters
Boswell	Gutierrez	Peterson
Brady (PA)	Hanna	Pingree (ME)
Burgess	Hastings (FL)	Poe (TX)
Capuano	Heck	Quayle
Cardoza	Herrera Beutler	Rahall
Castor (FL)	Himes	Reed
Chandler	Hinche	Renacci
Chu	Holden	Ribble
Clarke (MI)	Holt	Richmond
Clarke (NY)	Honda	Roe (TN)
Clay	Hoyer	Rooney
Cleaver	Hunter	Rush
Clyburn	Insee	Ryan (OH)
Coffman (CO)	Israel	Sanchez, Linda
Conaway	Jackson (IL)	T.
Conyers	Jackson Lee	Sarbanes
Costa	(TX)	Schakowsky
Costello	Johnson (OH)	Schilling
Cravaack	Johnson, E. B.	Shuler
Critz	Jones	Sires
Cummings	Jordan	Slaughter
Davis (IL)	Keating	Southerland
Davis (KY)	Kind	Stivers
DeFazio	Kinzinger (IL)	Terry
Dent	Kucinich	Thompson (CA)
Dicks	Lance	Thompson (MS)
Dold	Latham	Tierney
Donnelly (IN)	Lewis (GA)	Tipton
Doyle	LoBiondo	Turner (OH)
Duffy	Lynch	Velázquez
Emerson	Markey	Visclosky
Fattah	Matheson	Walberg
Filner	McCotter	Walsh (IL)
Fitzpatrick	McDermott	Waters
Fox	McGovern	Wittman
Fudge	Moore	Woodall
Gardner	Murphy (PA)	Yoder
Garrett	Neal	Young (AK)

ANSWERED "PRESENT"—2

Amash	Owens
Ackerman	Fleming
Akin	Flores
Bass (CA)	Gohmert
Berman	Goodlatte
Bishop (UT)	Harper
Cantor	Huelskamp
Crowley	Lee (CA)

NOT VOTING—21

Lummis
Nadler
Paul
Payne
Rangel
Ros-Lehtinen
Woolsey

□ 1422

So the Journal was approved.  
The result of the vote was announced as above recorded.

HOUR OF MEETING ON TOMORROW

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 1387.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 566 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1387.

□ 1422

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1387) to address certain water-related concerns on the San Joaquin River, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The Acting CHAIR (Mr. BASS of New Hampshire). Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 1387, the Sacramento-San Joaquin Valley Water Reliability Act.

Like California, my central Washington district is heavily dependent on irrigated water to support my agricultural industry. I understand the importance of having a stable, reliable water supply. I've witnessed how government regulations and environmental lawsuits can create conflicts for people, and jobs are the losers. However, Mr. Chairman, I have never seen anything like the economic devastation that California's San Joaquin Valley has experienced as a direct result of Federal policies that restrict water supply and that created this man-made drought.

Mr. Chairman, in 2009, Federal regulations to protect an endangered species 3-inch fish led to the deliberate diversion of over 300 billion, Mr. Chairman, 300 billion gallons of water away

from the San Joaquin Valley farmers. This caused hundreds of thousands of acres of fertile farmland to dry up. It put thousands of people out of work, and it caused unemployment to reach 40 percent in some communities.

Last April, the Natural Resources Committee traveled to Fresno, California, for a field hearing where we heard directly from farmworkers and valley growers who have been devastated and seen their livelihoods pushed to the brink by this man-made drought. We heard stories of farmworkers who normally feed the Nation, being forced to stand in food bank lines to receive handouts of carrots—carrots from China.

Mother Nature temporarily rescued this region with historic precipitation last year, but another man-made drought is just around the corner if we do nothing. Rain and snow levels have declined, and just last week the Federal Government announced that the San Joaquin Valley farmers would receive only 30 percent of their initial water allocation for this year. This is unacceptable, and if Congress doesn't act now we will once again see farmworkers having to abandon the fields and return to the food lines.

Families and communities in California have waited far too long for Congress to act. In 2009, Mr. Chairman, and in 2010, Mr. Chairman, while this man-made drought was devastating California, the Obama administration and a Democrat-led Congress did nothing. Republicans are ready to act today on bipartisan legislation that will end this man-made drought and protect up to 30,000 jobs.

This comprehensive solution would restore water deliveries that have been cut off due to Federal regulations and environmental lawsuits. It will ensure a reliable water supply for people and for fish and it will secure water rights just generally, and it will save taxpayer money by ending unnecessary and dubious government projects.

I want to stress, Mr. Chairman, that this man-made drought does not just impact California but has rippling effects across the entire Nation. California's San Joaquin Valley is a salad bowl for the world and provides a significant share of fruits and vegetables for our country. The inability of these farmers to do their jobs would lead negatively to increased reliance on foreign food sources. Why, Mr. Chairman, would we want to do that?

Also, according to an initial analysis by the nonpartisan CBO, this bill will repeal and reduce nearly \$300 million in Federal spending over the next 10 years while also generating nearly \$250 million in revenue. To repeat, this bill cuts spending by \$300 million and it increases revenue by a quarter of a billion dollars.

This bill is a chance to right the regulatory wrongs of the past, to end future man-made droughts, and to protect jobs and economic livelihood of farmworkers, farmers, and their fami-

lies. I urge my colleagues to support this bill.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I yield myself 5 minutes.

I really applaud my good friend, Doc HASTINGS, with some of the statistics that he was quoting about the farmers in the valley. There were misrepresentations, which were later clarified, of the actual figures that were affected and, unfortunately, they were very far apart, and that's just for the record. I will be glad to give them to anybody who wants them later.

H.R. 1387, the Sacramento-San Joaquin Valley Water Reliability Act is anything but. It repeals existing State law as written for the use of the water from the San Joaquin River in California's Central Valley. It reallocates water in a way that elevates agricultural uses above all other water needs—that's municipal, fisheries, and environmental uses.

This bill was mostly aimed at California; believe me, mostly California. If enacted, it would set precedent: an unprecedented standard of State preemption, environmental disregard, and privatization of a public resource for the benefit of a select view. It could be, in my estimation, renamed the Barrister Employment Act.

□ 1430

The California State legislature stated it best:

H.R. 1837 is almost breathtaking in its total disregard for equity and its willful subjugation of the State of California to the whims of Federal action.

May I point out that in the past my colleagues on the other side have asked for less intrusion of the Federal Government, less government control, let the locals handle it. This would do the reverse. It would put it in the hands of the Federal Government to be able to determine the State's right to enact its own water laws.

Despite amendments to the bill by the majority, it still seeks to make sweeping negative changes to the State's ability to manage water in the west.

It amends the State constitution, and undermines California's ability to manage its own resources.

It would repeal or overturn nearly 20 years of environmental protections under the Central Valley Project Improvement Act, the CVPIA, and the Endangered Species Act, which is normally under attack by my friends on the other side.

It repeals the San Joaquin Restoration Settlement Act, a compromise widely supported by all stakeholders, and diminishes funds for restoration. It also completely eliminates the coequal goal of protecting the environment and allowing for water deliveries.

It puts jobs of fishermen at risk. The Pacific Fishery Management Council has raised concerns about the impacts on the fishery and fishing commu-

nities. The northwest fisheries were closed in 2008 and 2009 and parts of 2010. They had no fishing. The industry was lost to them.

The Subcommittee on Water and Power received over 34 letters with nearly 300 stakeholders opposing this legislation. They include the Western States Water Council; seven States—California, Colorado, Montana, Nevada, New Mexico, Arizona, and Wyoming; the Department of the Interior; and a statement of administration policy. Also, the senior Senator and the junior Senator of California oppose this. And the list goes on: elected officials, environmental groups, State legislatures, attorneys general offices, Governors' offices, and letters from these different States, not to mention the nonpartisan, 18 Governor-appointed Western States Water Council.

The scope of harmful provisions included in this legislation is matched only by the number of necessary provisions left out. Also, the severity of this legislation, which benefits only a small group, not all of California.

Through a series of amendments, my colleagues seek to address the glaring issues associated with the legislation—the subsidies reform, construction of new facilities, and use of best available science.

Mr. Chairman, this is a bad bill, and I urge a "no" vote. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 5 minutes to the gentleman from California (Mr. MCCLINTOCK), the chairman of the subcommittee that developed this legislation on the Natural Resources Committee.

Mr. MCCLINTOCK. Mr. Chairman, I thank the gentleman for yielding, and I compliment the gentlelady from California on stating the opposite of this bill with remarkable precision.

It does not repeal 20 years of California water law; it restores it by restoring the allocation that was agreed to by a broad bipartisan coalition in the Bay-Delta Accord of 1994. In fact, at that time, the Democratic Interior Secretary, Bruce Babbitt, assured all parties that this agreement would be honored by the State and Federal governments.

His promise was broken first by his own Department and most recently when a Federal court deemed the delta smelt to be more important than the livelihoods of thousands of Central Valley farmworkers. Hundreds of billions of gallons of water that these communities had already paid for and depended upon were simply expropriated and blissfully and cavalierly dumped into the Pacific Ocean, turning much of California's fertile Central Valley into a dust bowl.

This bill redeems the promise made to the people of California and restores the allocations that were agreed to.

We hear: Well, that was then and this is now, and the science has changed. What they are referring to is not

science; it is ideology masquerading as science. In 2010, their claims were thrown out of the Federal court, which cited ideological zealots who had attempted to, in the words of the court, "Mislead and to deceive the court into accepting what is not only not the best science, it's not science."

The science is this: the Northwest Fisheries Science Center determined the Pacific Decadal Oscillation is a principal factor in salmon migration. Ocean currents.

The California Department of Water Resources determined that pumps which deliver water to the Central Valley had a negligible influence on salmon and delta smelt migration.

The National Academy of Sciences reported that nonnative and invasive predators, like the striped bass, are a far more significant influence on salmon and delta smelt populations.

So the second thing that this bill does is to replace the ideological zealotry that created this human disaster with practical and fact-based solutions to support native delta smelt and salmon populations. For example, as I said earlier, it's common to find striped bass in the delta gorged with salmon smolts and delta smelt. This bill allows open season on these destructive, invasive, and nonnative predators.

Fish hatcheries produce millions of salmon smolts each year, and tens of thousands return as fully grown adults to spawn, but these fish are not allowed to be counted. This bill counts them, ensuring that hatcheries will produce thriving and bountiful populations of salmon and delta smelts and any other species considered endangered.

The San Joaquin River Settlement Act envisions an absurdly impractical year-round cold war salmon fishery on the hot valley floor at an estimated cost of \$2 million per individual fish. That act was adopted by the Democrats 2 years ago when they controlled this House. It is so expensive because it attempts to establish something that only existed sporadically in nature. Instead, this bill establishes a year-round warm water fishery that acts in concert with the habitat at a fraction of the cost.

Third, the bill removes disincentives in current law that discourage farmers from purchasing surplus water in wet years to recharge groundwater banks.

It removes prohibitive regulatory restrictions on water transfers between willing buyers and willing sellers, which once had efficiently distributed water throughout that system from areas of surplus to areas of shortage.

It allows environmental flows to be recycled and used by human communities once those flows have achieved their environmental purposes.

Fourth, it brings the full force of Federal law to invoke and protect State water rights and forbid their violation by any bureaucracy: local, State, or Federal. In fact, this provision specifically addressed concerns

raised by the very same opponents to the original bill who feared that, because of the unique joint operating agreement between the State and Federal Governments, changes in Federal allocations could lead to raids on senior water rights holders by the State government.

This provision fully addresses those concerns through the Federal Government's legitimate constitutional authority in the 14th Amendment to protect the property rights of its citizens against encroachment by any government bureaucracy. This is the preemption issue that the opponents are raising. They are some of the same opponents who attacked the original bill for not protecting those rights. This bill doesn't preempt those rights; it specifically invokes them and protects them.

It brings to an end the predation on the working people of California. It places senior water rights holders in a safe and secure position, and treats our water as the precious resource it is.

Mrs. NAPOLITANO. I yield 4 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentlewoman.

One hardly knows where to start, when you take California water law and push it aside and preempt it with Federal water law, really running over the top of the State of California, and then you steal 800,000 acre-feet and transfer it to your buddies—yes, you're going to come up with a lot of reasons why it makes sense. But the reality is quite different.

Let us understand very clearly here that 150 years of California water law is thrown out and a new Federal law is put in place that preempts California water law. The 1994 CALFED agreement was an interim agreement. It was never, ever intended to be a permanent statutory agreement on how water would be delivered in California.

In addition to that, let me understand—yes, I see your little chart over there that you're going to throw up. That was 1994, and it said precisely what we ought to do today. And that is: today, we ought to be working together to solve the problems of California water. And guess what, California is.

But with this law in place, it won't happen. The ability of California to work together to solve its problems are thrown out. What sense does that make unless you want to steal 800,000 acre feet of water and take an agreement that was forged over 20 years ago to solve a problem on the San Joaquin River that is not for year-round salmon flows but only for the spring salmon flows. Why would you want to do that, except you want to take somebody's water?

□ 1440

The water is the water of the fishermen as well as the water of the farmers.

By the way, facts are ugly little things. There are no 3,000 people that

lost their jobs, no 60,000 people that lost their jobs. The University of California, Berkeley, the University of California, Davis, and the University of the Pacific all say that the losses were less than 7,000, which almost equaled the loss of the fisheries.

When we get to the end of this story, it is going to be a story of the rest of the Nation. If you happen to be a Western State, if you happen to be a Midwestern State that has a Federal water project from the Bureau of Reclamation, beware, because this is the first-ever attempt to throw aside 100 years of reclamation law in which deference is given to the States over the power of their water rights and their water laws.

Yes, you can say section 4 of this bill deals with that. No, it doesn't. It does not deal with the totality of California law. In fact, the bill destroys that totality.

Western States are opposed to this. The list has been given. Other States, watch out. This is a power grab. This is a water grab. This is an imposition of the Federal authority over the States, and specifically over California.

Yes, Mr. Chairman—excuse me, if I might, through the Chair—you said that there is 100 percent water. No water district except those that preceded the Federal project have 100 percent allocation. Every other water district has shortage provisions in those water contracts.

By the way, whatever power we may have, we don't have the power to overcome a natural drought, which is precisely what is happening in California today and happened during the period that this bill speaks to. It was a natural drought. Yes, there were restrictions placed on the pumps, restrictions that were necessary to protect an endangered species.

By the way, the judge that you cited took a job 45 days after he quit with the water contractor that is supporting this bill. Figure it out yourself. Figure out what is going on here. This is a theft of 800,000 acre feet of environmental water. This is an overturning of California water law, and we ought not do it.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind Members to address their remarks to the Chair.

Mr. HASTINGS of Washington. Mr. Chairman, before I yield to the sponsor of this legislation, I yield myself 30 seconds to simply point out that the statistics I used as it relates to unemployment come from Fresno County. That is a county where all of this was impacted. The statistics that were cited by my friends across the aisle were from outside that area.

The second point I want to make is that I have letters here from 14 senators and 18 members of the California legislature. I insert their letters in support in the RECORD.

SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT—ORGANIZATIONS IN SUPPORT  
WATER AGENCIES/ORGANIZATIONS  
California Water Alliance

Families Protecting the Valley  
Northern California Water Association\*  
Family Water Alliance  
California Watershed Posse  
Westlands Water District  
San Luis Delta-Mendota Water Authority:  
Banta-Carbona Irrigation District,  
Broadview Water District, Byron Bethany Irrigation District (CVPSA), Central California Irrigation District, Columbia Canal Company, Del Puerto Water District, Eagle Field Water District, Firebaugh Canal Water District, Fresno Slough Water District, Henry Miller Reclamation District #2131, James Irrigation District, Laguna Water District, Mercy Springs Water District, Oro Loma Water District, Pacheco Water District, Pajaro Valley Water Management Agency, Panoche Water District, Patterson Irrigation District, Pleasant Valley Water District, Reclamation District 1606, San Benito County Water District, San Luis Water District, Santa Clara Valley Water District, Tranquillity Irrigation District, Turner Island Water District, West Side Irrigation District, West Stanislaus Irrigation District  
Placer County Water Agency\*  
Nevada Irrigation District\*  
El Dorado Irrigation District\*  
Exchange Contractors\*\*  
Modesto Irrigation District\*\*  
San Joaquin Tributaries Association\*\*  
Kern County Water Agency: Belridge Water Storage District, Berrenda Mesa Water District, Buena Vista Water Storage District, Cawelo Water District, Henry Miller Water District, Kern Delta Water District, Lost Hills Water District, Rosedale-Rio Bravo Water Storage District, Semitropic Water Storage District, Tehachapi-Cummings County Water District, Tejon-Castac Water District, West Kern Water District, Wheeler Ridge-Maricopa Water Storage District

Tehama Colusa Canal Authority: Proberta Water District, Kirkwood Water District, Thomes Creek Water District, Corning WD, Orland-Artois Water District, Glide Water District, Kanawha Water District, Holthouse Water District, Cortina Water District, Davis Water District, LaGrande Water District, 4M Water District, Dunnigan Water District, Colusa County Water District, Westside Water District  
Bella Vista Water District  
Reclamation District No. 108\*  
Maxwell Irrigation District\*  
Sutter Mutual Water Company\*  
Provident Irrigation District\*  
Natomas Mutual Water Company\*  
River Garden Farms\*  
Glenn Colusa Irrigation District\*  
Glenn-Colusa Irrigation District\*  
Princeton-Codora-Glenn Irrigation District\*  
Chowchilla Irrigation District\*

## NATIONAL ORGANIZATIONS

U.S. Chamber of Commerce  
National Federation of Independent Business  
Americans for Limited Government  
National Taxpayers Union  
Americans for Tax Reform  
Citizens Against Government Waste  
American Land Rights Association  
Small Business & Entrepreneurship Council  
Western Business Roundtable

## NATIONAL FARM ORGANIZATIONS

Western Growers  
Family Farm Alliance  
Agricultural Retailers Association  
National Turkey Federation  
National Cattlemen's Beef Association  
National Agricultural Aviation Association  
National Cotton Council

American Pima Cotton Producers  
National Chicken Council  
Milk Producers Council  
National Onion Association  
Supima  
Western Plant Health Association  
Dairy Farmers of America  
Western Agricultural Processors Association  
Irrigation Association

## CALIFORNIA FARM ORGANIZATIONS

California Wool Growers Association  
California Cattlemen's Association  
California Grain Feed Association  
California Cotton Ginners & Growers Assoc.

California Citrus Mutual  
California Olive Growers Council  
California Grape and Tree Fruit League  
California Dairies Inc.  
California Poultry Federation: Foster Farms; Aviagen Turkeys, Inc.; Zacky Farms; Squab Producers of California; Willie Bird Turkeys

Apricot Producers of California  
Allied Grape Growers  
Almond Hullers & Processors Association

## LOCAL FARM ORGANIZATIONS

Fresno County Farm Bureau  
Kern County Farm Bureau  
Tulare County Farm Bureau  
Kings County Farm Bureau  
Madera County Farm Bureau  
Merced County Farm Bureau  
Fresno-Kings Cattlemen

## CALIFORNIA BUSINESSES

Paramount Farms  
Harris Ranch  
Harris Woolf Almonds  
Borba Farms  
Land O' Lakes  
Sagoupe Enterprises LLC  
Sagoupe Family Orchards I, II, III, IV  
Lyons Magnus  
Wawona Packing  
Lyons Transportation  
Triple J Partners  
Ghost Ranch LLC  
Old West Management LLC  
Panoche Creek Packing, Inc.  
Double D Farms  
Penny Newman Grain Company  
Chaney Ranch  
Wind Fall Farms  
Panoche Creek Farms  
J.G. Avila Farms  
Rock'n JK Farms  
Sano Farms  
Quad Knopf—Civil Engineering  
Alvarado Building Group  
Kingsburg Federal Land Bank  
AGRI Crop Insurance Agency  
Redding Electric Utility  
Proteus Inc.  
Aquarius Aquarium Institute  
Ferguson Farming Company  
Lost Wagon Wheel Ranch  
Brooks Ransom Associates  
Bettencourt Farms  
Kings Ranch  
Waymire Farms  
Nelson Ranch  
Triple J Trust  
Westside Ranch  
Freitas Farms 1  
JHP Ranch Inc  
Joseph G Freitas Farms  
Brooks Farms  
GCM Farms  
Farmer's Fury Winery  
Stone Land Company  
Errotabere Ranches  
Houlding Farms

## TEA PARTY SUPPORTERS

Mark Meckler, Co-Founder Tea Party Patriots

Central Valley Tea Party  
North Valley Patriots

## OTHER SUPPORTERS

Stewards of the Sequoia  
Kelly Lilies, Area Administrator, Catholic Charities

## TRIBAL GOVERNMENTS

Santa Ynez Band of Chumash Indians

## STATE ELECTED LEADERS

Senator Jean Fuller  
Senator Bill Emmerson  
Senator Anthony Cannella  
Senator Joel Anderson  
Senator Bob Huff  
Senator Tom Berryhill  
Senator Mimi Walters  
Senator Tony Strickland  
Senator Mark Wyland  
Senator Bob Dutton  
Senator Tom Harman  
Senator Sharon Runner  
Senator Ted Gaines  
Senator Doug LaMalfa  
Minority Leader Connie Conway  
Assemblyman David Valadao  
Assemblyman Jeff Miller  
Assemblywoman Diane Harkey  
Assemblywoman Shannon Grove  
Assemblyman Jim Silva  
Assemblyman Brian Jones  
Assemblyman Cameron Smyth  
Assemblyman Katcho Achadjian  
Assemblyman Donald Wagner  
Assemblyman Mike Morrell  
Assemblyman Allan Mansoor  
Assemblyman Brian Nestande  
Assemblyman Steve Knight  
Assemblywoman Linda Halderman  
Assemblyman Paul Cook  
Assemblyman Martin Garrick  
Assemblyman Curt Hagman

## CITIES/COUNTIES

Kings County Board of Supervisors  
Tulare County Board of Supervisors  
Merced County Board of Supervisors  
Fresno County Supervisor Phil Larson  
Fresno County Supervisor Deborah Poochigian  
Fresno County Supervisor Judith Case  
Madera County Supervisor Frank Bigelow  
Madera County Supervisor David Rogers  
Madera County Supervisor Ronn Dominici  
Stanislaus County Supervisor Terry Withrow  
Fresno City Council President Clinton Olivier  
Madera City Councilwoman Sally Bomprezzi  
Madera City Councilmember Robert Poythress  
Madera City Councilmember Gary Svanda  
City of Clovis  
City of Orange Cove  
City of Reedley  
City of Huron  
City of Dinuba  
City of Visalia  
City of Lindsay  
City of Tulare  
City of Woodlake  
City of Farmersville  
City of Firebaugh  
City of Kingsburg  
City of Kettleman City  
City of Lemoore  
City of Coalinga  
City of Porterville  
City of Chowchilla  
City of Waterford

## LAW ENFORCEMENT

Fresno County DA Elizabeth Egan  
Tulare County DA Phil Cline  
Tulare County Sheriff Bill Wittman  
Fresno County Sheriff Margret Mims  
Madera County Sheriff John Anderson

Kings County Sheriff Dave Robinson

LOCAL BUSINESS ORGANIZATIONS

Fresno Chamber of Commerce  
 Clovis Chamber of Commerce  
 Visalia Chamber of Commerce  
 Tulare Chamber of Commerce  
 Kingsburg Chamber of Commerce  
 Greater Bakersfield Chamber of Commerce  
 Greater Reedley Chamber of Commerce  
 Riverbank Chamber of Commerce  
 Home Builders Association of Tulare-Kings  
 \*Support limited to Title IV.

\*\*Supports bill but no opinion on Title II.

\*\*\*Friant settling party supports bill—recommends settling parties adopt Title II.

ASSEMBLY,  
 CALIFORNIA LEGISLATURE,  
 Sacramento, CA, June 9, 2011.

Congressman DEVIN NUNES,  
 Longworth House Office Building,  
 Washington, DC.

CONGRESSMAN DEVIN NUNES: We, the undersigned members of the CA State Legislature, support The San Joaquin Valley Water Reliability Act, H.R. 1837, as introduced by Congressman Devin Nunes (R-21) and co-sponsored by Congressman Jeff Denham (R-19) and Majority Whip Kevin McCarthy (R-22).

H.R. 1837 is sensible water policy that codifies the bipartisan Bay-Delta Accord into law and also reforms the Central Valley Project Improvement Act (CVPIA). By doing so, water supplies will be increased by 1.4 million acre-feet annually, which will create 25,000-30,000 jobs in the San Joaquin Valley, a region suffering from 20-40% unemployment. Additionally, by repealing and replacing the San Joaquin River Settlement with a viable alternative, H.R. 1837 will save taxpayers \$1 billion.

We would like to express our support for this important piece of legislation.

Sincerely,

David G. Valadao, 30th District; Diane Harkey, 73rd District; Jeff Miller, 71st District; Shannon Grove, 32nd District; Jim Silva, 67th District; Connie Conway, 34th District; Katcho Achadjian, 33rd District; Mike Morrell, 63rd District; Brian Jones, 77th District; Cameron Smyth, 38th District; Donald P. Wagner, 70th District; Allan R. Mansoor, 68th District; Brian Nestande, 64th District; Linda Halderman, 29th District; Martin Garrick, 74th District; Steve Knight, 36th District; Paul Cook, 65th District; Curt Hagman, 60th District.

CALIFORNIA STATE SENATE,  
 Sacramento, CA, February 27, 2012.

Congressman DEVIN NUNES,  
 Longworth House Office Building,  
 Washington, DC.

CONGRESSMAN DEVIN NUNES: We, the undersigned members of the California State Legislature, support the San Joaquin Valley Water Reliability Act, H.R. 1837, as introduced by Congressman Devin Nunes (R-21) and co-sponsored by Congressman Jeff Denham (R-19) and Majority Whip Kevin McCarthy (R-22).

H.R. 1837 is sensible water policy that codifies the bipartisan Bay Delta Accord into law and also reforms the Central Valley Project Improvement Act (CVPIA). By doing so, water supplies will be increased by 1.4 million acre-feet annually, which will create 25,000-30,000 jobs in the San Joaquin Valley, a region that is suffering from 20-40% unemployment. Additionally, by repealing and replacing the San Joaquin River Settlement with a viable alternative, H.R. 1837 will save taxpayers \$1 billion.

We would like to express our support for this important piece of legislation.

Sincerely,

Jean Fuller, 18th Senate District; Anthony Cannella, 12th Senate District; Bob Huff, 29th Senate District; Bill Emmerson, 37th Senate District; Joel Anderson, 36th Senate District; Tom Berryhill, 14th Senate District; Mimi Walters, 33rd Senate District; Mark Wyland, 38th Senate District; Tom Harman, 35th Senate District; Ted Gaines, 1st Senate District; Tony Strickland, 19th Senate District; Bob Dutton, 31st Senate District; Sharon Runner, 17th Senate District; Doug LaMalfa, 4th Senate District.

At this time, I am very pleased to yield 3 minutes to the gentleman from California (Mr. NUNES), the sponsor of this legislation, who has been an absolute leader on bringing this to national attention.

Mr. NUNES. Mr. Chairman, I would like to remind the gentleman from California that facts are a funny thing, and the Deputy Under Secretary approved this bipartisan agreement in 1994.

I remind the gentleman also that I defended his right in the Rules Committee. I defended the right of the Democrats to have all their amendments made in order.

Mr. Chairman, when the Federal Government began to pass State preemption to take their water away, you can see here that up until this time we had full water allotment throughout California. Yes, when there was a drought, there were a few years we didn't have water, but look at the chaos that has erupted since. This is an important point. The Congress, by using State preemptions, has managed to take water away from cities, communities, and families.

The opponents of this bill claim that somehow the salmon population is decreasing. We can see here in this graph at the bottom—I know it may be hard for some folks to see. The water exports are here. The green represents total water that flowed into the delta throughout the last 25 years. The red line indicates salmon populations. Lo and behold, there is no correlation between the water inflow into the delta and salmon population.

But I will agree that the salmon population has declined, and this bill begins to fix that problem. Why? Because the delta smelt and salmon are being eaten by predator fish that are nonnative to the delta. Let me say that again. Striped bass, nonnative to the delta.

This scientific evidence shows, as the bass population has increased, the smelt population has declined. This bill rectifies this. This bill allows fishermen to fish for the nonnative species. What this is about is we're shutting off the water to Californians and to their families because of the delta smelt right here.

They talk a lot about these dangerous pumps that are pumping this water, these engineering projects that allowed this valley to bloom, that have

improved the environment over time. Less than 2 percent of the juvenile salmon—it is negligible in the pumps. Instead of looking at ways to stop that negligible impact, we allow the predator fish, the striped bass, to eat 65 to 90 percent of the juvenile salmon that are being eaten by this bass.

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

Mr. HASTINGS of Washington. I yield to the gentleman an additional 1 minute.

Mr. NUNES. Here we have evidence of this. You can see the bass—I know this is a little gruesome for some folks at home. Here you have the smelt inside the bass. Yet this government is allowing this nonnative species to eat the thing that they so love, the delta smelt.

What has been the result, Mr. Chairman? Food lines. In the breadbasket of the world where they used to grow the Nation's carrots, we now import carrots from China to feed the people in the food lines. This is what this is about. These are children in a food line eating carrots imported from China.

Does this Congress have a moral compass to do the right thing with regards to children in food lines eating carrots imported from China?

The Acting CHAIR. The time of the gentleman has again expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional minute.

Mr. NUNES. Mr. Chairman, we don't need any fancy speeches here today. A sixth-grader from an elementary school in my district—I won't read the whole thing—sent this letter:

Not only does this problem affect the farming industry, it also affects the farmers, families, and their livelihood. I am sure you've heard this complaint. But before, as with future generations, it is of great concern to me. Please do what you can to get the water to the farmers once again, then we can use the fertile soil that the people of this valley have been blessed with.

This sixth-grader is correct. This Congress should do the right thing. We need Democrats and Republicans to come together today. As the Speaker of the House stated earlier, this is to right a wrong.

I urge passage of this bill.

Mrs. NAPOLITANO. Mr. Chairman, I can't believe how many of these people that wrote letters and the stakeholders, including 105 fishing agencies, could be so wrong.

I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

While this bill directly affects the State of California, even though the State of California opposes the legislation, it is also opposed by representatives of the other western water interests—the State of Montana, the State of New Mexico, the State of Oregon, the State of Wyoming, the State of Colorado—which have all joined California in saying they don't want this bill.

Why are they all saying that? They are saying it because of the precedent that it will set in upsetting settled water rights in the West.

□ 1450

Now, to address that issue, the Republicans have inserted in the bill language that says this bill does not set a precedent in upsetting all the water rights in the West, as it upsets all the water rights in California. So, what's that like? Well, in 1929, the Belgian surrealist painter, Rene Magritte, painted a painting of a tobacco pipe. Under the pipe, he painted the words, "This is not a pipe." But of course it was a pipe—or at least a painting of a pipe. This bill has a similar surrealistic quality to it.

The bill states that the violence of this bill in upsetting water rights is not a precedent, that nothing that happens in California will be a precedent for any other State—which is why of course all the other States are opposing the bill because of the precedent that it sets. This bill sets the precedent to upset all those other arrangements. Others in the West who may wish to restructure water rights elsewhere around the West will look to it as a precedent. So I would say to the majority: nice job, but no cigar.

Clearly, this bill does set a bad precedent, and we can't get around that fact just by putting in the bill that it does not set a precedent. You are, for all intents and purposes, taking all of those arrangements set up over generations and in one bill—opposed by all those States—upsetting the apple cart and setting a brand new era. And you cannot get around it by saying in the bill: This does not set a precedent.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2½ minutes to the gentleman from northern California (Mr. HERGER), an individual who unfortunately is leaving Congress after this, but who has been a leader on property rights in that part of his State of California.

Mr. HERGER. Mr. Chairman, I originally voiced strong concerns when this legislation was first introduced last year, arguing that it would negatively impact northern California's water supplies and undermine our senior water rights; but under Chairman HASTINGS' leadership, it has come a very, very long way.

We have amended the bill so it not only protects northern California water and power users I represent, but in many respects puts them in a materially better position. As such, I intend to strongly support it. It contains important reforms to the CVPIA, a law that has, like so many others, gone awry, including greater certainty for agriculture through longer-term contracts, improved financial accountability, and a cap on the amount ratepayers I represent must pay into the restoration fund.

Most importantly, a new title 4 contains an explicit Federal recognition of

California water rights priority system and area of origin protections. Going forward, it will also ensure water users in our area are not harmed by efforts to address environmental and water-quality challenges in California. We have created an important baseline for any water legislation to ensure northern California's water needs will be met first.

There is broad support for these provisions, including from the Tehama Colusa Canal Authority, representing 17 water districts; the Northern California Water Association; eight absolute priority settlement contractors; the city of Redding; Redding Electric Utility; and the Family Water Alliance, a group representing Sacramento Valley landowners.

In short, the bill seeks to solve another tragic ESA-caused water shortage facing our family farmers in California. And it does so while fully protecting senior water rights holders in my district, and in many ways enhancing their positions.

I urge strong support for the bill.

Mrs. NAPOLITANO. Mr. Chairman, I yield 3½ minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. I thank the gentleman for yielding.

Mr. Chairman, I rise to discuss a matter of great importance to my constituents in the San Joaquin Valley, and that's the future of our water supply. More importantly, it's our Nation's food supply and, therefore, an important part of the world's food supply.

H.R. 1837 is not perfect and has issues I think the authors should seriously consider, but I am supporting the legislation today because of a number of important provisions it contains.

Titles 1 and 3 of the legislation aim to address the biggest challenges for water policy in California. In 2009 and 2010, valley communities suffered through a hydrological and regulatory drought that was insufferable. This year, we are again faced with below-average snow pack in the mountains and may see as little as a 30 percent allocation for water in our area.

My congressional district is the most impacted in California by this short-fall. Farmers, farmworkers, and farming communities that live in my district is what I'm talking about. Our water system is broken in California; but while we're trying to fix it, we need operational flexibility while we continue to work on the long-term issues of the Bay-Delta Conservation Plan.

We should be discussing more constructive ways in which we can work together.

Title 2 of this measure repeals and replaces the San Joaquin River Restoration Act. After 18 years of litigation, the parties involved decided to reach an out-of-court settlement agreement. We can all dispute that, but it was those 22 districts' local government that we respected who asked them to codify their out-of-court set-

tlement agreement. I note that the Friant Water Authority continues to oppose title 2 of the bill, as do many of the districts who were involved with the writing and the negotiation of the settlement agreement.

Now, we do have problems with the implementation of the program—Congressman CARDOZA and I will tell you—from the schedule, to costs, to third-party impacts, to the fulfillment of the water management goal, which is critical to the water users. These issues need to be addressed. But simply repealing the settlement agreement won't solve any of these problems, in my view. In fact, I'm certain they'll be back in court the next day, and that's not solving a problem.

We have had a long history of working on a bipartisan basis in California and in the San Joaquin Valley among our Representatives on water. It frustrates me to see the division on the House floor that has politicized this situation and arguably does nothing for the people that I represent. I have always been willing to work on both sides of the aisle, with the Senate, and with the administration to get things done for our valley; and I have done that throughout my career. But unless we are willing to work with Senator FEINSTEIN, who I know wants to be helpful, I predict that this measure today, as it is proposed, will never be heard in the United States Senate. Therefore, it will never bring an additional single drop of water to our region that is desperately in need of more water.

I think we can do better for our constituents by working together on a bipartisan basis with both Houses to develop and implement solutions both in the long term and the short term. These are the efforts that really will increase our water supply, which all Californians need and deserve to have.

Mr. HASTINGS of Washington. Mr. Chairman, how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Washington has 12½ minutes remaining, and the gentleman from California has 15½ minutes remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from California (Mr. DENHAM), a new Member who represents part of this area that has been devastated and who was an integral player on developing this legislation.

Mr. DENHAM. Mr. Chairman, a lot has been said about our area of the State, where you have 30 to 40 percent unemployment in some areas. It's not a Republican issue; it's not a Democrat issue. It is an American jobs issue—to put people back to work.

Some people say, Well, those aren't the kinds of jobs that we want. You know, it's a dusty, dirty way to earn a living. Yeah, it is dusty; it is dirty. I'm a farmer. And without water, you shut down not only my farm, but you shut down farms throughout the valley, you

shut off our food supply, you shut off all of those jobs that desperately rely on water.

Now, a lot of people like to talk about a deal is a deal. Back in 1994, we had this grand deal that took CVPIA water, took 800,000 acre-feet for environmental purposes. The deal was that water was supposed to be replaced. The Department of the Interior never did that, just stole 800,000 acre-feet of water, which still has to be paid for by the contract; but nevertheless, we need to make sure that our valley farmers are held whole.

Let me talk about a couple of different issues within this bill.

□ 1500

Again, this is about our priorities as the House. The Senate may or may not agree with them, but we'll never know if we don't have the debate. Shouldn't the Senate at least have an opportunity to look at this bill and vote on the bill and debate the bill?

If they don't like the bill, present us your own; but don't just ignore valley farmers. Don't just ignore the amount of jobs that we're losing as a State. You don't like it, come up with your own bill. We'll vote on that; we'll debate on that.

But we're going to express our priority, and our priority is about the jobs of the Central Valley. We're going to send you a bill that not only deals with greater water certainty, but also deals with duplicative regulation.

I'm also on the Transportation Committee; and whether it's the Resources Committee or the Transportation Committee, when you have a higher environmental law, like California does, why go through these same environmental policies twice? Why not streamline NEPA so that you don't have that duplicative regulation that shuts down our water projects?

And while we're at it, we can fight all we want on where the water that we currently have is delivered or who wins and who loses; but we lose as a State, we lose as a country until we get more water storage.

We've put an amendment in this bill in committee that will authorize new water storage, whether it's Sites Reservoir, Los Vaqueros, Shasta or, in my area, Temperance Flat. But we have to have more off-stream storage.

And in Los Vaqueros, in Congressman GARAMENDI's own district, in his own backyard, we can have water storage today without any cost to the Federal taxpayers. Where we've got users that are willing to pay for more water storage, and the water is desperately needed, why wouldn't we approve those projects?

That's authorized in this bill. This bill deals with certainty. This does deal with a number of years of a problem, and it certainly deals with drought years, as well as certainty in wet years. But it also deals with greater water storage.

So if you want to end this debate once and for all, let's make sure we keep up with the population growth of California. Let's have greater water storage, and let's solve this problem so that we don't have the double-digit unemployment in the Central Valley.

Mrs. NAPOLITANO. Mr. Chairman, I must mention that California agriculture had the biggest banner year during that period, in other words, in the billions more than they had in prior years during this drought.

So with that, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, someone needs to stand up and defend the delta. I'm standing to express my strong opposition to H.R. 1837. This legislation will do tremendous damage and harm to the San Joaquin Delta, an area that I'm honored to represent.

The San Joaquin Delta is a treasure for California and the entire Nation. The delta flows through five counties and sustains major cities, small towns, and lush farmland. Agriculture is the economic backbone of the delta, generating nearly \$800 million per year revenue in 2009.

Unfortunately, the delta ecosystem is now in decline due to excessive water shipments to the south. Poor water quality is a threat to the region's entire agricultural economy and heritage. H.R. 1837 would even ship more water out of the delta, turning this precious estuary into a salty, stagnant marsh, crushing the local economy, and costing the delta region thousands and thousands of jobs.

This bill is a blatant water grab meant to help some communities at the expense of others. Contrary to the conservative principles that this bill's proponents claim to cherish, H.R. 1837 uses the power of the Federal Government to undermine states' rights.

Dozens of local governments, businesses, agricultural advocates, environmental groups and others oppose H.R. 1837. I have letters from these groups, and I will insert them into the RECORD.

FEBRUARY 27, 2012.

Re OPPOSE H.R. 1837 (Nunes).

Hon. JOHN BOEHNER,

*Speaker of the House, House of Representatives, The Capitol, Washington, DC.*

DEAR SPEAKER BOEHNER: On behalf of the undersigned organizations, we urge you to oppose the "San Joaquin Valley Water Reliability Act," (H.R. 1837), which was introduced by Representative Nunes. Furthermore, we do not believe that this bill merits a vote by the U.S. House of Representatives.

H.R. 1837 overrides the public trust as defined in the California Constitution and state water laws. It reverses the long-standing Congressional principle that the federal government should follow state water law whenever possible.

H.R. 1837 would reduce water quality and water availability for Delta communities and Delta farmers. It seeks to ensure water flows to corporate agribusiness in the western and southern San Joaquin Valley at the expense of Delta family farmers. The re-

cently-released Economic Sustainability Report authored by the Delta Protection Commission shows that Delta agriculture is worth \$4.2 billion annually and provides tens of thousands of jobs. Delta agriculture and jobs should not be sacrificed to benefit water users in other parts of the state, some of whom do not even use that water for agriculture.

H.R. 1837 would hinder efforts to restore fish populations in the Delta. Science-based protections for salmon and other endangered species are required under both California state law and the Endangered Species Act. Since 2009, the State of California has consistently opposed legislation that would weaken the Endangered Species Act in the San Francisco Bay-Delta and Estuary. Title I of H.R. 1837 would substitute measures that were part of a short-term agreement in 1994, when the health of the Delta had not deteriorated so seriously and when recent scientific studies had not yet been done.

H.R. 1837 would reverse San Joaquin River restoration, thereby further impacting water quality and quantity for the south Delta. While the San Joaquin River restoration allows for a limited flow of additional water into the south Delta, breaking the promise of San Joaquin River restoration would signal to Delta communities the federal government's sacrifice of the Delta for the preference of another region in California.

This deeply-flawed bill joins a long list of water strategies created behind closed doors without input from the Delta communities that rely on a healthy Delta for their livelihoods. It threatens the economic security of families, farmers, and small business owners in the Delta, as well as those in the Delta and Northern California who depend on recreational and commercial fisheries. It also threatens the urban economy surrounding the Delta—an area that is home to four million Californians and that is dependent on the Delta to meet its water user needs.

H.R. 1837 deserves your opposition.

Sincerely yours,

Barbara Barrigan-Parrilla, Executive Director, Restore the Delta; Carolee Krieger, President & Executive Director, California Water Impact Network; Ann Johnston, Mayor, City of Stockton, Delta Coalition Chair; Ron Addington, Executive Director, Business Council of San Joaquin County; John Herrick, South Delta Water Agency; Roger Mammon, President, CSBA West Delta Chapter; Bill Jennings, Executive Director, California Sportfishing Protection Alliance; Jack Chapman, State Board President, California Striped Bass Association; John Beckman, Chief Executive Officer, BIA of the Delta; Bobby Barrack, Professional Bass Fisherman, Back to Class Guide Service.

Bill Berryhill, Assemblyman, 26th District, California State Assembly; Roger Mammon, President, CSBA West Delta Chapter; Jeff Shields, General Manager, South San Joaquin Irrigation District; Bill Wells, Executive Director, California Delta Chambers & Visitor's Bureau; Jeremy Terhune, Executive Director, Friends of the lower Calaveras River; Steve Dial, Deputy Executive Director/Chief Financial Officer, San Joaquin Council of Governments; Jack Chapman, President, CSBA Sacramento, The River City Chapter; Alyson L. Huber, Assemblymember, 10th District, California State Assembly.

THE BOARD OF SUPERVISORS,  
SAN JOAQUIN COUNTY, CA,  
February 24, 2012.

Hon. DOC HASTINGS,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*  
Hon. TOM MCCLINTOCK,  
*Chairman, Subcommittee on Water and Power,  
Committee on Natural Resources, House of  
Representatives, Washington, DC.*  
Hon. EDWARD J. MARKEY,  
*Ranking Member, Committee on Natural Re-  
sources, House of Representatives, Wash-  
ington, DC.*  
Hon. GRACE NAPOLITANO,  
*Ranking Member, Subcommittee on Water and  
Power, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

LETTER IN OPPOSITION TO H.R. 1837

DEAR CHAIRMAN HASTINGS, RANKING MEM-  
BER MARKEY, CHAIRMAN MCCLINTOCK, AND  
RANKING MEMBER NAPOLITANO: The County  
of San Joaquin is writing to express its oppo-  
sition to H.R. 1837, the proposed San Joaquin  
Valley Water Reliability Act. H.R. 1837 con-  
tains a number of provisions that appear to  
arbitrarily block legal protections for the  
Sacramento-San Joaquin Delta (Delta). If  
enacted, H.R. 1837 would overturn important  
environmental protections for the Delta pro-  
vided by State law, and would reverse the  
San Joaquin River Settlement.

We recognize and appreciate the inclusion  
of language in Title IV mandating that the  
Central Valley Project be operated in a man-  
ner consistent with State water law provi-  
sions related to "area of origin, watershed of  
origin and county of origin. . . ." This lan-  
guage is consistent with our long-held view  
that federal law should specifically and fully  
recognize and respect California's water  
rights priority system and statutory protec-  
tions for "areas of origin".

However, H.R. 1837, taken as a whole,  
would move the Sacramento-San Joaquin  
River region and the State in the wrong di-  
rection. The bill is focused on the past; it  
takes us backwards, and that is not a direc-  
tion that holds any promise for collabora-  
tive, consensus-based solutions to Califor-  
nia's complex water challenges or a healthier  
Delta. If enacted, H.R. 1837 would stall and  
potentially disrupt current efforts of various  
State and Federal agencies as they work to-  
ward the implementation of California's 2009  
Comprehensive Water Package (SB1, SB 6,  
SB7, and SB8), which mandates a reduced re-  
liance on the Sacramento-San Joaquin  
Delta, provision of a high quality supply of  
water, and restoration of the Delta's eco-  
system (e.g., the forthcoming Bay Delta Con-  
servation Plan).

In addition, we oppose the closed-door  
process used in constructing the bill. H.R.  
1837 was put together with neither public  
transparency nor any meaningful input from  
the diversity of California's water and envi-  
ronmental interests.

We appreciate your consideration of our  
concerns regarding H.R. 1837, and we look  
forward to continuing to work with you to  
ensure that any legislation that moves for-  
ward will promote and protect a healthy  
Delta environment and clean water supply to  
support a Delta economy. If you have any  
questions, please contact Tom Gau, Public  
Works Director at (209) 468-3100 or me at (209)  
468-3113.

Sincerely,

KEN VOGEL,  
*Vice-Chairman, Board of Supervisors,  
San Joaquin County.*

THE BOARD OF SUPERVISORS,  
CONTRA COSTA COUNTY, CA,  
February 23, 2012.

Re H.R. 1837—OPPOSE.

Hon. JOHN A. BOEHNER,  
*Speaker of the House,  
Washington, DC.*

DEAR SPEAKER BOEHNER: As Chair of the  
Board of Supervisors of Contra Costa Coun-  
ty, I write to express my opposition to H.R.  
1837, and I urge you to do everything you can  
to prevent this ill-considered bill from be-  
coming law.

As one of the five counties located in Cali-  
fornia's Sacramento-San Joaquin River  
Delta, Contra Costa County depends on Delta  
waters for drinking, recreation, environ-  
mental health and a good portion of our  
economy which is related to boating, fishing  
and other service businesses in the Delta  
area.

Reading the amended bill broadly, it will  
provide more water, at subsidized prices, to  
Central Valley agribusiness at the expense of  
Delta water quality and ecological health,  
which in turn threatens Contra Costa County  
water users, the Delta economy, and ulti-  
mately the economy of California.

Reading the bill at a more detailed level, it  
will gut some of the best provisions of the  
Central Valley Project Improvement Act  
(CVPIA), and it repeals the San Joaquin  
River Settlement. Both of these prior acts  
helped provide a foundation for restoring  
Bay-Delta health and establishing sound  
water management practices in California.  
To gut them or eliminate them for the ben-  
efit of a specific group of water users flies  
in the face of long-standing California water  
policy and would be an unprecedented and  
ill-advised act for the Congress to take.

The amended bill specifically would imple-  
ment the following harmful actions.

1) It would repeal the San Joaquin River  
Settlement, an agreement from 2006 that was  
decades in the making among public and pri-  
vate interests and provided the foundation  
for the San Joaquin River Restoration Pro-  
gram,

2) It would eliminate the San Joaquin  
River Restoration Program, which is critical  
to restoring Bay-Delta flow, Delta water  
quality, salmon population and ecosystem  
health. By cutting this program when it has  
only just begun, H.R. 1837 will stymie  
progress in restoring the highly dammed,  
constrained and polluted San Joaquin River  
and will further jeopardize Delta water qual-  
ity and wildlife populations.

3) The bill would significantly reduce the  
allocation of federally provided (Central Val-  
ley Project) water that is currently used for  
wildlife and habitat restoration each year  
per the CVPIA. This water will instead be  
provided to specific agricultural users.

4) H.R. 1837 also would remove the tiered  
pricing structure that the CVPIA put in  
place to encourage wise water use and con-  
servation. Under the tiered structure, the  
CVP provides below-cost, subsidized prices to  
its water recipients for up to 80 percent of  
their contract amounts of water, slightly  
higher prices for the next 10 percent of their  
contract amounts, and full-cost pricing for  
the final 10 percent of their contract  
amount. Since water deliveries have rarely  
been over 90 percent in recent years, recipi-  
ents generally have benefited from below-  
cost pricing provided by the federally sub-  
sidized rates.

5) The bill will discard the past two dec-  
ades worth of scientific research about Delta  
conditions by rolling back water-supply regu-  
lations to those of a 1994 agreement known  
as the Bay-Delta Accord. The Accord was de-  
veloped before the crash of numerous Delta  
species and before the scientific community

developed its current base of knowledge  
about these issues. By rolling back water op-  
erations guidelines to 1994, there will be even  
greater harm to species including fall-run  
Chinook salmon. This will cause further eco-  
nomic harm to fisheries and fishing-related  
businesses in the Delta.

6) H.R. 1837 waives the current requirement  
that new federal dam projects in the Central  
Valley comply with the National Environ-  
mental Policy Act. The lesson learned from  
construction of the Friant Dam on the San  
Joaquin River by the Bureau of Reclamation  
is that ignoring environmental impacts can  
wipe out entire runs of salmon and adversely  
impact other species that rely on adequate  
water flows. All water resources projects  
must undergo full and detailed environ-  
mental review and any environmental im-  
pacts must be fully mitigated.

Finally, I will add a comment about the  
process this bill has undergone. It is our un-  
derstanding that no public hearings were  
held on the amended bill, which was consid-  
ered in Committee less than 48 hours after  
the bill was made public. Had there been  
more time allotted for comment on this bill,  
undoubtedly objections would have been  
voiced sooner.

Such critical decisions on water policy  
should have been debated in full public view  
with adequate time for comment, particu-  
larly in this instance where the Congress is  
attempting to overturn long-standing state  
water management practice.

Thank you in advance for your consider-  
ation of these concerns.

Sincerely,

MARY NEJEDLY PIEPHO,  
*Chair, Board of Supervisors.*

DELTA COUNTIES COALITION, CONTRA  
COSTA COUNTY, SACRAMENTO  
COUNTY, SAN JOAQUIN COUNTY,  
SOLANO COUNTY, YOLO COUNTY,  
"WORKING TOGETHER ON WATER  
AND DELTA ISSUES,"

February 24, 2012.

Re H.R. 1837.

Hon. JOHN BOEHNER,  
*Speaker, House of Representatives,  
Washington, DC.*

Hon. NANCY PELOSI,  
*Democratic Leader, House of Representatives,  
Washington, DC.*

DEAR MR. SPEAKER AND MADAM LEADER:  
The Sacramento-San Joaquin Delta Counties  
of Contra Costa, Sacramento, San Joaquin,  
Solano, and Yolo, working together as the  
Delta Counties Coalition (DCC), write to ex-  
press our strong opposition to H.R. 1837, as  
currently constructed.

The DCC is concerned that H.R. 1837 con-  
tains a number of provisions that arbitrarily  
block legal protections for the Sacramento-  
San Joaquin Delta (Delta) and its fisheries  
for the benefit of a specific group of agricul-  
tural water users. Among our concerns are  
the consequences of provisions that would  
change or limit the use of the 800,000 acre-  
feet of Central Valley Project (CVP) water  
that was devoted to fish and wildlife pur-  
poses in the original Central Valley Project  
Improvement Act (CVPIA). We also have sig-  
nificant concerns about the impacts to Delta  
fisheries, water quality, and sensitive eco-  
systems that would result from the bill's re-  
quirement to revert back to the provisions of  
the 1994 Bay-Delta Accord as the benchmark  
environmental document to be used in meet-  
ing today's biological and hydrological needs  
in the Delta. Additionally, we are gravely  
concerned about the consequences of provi-  
sions that preempt state land, water and en-  
vironmental laws which currently require  
more stringent protections than those out-  
lined in the Accord, which was agreed to

nearly 18 years ago. This would ignore the last two decades' worth of scientific research about Delta issues and would base water operations on out-of-date science that was in place before the crash of Delta wildlife species in recent years. Furthermore, as a bipartisan coalition, we are surprised that this House would consider top-down, big government legislation preempting state law in a manner that is antithetical to core philosophies of the Majority. We must ensure that any legislation that moves forward will avoid cannibalizing one part of California's economy to benefit another—our litmus test will be to see if the bill supports, rather than jeopardizes, a Delta economy based on agriculture, fishing/hunting, recreation, and tourism.

Another major problem with the bill is that it scraps the San Joaquin River Restoration Program, which is needed to begin restoring the San Joaquin River to reestablish salmon runs, improve river water quality and restore the river's Bay-Delta flow. The restoration is needed to improve the health of the river and the Delta.

While some of the provisions of the bill are consistent with our long held view that federal law should specifically and fully recognize and respect California's water rights priority system and statutory protections for areas of origin, taken as a whole, H.R. 1837 takes our region and the State in the wrong direction. By undercutting decades of agreements and ongoing negotiations, this bill brings us no closer to solving California's complex water challenges. We also are troubled by the way the bill was constructed. It was put together behind closed doors, with neither public transparency nor meaningful input from the diversity of California's water and environmental interests. There were no hearings held on the version of the bill that the Committee considered less than 48 hours after it was made public. A balanced, consensus based solution is only possible if the interests of all stakeholders are considered.

The DCC looks forward to continuing to work with California's congressional delegation to promote and protect a healthy Delta environment. If you have questions, please do not hesitate to contact us.

Sincerely,

Mary Nejedly Piepho, Supervisor, Contra Costa County; Don Nottoli, Supervisor, Sacramento County; Larry Ruhstaller, Supervisor, San Joaquin County; Michael J. Reagan, Supervisor, Solano County; Mike McGowan, Supervisor, Yolo County.

CENTRAL DELTA WATER AGENCY,  
Stockton, CA, February 24, 2012.

Re Opposition to H.R. 1837 (Nunes).

Hon. JOHN BOEHRER,  
Speaker of the House, House of Representatives,  
The Capitol, Washington, DC.

DEAR SIR: The Central Delta Water Agency encompasses approximately 120,000 acres in the central portion of California's Sacramento-San Joaquin Delta. We are concerned with the adequacy of the quality and flow of water in the channels of the Delta. Although the use of such water in our agency is primarily agricultural, there are also significant urban, recreational, industrial and habitat uses. We are opposed to the passage of H.R. 1837 for the following reasons among others:

H.R. 1837 would override State constitutional protection for the public trust, State water rights law and even preclude the State's ability to set limits on the take of non-native fish. (Pages 19 and 20 of the bill.)

This intrusion on State's rights is not only a break with tradition and respect but is of questionable constitutionality. This is bad law and bad precedent which does not ad-

dress the underlying problem of insufficient water to meet needs in dry years.

H.R. 1837 would represent yet another significant breach of the promises by the United States to the people of California that exports would be limited to surplus water.

"On February 17, 1945, a more direct answer was made to the question of diversion of water in a letter by Acting Regional Director R.C. Calland, of the Bureau, to the Joint Committee on Rivers and Flood Control of California State Legislature. The committee had asked the question, 'What is your policy in connection with the amount of water that can be diverted from one watershed to another in proposed diversions?' In stating the Bureau's policy, Mr. Calland quoted section 11460 of the State water code, which is sometimes referred to as the county of origin act, and then he said: 'As viewed by the Bureau, it is the intent of the statute that no water shall be diverted from any watershed which is of will be needed for beneficial uses within that watershed. The Bureau of Reclamation, it its studies for water resources development in the Central Valley, consistently has given full recognition to the policy expressed in this statute by the legislature and the people. The Bureau has attempted to estimate in these studies, and will continue to do so in future studies, what the present and future needs of each watershed will be. The Bureau will not divert from any watershed any water which is needed to satisfy the existing or potential needs within that watershed. For example, no water will be diverted which will be needed for the full development of all of the irrigable lands within the watershed, nor would there be water needed for municipal and industrial purposes or future maintenance of fish and wildlife resources.'" (See 84th Congress, 2d Session House Document No. 416, Part One Authorizing documents 1956 at Pages 797-799.)

H.R. 1837 attempts to repeal the San Joaquin River Settlement—The actions of the United States in deliberately dewatering portions of the San Joaquin River and collaborating in its degradation is a national disgrace and should be corrected. The San Joaquin River Settlement is a voluntary and contractual resolution to years of litigation which is but a small step towards remediation of longstanding patterns of wrongdoings. It should be honored not circumvented.

H.R. 1837 would remove much of the CVPIA protection for fish which was the quid pro quo for the significant benefits extended to Federal water contractors and in particular the ability to profit from transfer of subsidized water.

This would be but another action confirming the lank of credibility of our Federal government. Although not a party to the negotiations leading to the CVPIA, it would appear that any repeal of the environmental benefits should include a repeal of the benefits to water contractors. We suggest no change.

H.R. 1837 represents the wrong approach to addressing water issues in the State of California and would be a terrible precedent for similar actions affecting other States.

Yours very truly,

DANTE JOHN NOMELLINI,  
Manager and Co-Counsel.

H.R. 1837 would devastate my entire region, but folks from other States should also oppose this bill. With little debate, and complete disregard for the consequences, this bill sets a dangerous precedent so that the Federal Government can undermine State water law developed over decades. Your State could be next.

This bill is a shameful attempt to rewrite California water laws to benefit a few selected water users, regardless of how much harm is done to other parts of the State. Democrats and Republicans should stand united in our desire to block this legislation from becoming law. I urge my colleagues in the strongest possible terms to oppose H.R. 1837.

Mr. HASTINGS of Washington, Mr. Chairman, I yield 1 minute to the gentleman from New Mexico (Mr. PEARCE), another Member from the West, and the chairman of the Western Caucus who knows this issue very well.

Mr. PEARCE. Mr. Chairman, I rise in strong support of H.R. 1837. The Nation is faced with trillion-dollar deficits, persistent unemployment above 8 percent, and we continue to use the Federal Government to kill jobs and to export them to China.

You can take a look at what the President recently did regarding the Keystone pipeline. You can look at the export of the rare-Earth mineral mines to China.

But this is the one that is most offensive, this exporting of our agriculture products. San Joaquin Valley used to place vegetables, safe vegetables grown in America on store shelves across the country. Today we import vegetables from countries that use pesticides that are disallowed here.

We have an unsafe food supply. We have more people out of work, and we have deficits because we don't have tax-paying citizens.

This bill simply is a commonsense, bipartisan solution that puts people back to work, provides a safe food supply, and makes America more sound. It's common sense. We should vote for it.

Mrs. NAPOLITANO. I yield 2½ minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I rise in strong opposition to this jobs killer act that ignores more than 20 years of established science.

Tens of thousands of people depend on the Bay-Delta for their livelihoods, including many farmers, fishermen, and sportsmen who contribute billions of dollars to our economy every year.

Sadly, the sponsors of this bill are using the legislation to create winners and losers by preempting California State law. This bill would take water from folks in northern California for use in California's Central Valley. This means even less water to sports fishermen and to commercial fishermen, the basis of two thriving industries in our State.

The Pacific Coast Federation of Fishermen's Associations strongly opposes the bill. They estimate that over 25,000 jobs were lost in the salmon fishing industry due to the 2008 and 2009 closures.

The American Sportsfishing Association shows that California's economy suffers \$1.4 billion in loss each year that the salmon fishery season is

closed. If this bill becomes law, these jobs would be lost forever, and the economic losses would be permanent.

Appropriate amounts of water are also critical to support the economies for wildlife-associated recreation. In California, 7.4 million sportsmen contribute over \$8 billion to the economy every year. Without water, many of these hunting, fishing, and wildlife-watching activities will be lost.

More than 200 sportsmen's organizations have written to express their opposition to this bill. These men and women recognize the extreme consequences of this measure.

Mr. Chairman, I'd like to insert this letter that I have signed by those over 200 organizations into the RECORD.

FEBRUARY 26, 2012.

Hon. JOHN BOEHNER,  
*Speaker of the House, House of Representatives,*  
*Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The California Environmental Water Caucus, and the numerous environmental, environmental justice, recreational and commercial fishing groups, legal and advocacy groups, and Indian tribes, whose logos and names are attached to this letter, would collectively like to express our strong opposition to the ill-conceived and regressive legislation contained in H.R. 1837, the misleadingly entitled "Sacramento-San Joaquin Valley Water Reliability Act." We do not believe that this bill merits a vote by the U.S. House of Representatives.

In summary, this radical legislation preempts state water law, eliminates environmental protections for salmon and other commercially valuable species, guts the 1992 Central Valley Project Improvement Act, and overturns the broadly supported, court approved settlement to restore the San Joaquin River. As a result, this bill threatens thousands of salmon fishing jobs and communities in California and Oregon, water quality in the Bay-Delta, and the reliability of California's water supplies.

H.R. 1837 would overturn the fundamental Congressional principle which requires the federal government to follow state water law whenever possible. This principle has been a bulwark of rights reserved to the individual states and should not be violated by this kind of legislation. Even more specifically, this radical legislation would preempt the public trust doctrine as defined in the California Constitution and eliminate the implementation of a bipartisan package of water policy reform legislation adopted by the State of California in 2009.

H.R. 1837 would defeat efforts to restore fish populations in the Delta. Science-based protections for salmon and other endangered species are required under both California state law and the Endangered Species Act. In order to support recovery of endangered fish species, the State of California has consistently opposed legislation that would weaken the Endangered Species Act in the San Francisco Bay-Delta and Estuary. H.R. 1837 would strip those protections.

H.R. 1837 would gut the Central Valley Project Improvement Act of 1992, which corrected numerous deficiencies built into the federal Central Valley Project. The Act requires compliance with state law, encourages water conservation, makes modest reforms to reduce water subsidies, and contributes water for the recovery of endangered fish species.

H.R. 1837 would overturn the 2009 court approved San Joaquin River Restoration Settlement Act which ended twenty years of litigation on the San Joaquin River. The Settlement and the Act were supported by all parties to the litigation and numerous water districts in the San Joaquin Valley and across the State, along with Members of Congress from both sides of the aisle. H.R. 1837 attempts to preempt state law that requires river restoration, and eliminates flood protection and water supply projects for farmers that were approved as part of the Settlement and Act.

H.R. 1837 would reduce water quality and water reliability for Delta communities and Delta farmers. It seeks to ensure water flows to agribusiness in the western and southern San Joaquin Valley at the expense of smaller Delta family farmers. The recently released Economic Sustainability Report authored by the Delta Protection Commission shows that Delta agriculture is worth \$4.2 billion annually and provides tens of thousands of jobs. Delta agriculture and jobs should not be sacrificed to benefit water users in other parts of the state, some of whom do not even use that water for agriculture. This legislation would further aggravate the water supply divide within the state and would help perpetuate the destructive "water wars" which characterize water rules in California.

In summary, H.R. 1837 is an unprecedented assault on a state's ability to enact and support its own water laws, and it is an undisguised water grab in favor of one district to the detriment of other parts of the state, all engineered by the federal government.

For all of the above reasons, we oppose H.R. 1837 and request that you withdraw the legislation.

DAVID NESMITH,  
*Co-Facilitator.*

NICK DI CROCE,  
*Co-Facilitator.*

The following 190 organizations are signatories to this comment letter:

Bill Jennings, Executive Director, California Sportfishing Protection Alliance; Dave Britts, President, Pacific Coast Federation of Fisherman's Associations; Carolee Krieger, Executive Director, California Water Impact Network; Jonas Minton, Senior Water Policy Advisor, Planning and Conservation League; Ron Stork, Senior Policy Advocate Friends of the River; Jennifer Clary, Water Policy Analyst Clean Water Action.

David Lewis, Executive Director Save the Bay; Joan Clayburg, Executive Director, Sierra Nevada Alliance; Deb Self, Executive Director, San Francisco Baykeeper; Jim Metropulos, Senior Advocate, Sierra Club California; Chris Wright, Executive Director Foothills Conservancy; John Merz, President, Sacramento River Preservation Trust.

Conner Everts, Executive Director, Southern California Watershed Alliance; Barbara Barrigan-Parrilla Executive Director, Restore the Delta; Caleb Dardick, Executive Director, South Yuba River Citizens League; Barbara Vlamis, Executive Director AquaAlliance; Caleen Sisk-Franco, Spiritual Leader & Traditional Chief Winnemen Wintu Tribe; Victor Gonella, President, Golden Gate Salmon Association.

Geoffrey McQuilkin Executive Director Mono Lake Committee; Huey D. Johnson, President, Resource Renewal Institute; Adam Scow, California Campaign Director Food and Water Watch; Linda Sheehan, Executive Director Earth Law Center; Leda Huta, Executive Director, Endangered Species Coalition; Capt. Roger Thomas, President, Golden Gate Fishermen's Association.

Mondy Lariz, Director, Santa Clara County Creeks Coalition; Larry Collins, President,

San Francisco Crab Boat Owners Association; Leaf G. Hillman, Director, Karuk Department of Natural Resources, Karuk Tribe; Lloyd Carter, President, California Save Our Streams Council; Eric Wesselman, Executive Director Tuolumne River Trust; Don Rivenes, Conservation Chair, Sierra Foot-hills Audubon.

Esmeralda Soria, Legislative Advocate, California Rural Legal Assistance Foundation; Mark Rockwell, Co-Conservation Director, Northern California Council Federation of Fly Fishers; Dan Bacher Editor, Fish Sniffer; Alan Levine, Director, Coast Action Group; Zeke Grader, Executive Director, Institute for Fisheries Resources; Siobahn Dolan, Director, Desal Response Group.

Andrew J. Orahoske, Conservation Director, Environmental Protection Information Center; Scott Greacen, Executive Director, Friends of the Bel River; Mati Waiya Executive Director Wishtoyo Foundation, Karen Schambach, California Field Director, California Public Employees for Environmental Responsibility; Rich Cimino, President, Alameda Creek Alliance; Milo Vukovich, President, Sonoma County Abalone Network.

Jeff Miller, Conservation Advocate, Center for Biological Diversity; Bill Wells, Executive Director, California Delta Chambers & Visitors Bureau; Dave Steindorf, California Stewardship Director American Whitewater; Bill Ferrero, Owner, President, Mokelumne River Outfitters; Lorna Elness, President, San Joaquin Audubon; Carol Perkins, Water Resources Advocate Butte Environmental Council.

Michael Warburton, Executive Director, The Public Trust Alliance; Sylvia Kothe, Chairperson, Concerned Citizens Coalition of Stockton; Frank Egger, President, North Coast Rivers Alliance; Luke Breit, Legislative Advocate Forests Forever; Marily Woodhouse, Director, Battle Creek Alliance; Jeremy Terhune, Coordinator, Friends of the Calaveras.

Don McEnhill, Riverkeeper, Russian Riverkeeper; Tim Little, Co-Director, Rose Foundation; Steve Shimek, Chief Executive The Otter Project, Greywolf, Jeff Kelly Chief, Modoc Nation; Alan Harthorn, Executive Director Friends of Butte Creek; Larry Hanson, Manager, Northern California River Watch.

Steve Shimek, Program Manager Monterey Coastkeeper; Steve Pedery, Conservation Director, Oregon Wild; Melanie Winter, Founder & Director, The River Project; Larry Glass, President, Safe Alternatives for our Forest Environment; Lynne Plambeck, Executive Director, Santa Clarita for Planning and the Environment; Marie Logan & Jessie Raeder, Co-Presidents, SalmonAid Foundation.

Karen Schambach, President, Center for Sierra Nevada Conservation; Rain Ananacel, Executive Director, Northcoast Environmental Center; Michael Schweit, President, Southwest Council Federation of Fly Fishers; Chris Poehlmann, President, Friends of the Gualala River; Brenda S. Adelman, Chairperson, Russian River Watershed Protection Committee; Nate Rangel, President, California Outdoors.

Chet Ogan, Conservation Chair, Redwood Regional Audubon Society; Susan Robinson, Board Member, Ebbetts Pass Forest Watch; Bob Dean, President, Upper Mokelumne River Watershed Council; Trevor Kennedy, Executive Director, Fishery Foundation; Dan Silver, Executive Director, Endangered Habitats League; Jane Humes, Chair, Waldo Holt Conservancy.

Michael Garabedian, Friends of the North Fork American River; Mike Hudson, Small Boat Commercial Salmon Fisherman's Association; Allison Boucher, Project Manager, Tuolumne Conservancy; Michael Martin,

Ph.D., Director, Merced River Conservation Committee; Beth Werner, Baykeeper, Humboldt Baykeeper; Kelli Gant, President, Trinity Lake Revitalization Alliance.

Rick Coates, Executive Director, Forest Unlimited; Sue Lynn, Secretary, Cascade Action Now; Larry Glass, President, South Fort Mountain Defense Committee; Seymour Singer, President, Pasadena Casting Club; Dick Harris, President, Santa Clarita Casting Club; Ken Javorsky, President, Tri-Valley Fly Fishers.

Jim Cox, President, West Delta Chapter, California Striped Bass Association; Jackson Chapman, President, Sacramento Chapter, California Striped Bass Association; Roger Mammon, President, Lower Sherman Island Duck Club; Larry Dennis, Conservation Chair, Mission Peak Fly Anglers; Henry Sandigo, Conservation Chair, Granite Bay Flycasters; Jim Tolonen, Conservation Chair, Santa Cruz Fly Fishermen.

Tom Bartos, President, Foothills Angler Coalition; Bill Carnazzo, President, Spring Creek Guide Service; Grant Fraser, President, Auburn Flycasters; Mark Allen, General Manager, Adventure Connections, Inc.; Greg King, Siskiyou Land Conservancy; Jim Yarnall, President, Humboldt Area Saltwater Anglers; Joseph Vaile, Campaign Director, KS Wild.

Ron Forbes, Conservation Chair, Delta Fly Fishers; Denise Boggs, Executive Director, Conservation Congress; Kim Glazzard, Executive Director, Organic Sacramento; Bill O'Kelly, President, Sierra Pacific Flyfishers; Cindy Charles, Conservation Chair, Golden West Women Flyfishers; Ted Shapas, Conservation Chair, Diablo Valley Fly Fishermen.

Darrell Tichurst, Chairman, Coastside Fishing Club; Steve Burke, Spokesperson, Protect Our Water; Lillian Light, President, Palos Verdes Audubon Chapter; John Weishheit, Conservation Chair, Living Rivers/Colorado Riverkeeper; Spreck Rosenkrans, Restore Hetch Hetchy; Don Schmoltdt, President, Sacramento Audubon Society; Diane Hichwa, Conservation Chair, Madrone Audubon.

Stephen Fuller-Rowell, Co-Founder, Oregon Waterwatch; Tom Chandler, Editor, Trout Underground; Will Harling, Executive Director, Mid-Klamath Watershed Council; Don Gillespie, President, Friends of Del Norte; Randa Solick, Co-Chair, Santa Cruz WILPF; Ken Franke, Executive Director, Sportfishing Association of California.

Jim Martin, Recreational Fishing Alliance; Sep Hendrickson, Executive Director, California Inland Fisheries Foundation; Aaron Newman, President, Humboldt Fisherman's Marketing Association; Mark Micoch, Co-Chairman, Northern California Guides Association; Dan Blanton, Chairman, StriperFest; Mike Augney, Co-Owner, USA Fishing.

Jim Martin, Director, Berkeley Conservation Institute; Bob Mellinger, Vice-President, Water for Fish; Bart Hall, Producer, Fred Hall Shows; Randy Repass, Chairman & Founder, West Marine; Bruce Tokars, President, Salmon Water Now; Galen Onizuka, Owner, President, Johnson Hicks Marine.

Angelo Pucci, President, P Line; Dick Pool, President, Pro-Troll Fishing Products; Liz Hamilton, Executive Director, Northwest Sportfishing Ind. Assn.; Bob Rees, President, North West Guides and Anglers Assoc.; Peter Grenell, Manager, San Mateo County Harbor District; Ken Elie, Owner, President, Outdoor Pro Shop.

Bill Divens, Salmon King Lodge West; Paul Johnson, Owner, Monterey Fish Market; Bob Kotula, Outwest Marketing; Danny Layne, Hawkeye Marketing; Roy Gray, Owner, Roy Gray & Associates; Dan Pamel, President, Leisure Sales; Paul Johnson, Owner, Monterey Fish Market.

Michael Scaglione, Pacific Catch Fish Grill; Bill Boyce, Boyce Image, World Fishing Network; Rich Kato, Sport Sales; Jack Swanson, Sales Manager, Repala USA; Chuck Cappotto, Bodega Bay Fisherman's Marketing Assoc.; Gary Coe, Kokanee Power.

Angelo Pucci, President, G. Pucci and Sons Mfg.; Capt Brian Smith, Riptide Charters; Capt Bob Ingles, Queen of Hearts Charters; Capt Brian Cutty, Chubasco Charters; Capt Brian Guiles, Flying Fish Charters; Capt Chris Chan, Ankeny St. Sportfishing.

Capt Craig Shimokosu, New Salmon Queen Charters; Capt Dale Walters, Que Sera Sera Charters; Capt Dennis Baxter, New Captain Pete Charters; Capt Don Franklin, Soleman Sportfishing Charters; Capt Ed Gallia, New Easy Rider Charters; Capt Frank Rescino, Lovely Martha Charters; Capt Harry Necees, Checkmate Charters; Capt Jack Chapman, Lovely Linda Sportfishing; Capt Jacky Douglas, Wacky Jacky Charters; Capt Jay Yokomozo, Huck Finn Charters; Jimmy Robertson, Outer Limits Charters; Capt Joe Gallia, El Dorado III Charters; Capt John Atkinson, New Ray Ann Charters; Capt John Kluzmier, Sir Randy Charters; Capt Nick Lemons, Star of Monterey Charters; Capt Ken Stagnaro, Stagnaro's Charters; Capt Randy Thornton, Telstar Charters.

Capt Richard Thornton, Trek II; Capt Rick Powers, Bodega Bay Sportfishing; Capt Peter Bruno, Randy's Fishing Trips; Bob Sparre, Bob Sparre's Guide Service; Capt Sean Hodges, Hog Heaven Charters; George Catagnolia, Owner, Sandy Ann Charters; Capt Steve Talmadge, Flash Sportfishing Charters; Sal Vallone, Bob Sands Fishing; Capt Tim Klassen, Reel Steel Sportfishing; Vance Staplin, Vance's Tackle.

Barbara Emley, F/V Autumn Gale; Capt Chris Acacelo, Chris' Fishing Charters; Jim Cox, Owner, Jim Cox Sport Fishing Charters; Jonah Li, Hi's Tackle Box; Sunny Lampre, Owner, Sunny's Electric Marine; Ron La Force, President, United Outdoorsmen; Danny Layne, Fish'n Dan's Guide Service; Marilyn Hendrickson, Sep's Outdoors Inc.; Mike Chamberlain, Ted's Sports Center; Craig Stone, Emeryville Sportfishing.

That's 200. That's more than the 12 or 14 members of the State legislature that wrote you a letter.

In the end, H.R. 1837 is nothing more than an attempt by well-funded water contractors to steal water from other users with no regard for the fishers, sportsmen, the farmers north of the delta, the families and the businesses who depend on their delta for their livelihood. It guts environmental protections and kills local jobs. It should be rejected, and solutions to California's water challenges should be based on strong and sound science; and it should be done with all of the stakeholders at the table, not in the proverbial back room.

□ 1510

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

Mrs. NAPOLITANO. I yield the gentleman an additional 15 seconds.

Mr. THOMPSON of California. So please join me and over 100 outdoor and fishing organizations and the Western States Water Council to protect northern Californians from political agendas that harm our economy, wildlife, and the people. Vote "no" on this bill.

Mr. HASTINGS of Washington. Mr. Chairman, here are a number of organi-

zations that have written in support of this legislation on both sides of these pages; and at the appropriate time I, too, will insert them in the RECORD to show that there is broad, broad support for this legislation.

I am now pleased to yield 1 minute to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. I thank the gentleman for yielding.

Mr. Chairman, I must say, for those of us who have seen this with our own eyes, who saw the devastation in the Central Valley, we know for a fact that when the aqueduct pumps in California were slowed, when that water came to a halt because of the orders and opinions issued partly by the Obama administration, what we saw was devastation. We saw the worst of it in 2010. Over a million acre-feet of water were lost. Tens of thousands of jobs were destroyed in our State. The unemployment rate, my friends, in some of these Central Valley towns reached 40 percent.

Those signs that I saw along the I-5 when I was going up to take a look at this, they told a certain story, and these were written by farmers: "No water = No jobs." You'd go down the highway: "Food grows where water flows," but there was no food growing. The devastation was incredible.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. ROYCE. My personal favorite: "New Dust Bowl, created by Congress."

Well, this legislation would bring some sanity back to this process. By restoring water deliveries to the levels agreed upon in the 1994 Bay-Delta Accord between California and the Federal Government, this bill could bring back 30,000 jobs, and it would save millions of acre-feet of water which has been sent to the ocean.

My friends, this is a man-made problem. It's going to take legislation to fix. This bill will fix it.

Mrs. NAPOLITANO. Mr. Chairman, I also toured that area, and the devastation was very severe. I wish some of the areas would find another way to be able to find employment, because this is a chronic unemployment circle, if you will, for years, for decades; it isn't just new.

I yield 1½ minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise today in strong opposition to H.R. 1837, the San Joaquin Valley Water Reliability Act.

This legislation repeals existing State law and, frankly, leaves no State safe. If enacted, H.R. 1837 would set an unprecedented standard of State preemption. As a member of the Subcommittee on Water and Power, I am concerned that the opposition to this legislation, over 300 stakeholders, over seven States, the nonpartisan Western States Water Council, various

attorney generals from New Mexico to other States, have voiced their concern about the preemption and the concern about the intrusion into what has traditionally been a State's right in terms of water management.

If enacted, this unprecedented act of State preemption would be a precedent that brings many States' water settlements into question. In my State, Arizona, a diverse set of stakeholders, water users, Indian tribes, municipalities, the Federal Government were involved in lengthy years in reaching water agreements to try to balance the use of water in our State. They were crafted, they were difficult, they were delicate, but agreement happened, and now those are now being implemented throughout the State.

It raises question about that difficult process, particularly when you had tribal governments involved in these negotiations and are part of the settlement. By sovereignty, States' rights are preeminent in this question.

I urge Members to vote "no."

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the distinguished majority whip, another gentleman from California who has seen the effects of what this man-made drought is, Mr. MCCARTHY.

Mr. MCCARTHY of California. Mr. Chairman, I want to thank Chairman HASTINGS for his work in committee, and I'd also like to thank, Mr. Chairman, the subcommittee chairman, TOM MCCLINTOCK, and the authors of this bill, DEVIN NUNES and JEFF DENHAM, for their work.

Now, in California there's a saying: "Whiskey's for drinking and water's for fighting," and for too long we've been fighting about water. For too long this man-made drought in California has been ignored. Well, you know, today that stops. I'm excited about it stopping today; because you're going to hear a lot of arguments on both sides, but that's where we're supposed to debate, on the floor of the House.

But, you know, the thing we've always yearned for, the thing we've always taught our children? That an agreement is an agreement, that you keep your bond. You come into a debate where you make your points, but when you come to an agreement, you keep it.

Simply put, what does this bill do? This bill simply says an agreement is an agreement.

When both sides sat down from the Bay Area-Delta Accord—why was it named that? Because people from the bay area and people from the delta had discussions, had fights, had policy arguments, and they finally came to agreement.

Now, who was on what side? Was it all just based upon a farmer or just based upon environmentalists? No. There was the Clinton administration. There was Pete Wilson from the State. He was Governor at the time. There were farmers. There were environ-

mentalists. Mr. Chairman, there were people that were in the administration that are even Members of this Chamber today who spoke in support of this. So if you made an agreement then, why do you want to break it?

And because of what the man-made drought has done, have you ever examined the pain that it has caused? I know people, when they think of California, sure, you think of Silicon Valley, you think of Hollywood, you think of San Diego. Well, you know what? There's this whole area in the valley. When you start and talk about this area in the valley, you know where my district is? My district is from the "Grapes of Wrath." It's the shantytown everybody ended up in. Cesar Chavez is buried in my district. But you know what I saw from my valley on up? Thirty, 40 percent unemployment. I saw people standing in line.

I'm very proud of the district I'm fortunate to represent. There's two families in my district that grow 80 percent of all of the carrots in the country. But you know, because of this man-made drought, where hundreds of people were lined up to get food at the food bank, they were getting carrots. But were they getting carrots from America? No. They were getting carrots from China. The breadbasket of America.

Well, you know, that all ends today. It ends with a bipartisan agreement that America craves for us to find. You know what? In the Bay-Delta Accord, I didn't get everything that I would represent philosophically. The other side didn't as well. But, you know, the greatest thing about America is the rule of law, and if we make an agreement, we should stick to the agreement. Simply put, that's what this bill does and ends the man-made drought.

Mrs. NAPOLITANO. I would like to yield 2½ minutes to the gentleman from California (Mr. CARDOZA).

May I ask what time we have left, sir?

The Acting CHAIR. The gentlelady from California has 8 minutes remaining, and the gentleman from Washington has 3¾ minutes remaining.

Mr. CARDOZA. Mr. Chairman, I thank my colleague for yielding.

I rise today to offer my support for the legislation.

This bill, like so many others that we vote on, is far from perfect. However, I'll support this bill because of many provisions, important provisions for my valley within it.

Mr. Chairman, water is absolutely critical to the economy of the San Joaquin Valley, the valley I love. Without an adequate water supply, agricultural fields go fallow and entire communities can be laid to waste. No one understands this more than myself and my colleague, Mr. COSTA, my friend from the valley. We have both fought for water for our entire careers for our people. In fact, just last year, he and I introduced legislation to provide operational flexibility in the implementation of the Endangered Species Act for

water deliveries for the Central Valley Project. Unfortunately, our colleagues on the other side of the aisle haven't felt the importance of holding a hearing on that bill.

Titles I and III of this legislation aim to address the flawed regulations that have reduced our vital water deliveries to my friends and neighbors throughout the valley.

□ 1520

I have no reservations in supporting these provisions, and commend my colleagues on the other side for introducing them. I recommend a "yes" vote.

When it comes to title II of this bill, which calls for the repeal and replacement of the San Joaquin River Restoration Act, I would like to mention that this was a locally requested and locally championed piece of legislation to end an 18-year lawsuit. Although I had serious reservations when this bill was first introduced, I supported the solution when it came through this House. I will say now that the implementation of this act, as it has been done by the administration, has left a lot to be desired.

I have significant further reservations with the San Joaquin River Restoration program, and it has recently become clear that those views that I expressed during its formation are coming to pass. The restoration is far too costly, and its schedule is advancing in a way that landowners adjacent to the new flows are being damaged.

Despite this, just simply saying we will remove the agreement that has been put in place is not the answer. We don't need to repeal it—we need to repair it—particularly when the only thing a repeal accomplishes is a continuation of a lawsuit that prompted the legislation in the first place.

However, I'd like to make a comment about the process under which this legislation was drafted.

As many of you know, this is my last year as a Member of this body.

This bill, even while I support it, is a perfect example of how dysfunctional this body has become.

This bill will never become law. To be frank, I'm doubtful that it will even be debated in the Senate.

I feel this way because the authors of this bill haven't expressed a serious interest in engaging either me, Congressman COSTA or Senator FEINSTEIN in drafting a bipartisan piece of legislation that can pass both chambers of Congress.

It's unfortunate that some continue to exploit the real life challenges facing the folks we have the honor of representing to score a cheap political point.

Successful functioning of Congress and the resulting successful resolution of the problems afflicting this nation will require the participation of both Republicans and Democrats.

We cannot function individually; we must function in concert to solve the challenges facing us today.

I think we not only can do better, but we must do better, if we're going to accomplish what we were sent here to do.

Only efforts like that will truly solve the complex problems facing us today.

Mr. HASTINGS of Washington. I continue to reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I yield 3 minutes to the gentleman from northern California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding.

I rise in strong opposition to this legislation.

Let us understand what is taking place here. In California, for the first time in 40 years, all of the various water parties have gotten together to try to work out these disagreements and come up with a sustainable water policy that serves all of the needs of all Californians—agriculture, manufacturing, municipal uses, environmental uses—all of that together. For the first time, the State legislature passed historic legislation empowering these negotiations to take place in order to take care of disparate interests.

But there are two parties in that negotiation that keep threatening to walk out of the room. They're going to walk out, walk out, walk out. Apparently, they did walk out. They walked out, and they came back to Washington, D.C., to cut a separate deal. These are among the largest water users in the State. These are among the most highly subsidized users in the State. One of our conservative friends on the other side was complaining about the deficit when he started to talk on this bill. These are people who are getting a \$400 million interest-free loan from the taxpayers of this country. These are the people who are getting \$400 million in subsidies every year from the taxpayers of this country.

And what do they do?

In this bill, they have an earmark. You gave them 40 years and these rights in perpetuity to get at least \$400 million a year from the taxpayers of this country. That's not on top of the crop subsidies. That's not on top of the insurance payments, disaster payments. This is just in subsidized water that goes to these people who are crying poor. The largest users have decided they want two negotiations—one in California and one in Washington. To do that, they want to overturn the California laws, the California legislature, the Supreme Court decisions, and the science. We'll go back in time 18 years and say that this science is good enough.

But the heart of this, more than water, is money, and the money sits there, and it flows with the water. Every drop of water that goes to the San Luis Unit and others is subsidized. Right now, they only have a year-to-year contract. They'd have a 20-year contract possibly if they reach agreement. You give them 40 years, and then 40 years in perpetuity: \$400 million a year times perpetuity. You figure out what this earmark is worth. You figure out what this special treatment is worth.

Do you want to know who is driving this process?

It's those very, very special interests that are moving this process, and apparently, they can move our friends on the other side to overturn Supreme Court opinions. They can overturn the State legislature. They can overturn these negotiations. There used to be a saying around here that said that it takes some skill and talent to build a barn, but that any damned fool can kick it down. So what these people have decided is that they're just going to kick over those negotiations in California, those negotiations in which people have invested a huge amount of time and talent—from the legislature, to the agencies, to the farmers, to the environmentalists, to our cities, to our counties—all of whom oppose this legislation.

Mr. HASTINGS of Washington. I just want to point out that this bill came out of committee with bipartisan support, and we've had bipartisan debate for this bill.

Mr. Chairman, I yield 30 seconds to the author of this legislation, the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, I would hope that the gentleman from California has read the bill, because he complains about the subsidies. In fact, this bill gets rid of the subsidies as this bill returns almost \$300 million to the Treasury. So we agree. We want to get rid of the subsidies. We want to cut the deficit. That's what this bill does.

I don't quite understand what he was talking about in terms of tearing down barns, but I would say that the gentleman's legislation that was passed with a Senator from New Jersey and a Congressman from California to preempt State law has been very successful at tearing apart farms and families.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional 15 seconds.

Mr. NUNES. Once again, as many of my colleagues will say, Secretary of the Interior Bruce Babbitt made a deal with Republican Governor Pete Wilson. A deal is a deal. The only problem was that there were some dishonest brokers at the table who never went to Congress to get this implemented.

Mrs. NAPOLITANO. I inquire of the Chair as to how much time remains.

The Acting CHAIR. The gentlewoman from California has 2½ minutes remaining. The gentleman from Washington has 2¾ minutes remaining.

Mr. HASTINGS of Washington. Will the gentlelady yield?

Mrs. NAPOLITANO. I yield to the gentleman.

Mr. HASTINGS of Washington. I just want to say to my friend that, as I am the last speaker on my side, I am prepared to close when she is done with her speakers.

Mrs. NAPOLITANO. I have one more speaker.

The Acting CHAIR. The gentlewoman has 2 minutes remaining.

Mrs. NAPOLITANO. Mr. Chairman, I ask my colleagues on both sides to consider what this bill will do.

I now yield my remaining time to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. If you know California water, you know that we can get pretty wound up about it, and the solution for California water is not to be found in this particular piece of legislation. Facts are difficult things to deal with, but they are facts. There has been no manmade drought. There was a very real drought. In addition to that, there were restrictions on the pumping.

Let us understand that the principal advocates of this bill have the shortest straw. They came last in line, and therefore they're not first—they're last. Their contract provided for shortage provisions for a variety of reasons, among them droughts and environmental restrictions. So they should have planned for that. Apparently, they did not.

The losses to the agricultural community were significant to be sure, but at the same time, the agricultural community in the Central Valley prospered, having the best years to any previous year that occurred during this drought period. Certain farmers were shorted—no doubt about that—but they had a contract that called for those shortages.

Now let us understand that this bill has profound implications on every State, some 21 States that have contracts with the Bureau of Reclamation. This bill, should it pass and become law, is a signal to every State that you cannot count on State law allocating the water within your district. Instead, it will be Congress that will allocate the water within your State. That is a profound change: 100 years of reclamation law are pushed aside by this piece of legislation. For the State of California, it is a total preemption of State law—a total preemption of State law—and the State constitution is pushed aside.

□ 1530

There is within the California constitution a thing called the "public trust." The legislature and the government of California hold in trust for the people of California the water of California, and this legislation pushes that aside and gives that water to a very special group.

GROUPS OPPOSED TO H.R. 1837

Statement of Administration Policy  
U.S. Department of the Interior  
State of Colorado  
State of Montana  
State of New Mexico  
State of Oregon  
State of Wyoming  
Western States Water Council<sup>1</sup>

ELECTED OFFICIALS

California Secretary for Natural Resources  
Congresswoman Anna Eshoo

<sup>1</sup>18 member body, composed of governor-appointed representatives from the 18 Western states.

- Congressman John Garamendi  
 Congressman Mike Honda  
 Congresswoman Zoe Lofgren  
 Congresswoman Doris Matsui  
 Congressman Jerry McNerney  
 Congressman George Miller  
 Congresswoman Grace Napolitano  
 Congresswoman Jackie Speier  
 Congressman Mike Thompson  
 Congresswoman Lynn Woolsey  
 Senator Barbara Boxer  
 Senator Dianne Feinstein
- NEWSPAPERS
- The Sacramento Bee  
 The San Francisco Chronicle  
 The San Jose Mercury News
- WATER DISTRICTS AND LOCAL GOVERNMENTS
- Central Delta Water Agency  
 City of Sacramento  
 City of Stockton  
 Contra Costa County Board of Supervisors  
 Contra Costa County  
 Grassland Water District  
 Reclamation District 999  
 Sacramento County Board of Supervisors  
 Sacramento County  
 San Joaquin Council of Governments  
 San Joaquin County  
 San Joaquin County Board of Supervisors  
 San Mateo County Harbor District  
 Solano County  
 South Delta Water Agency  
 South San Joaquin Irrigation District  
 Water Replenishment District of Southern California  
 Yolo County
- BUSINESS AND CIVIC GROUPS
- BIA of the Delta  
 Business Council of San Joaquin County  
 California Delta Chambers & Visitor's Bureau  
 California Rural Legal Assistance Foundation  
 Concerned Citizens Coalition of Stockton  
 The Contra Costa Council  
 Environmental Entrepreneurs  
 Hawkeye Marketing  
 Silicon Valley Leadership Group  
 Stockton Chamber of Commerce
- ENVIRONMENTAL GROUPS
- Alameda Creek Alliance  
 American Rivers  
 AquAlliance  
 Audubon  
 Battle Creek Alliance  
 The Bay Institute  
 Berkeley Conservation Institute  
 Biodiversity Conservation Alliance  
 Butte Environmental Council  
 California League of Conservation Voters  
 California Public Employees for Environmental Responsibility  
 California Save our Streams Council  
 California Water Impact Network  
 Cascade Action Now  
 Center for Biological Diversity  
 Center for Sierra Nevada Conservation  
 Clean Water Action  
 Conservation Congress  
 Coast Action Group  
 Defenders of Wildlife  
 Desal Response Group  
 Earth Law Center  
 Earthjustice  
 Ebetts Pass Forest Watch  
 Endangered Habitats League  
 Endangered Species Coalition  
 Environmental Defense Fund  
 Environmental Protection Information Center  
 Food and Water Watch  
 Foothills Conservancy  
 Forests Forever  
 Forest Unlimited  
 Friends of Butte Creek  
 Friends of the Calaveres
- Friends of Del Norte  
 Friends of the Eel River  
 Friends of the Gualala River  
 Friends of the Lower Calavera River  
 Friends of the North Fork American River  
 Friends of the River  
 Humboldt Baykeeper  
 Institute for Fisheries Resources  
 KS Wild  
 Living Rivers/Colorado Riverkeeper  
 Madrone Audubon  
 Merced River Conservation Committee  
 Mid-Klamath Watershed Council  
 Mono Lake Committee  
 Monterey Coastkeeper  
 National Parks Conservation Association  
 Natural Resources Defense Council  
 Nature Abounds  
 The Nature Conservancy  
 Northcoast Environmental Center  
 North Coast Rivers Alliance  
 Northern California River Watch  
 Oceana  
 Oregon Waterwatch  
 Oregon Wild  
 The Otter Project  
 Palos Verdes Audubon Chapter  
 Planning and Conservation League  
 Protect our Water  
 The Public Trust Alliance  
 Redwood Regional Audubon Society  
 Restore Hetch Hetchy  
 Resource Renewal Institute  
 Restore the Delta  
 The River Project  
 Rocky Mountain Wild  
 Rose Foundation  
 Russian Riverkeeper  
 Russian River Watershed Protection Committee  
 Sacramento Audubon Society  
 Sacramento River Preservation Trust  
 Safe Alternatives for our Forest Environment  
 San Francisco Bay Keeper  
 San Joaquin Audubon  
 Santa Clara County Creeks Coalition  
 Santa Clarita for Planning and the Environment  
 Santa Cruz Women's International League for Peace and Freedom  
 Save the Bay  
 Save the Frogs!  
 Sierra Club California  
 Sierra Foothills Audubon  
 Sierra Nevada Alliance  
 Siskiyou Land Conservancy  
 South Fort Mountain Defense Committee  
 South Yuba River Citizens League  
 Southern California Watershed Alliance  
 Trinity Lake Revitalization Alliance  
 Trust for Public Land  
 Tuolumne Conservancy  
 Tuolumne River Trust  
 Unitarian Universalist Ministry for Earth  
 United Outdoorsmen  
 Upper Mokelumne River Watershed Council  
 Waldo Holt Conservancy  
 Western Nebraska Resources Council  
 Whidbey Environmental Action Network  
 The Wilderness Society
- COMMERCIAL AND RECREATIONAL FISHING AND HUNTING ORGANIZATIONS AND BUSINESSES
- Ankeny Street Sportfishing  
 American Sportfishing Association  
 Auburn Flycasters  
 Back to Class Guide Service  
 Bob Sands Fishing  
 Bob Sparre's Guide Service  
 Bodega Bay Fishermen's Marketing Association  
 Bodega Bay Sportfishing  
 Boyce Image  
 California Inland Fisheries Foundation  
 California Sportfishing Protection Alliance
- California Striped Bass Association  
 California Striped Bass Association—Sacramento Chapter  
 California Striped Bass Association—West Delta Chapter  
 Checkmate Charters  
 Chris' Fishing Charters  
 Chubasco Charters  
 Coastside Fishing Club  
 Delta Fly Fishers  
 Diablo Valley Fly Fishermen  
 El Dorado III Charters  
 Emeryville Sportfishing  
 Fishery Foundation  
 Fish Sniffer  
 Flash Sportfishing Charters  
 Flying Fish Charters  
 Foothills Angler Coalition  
 Fred Hall Shows  
 Golden Gate Fishermen's Association  
 Golden Gate Salmon Association  
 Golden West Women Flyfishers  
 G. Pucci and Sons Manufacturing  
 Granite Bay Flycasters  
 Hi's Tackle Box  
 Hog Heaven Charters  
 Huck Finn Charters  
 Humboldt Area Saltwater Anglers  
 Humboldt Fishermen's Marketing Association  
 Jim Cox Sport Fishing Charters  
 Johnson Hicks Marine  
 Kokanee Power  
 Leisure Sales  
 Lower Sherman Island Duck Hunters Association  
 Lovely Linda Sportfishing  
 Lovely Martha Charters  
 Lower Sherman Island Duck Club  
 Mission Peak Fly Anglers  
 Monterey Fish Market  
 New Captain Pete Charters  
 New Easy Rider Charters  
 New Ray Ann Charters  
 New Salmon Queen Charters  
 Northern California Council Federation of Fly Fishers  
 Northern California Guides Association  
 Northwest Guides and Anglers Association  
 Northwest Sportfishing Industry Association  
 Outdoor Pro Shop  
 Outer Limits Charters  
 Outwest Marketing  
 P Line  
 Pacific Catch Fish Grill  
 Pacific Coast Federation of Fishermen's Associations  
 Pacific Fishery Management Council  
 Pasadena Casting Club  
 Pro-Troll Fishing Products  
 Queen of Hearts Charters  
 Que Sera Sera Charters  
 Rapala USA  
 Randy's Fishing Trips  
 Recreational Fishing Alliance  
 Reel Steel Sportfishing  
 Riptide Charters  
 Roy Gray & Associates  
 SalmonAid Foundation  
 Salmon King Lodge West  
 Salmon Water Now  
 Sandy Ann Charters  
 San Francisco Crab Boat Owners Association  
 Santa Clarita Casting Club  
 Santa Cruz Fly Fishermen  
 Save our Wild Salmon Coalition  
 Sep's Outdoors Inc.  
 Sierra Pacific Flyfishers  
 Sir Randy Charters  
 Soleman Sportfishing Charters  
 Small Boat Commercial Salmon Fishermen's Association  
 Sonoma County Abalone Network  
 Southwest Council Federation of Fly Fishers  
 Sportfishing Association of California

Spring Creek Guide Service  
 Stagnaro's Charters  
 Star of Monterey Charters  
 StriperFest  
 Sunny's Electric Marine  
 Ted's Sports Center  
 Telstar Charters  
 Trek II  
 Tri-Valley Fly Fishers  
 Trout Underground  
 Trout Unlimited  
 USA Fishing  
 Vance's Tackle  
 Wacky Jacky Charters  
 Water for Fish  
 West Marine

## TRIBAL GROUPS

Karuk Tribe  
 Moccoc Nation  
 Winnemen Wintu Tribe  
 Wishtoyo Foundation

## AGRICULTURAL GROUPS

Friant Water Authority<sup>2</sup>  
 Organic Sacramento

## RECREATION GROUPS

Adventure Connection, Inc  
 American Whitewater  
 California Outdoors  
 Camp Lotus  
 Mokelumne River Outfitters  
 The O.A.R.S. Family of Companies  
 River and Rock Adventures  
 River Runners, Inc.  
 Rubicon Whitewater Adventures  
 Sport Sales  
 Whitewater Connection  
 Whitewater Voyages

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

Mr. HASTINGS of Washington. Mr. Chairman, am I correct to assume that all their time has expired?

The Acting CHAIR. All time has expired for the gentlewoman from California.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

There has been much discussion on the floor about preemption. In fact, the previous speaker emphasized that in his close.

I am from a western State; I'm from Washington. If anybody should be cautious about preemption, it is certainly me. And I say that because I represent an area that has two over-half-a-million-acre, or half-a-million-acre, irrigation districts. So I understand about preemption and Western water law.

But in the context of today's debate, the California water system is unique. Here we have a massive Federal system, the Central Valley Project and a massive State water project called the State Water Project, and it operates as one combined unit.

This is what is very important, Mr. Chairman. The coordinated approach was requested by the State and codified by the Federal Government in 1986. That's when water law was preempted. They asked for it in 1986.

In 1992, it was further preempted by amendments to the law in the Central Valley Project in 1992. So what we did in committee is we offered an amendment that was adopted. Let me read the amendments by Mr. TIPTON and Mr. GOSAR, and it says:

Congress finds and declares that (1) coordinated operations between the Central Valley Project and the State Water Project, previously requested and consented to by the State of California and the Federal Government, require assertion of Federal supremacy to protect existing water rights throughout the system.

That's in California. It says:

(2) these circumstances are unique to California. Therefore, nothing in this act shall serve as precedent in any other State.

When we offered that amendment, everybody on our side of the aisle voted for it. Only four on their side of the aisle, when they had an opportunity to make sure preemption wouldn't happen, they voted "no." You can't have it both ways, Mr. Chairman.

So with that I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. STARK. Mr. Chair, I rise today in opposition to legislation that would trample the state's rights of California and overturn a carefully crafted agreement about how our state's fresh water is allocated.

This Republican legislation is a threat to the ecology of the Sacramento Delta and the San Francisco Bay, the safety of drinking water for many Bay area communities, and the many California jobs that depend on productive fisheries and a healthy Delta and Bay. The bill has many losers and the only winners are the large agri-business interests in the Central Valley, who already receive lavish taxpayer handouts in the form of subsidized water and crop subsidies.

Three years ago, in a bipartisan fashion, Congress and the California General Assembly approved the landmark San Joaquin Restoration Agreement. This agreement was based on the latest science and settled over 20 years of litigation regarding the use of water in the Sacramento River Delta. The San Joaquin Restoration Agreement brought together multiple water users, including fishermen, farmers, cities and communities, and conservationists and provides a fair allocation of the fresh water that flows through the Delta and into the San Francisco Bay. It also created a roadmap for the further restoration of wild salmon populations. Now, some of the very same interests who signed onto the recent agreement have convinced their allies in Congress to bring legislation to the floor to overturn it.

In addition to throwing out the San Joaquin Restoration Agreement and overriding state law, the bill before us also pre-empts the Endangered Species Act and proclaims that the science regarding the Delta and the Bay that was used in 1994 is current and cannot be updated. Rather than turning back the clock nearly 20 years, ignoring scientific advances, and undermining one of our nation's most important environmental protections, we should vote against the legislation and respect the rights of the State of California.

Both the Governor and Attorney General of California oppose this legislation, as do my colleagues in the Bay Area delegation. The President has rightfully said he will veto this bill. I urge all of my colleagues to support clean water, jobs, and the environment and vote against this misguided bill.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-15. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1837

*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 "Sacramento-San Joaquin Valley Water Reliability Act".*

**SEC. 2. TABLE OF CONTENTS.**

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

**TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY**

*Sec. 101. Amendment to purposes.*

*Sec. 102. Amendment to definition.*

*Sec. 103. Contracts.*

*Sec. 104. Water transfers, improved water management, and conservation.*

*Sec. 105. Fish, wildlife, and habitat restoration.*

*Sec. 106. Restoration fund.*

*Sec. 107. Additional authorities.*

*Sec. 108. Bay-Delta Accord.*

*Sec. 109. Natural and artificially spawned species.*

*Sec. 110. Authorized service area.*

*Sec. 111. Regulatory streamlining.*

**TITLE II—SAN JOAQUIN RIVER RESTORATION**

*Sec. 201. Repeal of the San Joaquin River settlement.*

*Sec. 202. Purpose.*

*Sec. 203. Definitions.*

*Sec. 204. Implementation of restoration.*

*Sec. 205. Disposal of property; title to facilities.*

*Sec. 206. Compliance with applicable law.*

*Sec. 207. Compliance with Central Valley Project Improvement Act.*

*Sec. 208. No private right of action.*

*Sec. 209. Implementation.*

*Sec. 210. Repayment contracts and acceleration of repayment of construction costs.*

*Sec. 211. Repeal.*

*Sec. 212. Water supply mitigation.*

*Sec. 213. Additional Authorities.*

**TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS**

*Sec. 301. Repayment contracts and acceleration of repayment of construction costs.*

**TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS PRESERVATION AND PROTECTION**

*Sec. 401. Water rights and area-of-origin protections.*

<sup>2</sup>Opposition limited to San Joaquin River Restoration provisions.

Sec. 402. Sacramento River settlement contracts.

Sec. 403. Sacramento River Watershed Water Service Contractors.

Sec. 404. No redirected adverse impacts.

TITLE V—MISCELLANEOUS

Sec. 501. Precedent.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

SEC. 101. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

“(g) to ensure that water dedicated to fish and wildlife purposes by this title is replaced and provided to Central Valley Project water contractors by December 31, 2016, at the lowest cost reasonably achievable; and

“(h) to facilitate and expedite water transfers in accordance with this Act.”

SEC. 102. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

“(a) the term ‘anadromous fish’ means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;”

(2) in subsection (l), by striking “and,”

(3) in subsection (m), by striking the period and inserting “; and”, and

(4) by adding at the end the following:

“(n) the term ‘reasonable flows’ means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.”

SEC. 103. CONTRACTS.

Section 3404 of the Central Valley Project Improvement Act (106 Stat. 4708) is amended—

(1) in the heading, by striking “LIMITATION ON CONTRACTING AND CONTRACTS REFORM” and inserting “CONTRACTS”; and

(2) by striking the language of the section and by adding:

“(a) RENEWAL OF EXISTING LONG-TERM CONTRACTS.—Upon request of the contractor, the Secretary shall renew any existing long-term repayment or water service contract that provides for the delivery of water from the Central Valley Project for a period of 40 years, and renew such contracts for successive periods of 40 years each.

“(b) DELIVERY CHARGE.—Beginning on the date of the enactment of this Act, a contract entered into or renewed pursuant to this section shall include a provision that requires the Secretary to charge the other party to such contract only for water actually delivered by the Secretary.”

SEC. 104. WATER TRANSFERS, IMPROVED WATER MANAGEMENT, AND CONSERVATION.

Section 3405 of the Central Valley Project Improvement Act (106 Stat. 4709) is amended as follows:

(1) in subsection (a)—

(A) by inserting before “Except as provided herein” the following: “The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act or any other provision of Federal reclamation law and the National Environmental Policy Act of 1969.”;

(B) in paragraph (1)(A), by striking “to combination” and inserting “or combination”;

(C) in paragraph (2), by adding at the end the following:

“(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of sub-

mission of such proposal. If such district or agency or the Secretary determines that such proposal is incomplete, such district or agency or the Secretary shall state with specificity what must be added to or revised in order for such proposal to be complete.

“(F) Except as provided in this section, the Secretary shall not impose mitigation or other requirements on a proposed transfer, but the contracting district from which the water is coming or the agency shall retain all authority under State law to approve or condition a proposed transfer.”; and

(D) by adding at the end the following:

“(4) Notwithstanding any other provision of Federal reclamation law—

“(A) the authority to make transfers or exchanges of, or banking or recharge arrangements using, Central Valley Project water that could have been conducted before October 30, 1992, is valid, and such transfers, exchanges, or arrangements shall not be subject to, limited, or conditioned by this title; and

“(B) this title shall not supersede or revoke the authority to transfer, exchange, bank, or recharge Central Valley Project water that existed prior to October 30, 1992.”

(2) In subsection (b)—

(A) in the heading, by striking “METERING” and inserting “MEASUREMENT”; and

(B) by inserting after the first sentence the following: “The contracting district or agency, not including contracting districts serving multiple agencies with separate governing boards, shall ensure that all contractor-owned water delivery systems within its boundaries measure surface water at the district or agency’s facilities up to the point the surface water is commingled with other water supplies.”

(3) By striking subsection (d).

(4) By redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(5) By amending subsection (e) (as redesignated by paragraph (4))—

(A) by striking “as a result of the increased repayment” and inserting “that exceed the cost-of-service”; and

(B) by inserting “the delivery of” after “rates applicable to”; and

(C) by striking “, and all increased revenues received by the Secretary as a result of the increased water prices established under subsection 3405(d) of this section.”

SEC. 105. FISH, WILDLIFE, AND HABITAT RESTORATION.

Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)(B)—

(i) by striking “is authorized and directed to” and inserting “may”; and

(ii) by inserting “reasonable water” after “to provide”; and

(iii) by striking “anadromous fish, except that such” and inserting “anadromous fish. Such”; and

(iv) by striking “Instream flow” and inserting “Reasonable instream flow”; and

(v) by inserting “and the National Marine Fisheries Service” after “United States Fish and Wildlife Service”; and

(vi) by striking “California Department of Fish and Game” and inserting “United States Geological Survey”; and

(B) in paragraph (2)—

(i) by striking “primary purpose” and inserting “purposes”; and

(ii) by striking “but not limited to” before “additional obligations”; and

(iii) by adding after the period the following:

“All Central Valley Project water used for the purposes specified in this paragraph shall be credited to the quantity of Central Valley Project yield dedicated and managed under this paragraph by determining how the dedication and management of such water would affect the delivery capability of the Central Valley Project during the 1928 to 1934 drought period after

fishery, water quality, and other flow and operational requirements imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, have been met. To the fullest extent possible and in accordance with section 3411, Central Valley Project water dedicated and managed pursuant to this paragraph shall be reused to fulfill the Secretary’s remaining contractual obligations to provide Central Valley Project water for agricultural or municipal and industrial purposes.”;

(C) by amending paragraph (2)(C) to read:

“(C) If by March 15th of any year the quantity of Central Valley Project water forecasted to be made available to water service or repayment contractors in the Delta Division of the Central Valley Project is below 75 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.”

(2) By adding at the end the following:

“(i) SATISFACTION OF PURPOSES.—By pursuing the activities described in this section, the Secretary shall be deemed to have met the mitigation, protection, restoration, and enhancement purposes of this title.”

SEC. 106. RESTORATION FUND.

(a) IN GENERAL.—Section 3407(a) of the Central Valley Project Improvement Act (106 Stat. 4726) is amended as follows:

(1) By inserting “(1) IN GENERAL.—” before “There is hereby”.

(2) By striking “Not less than 67 percent” and all that follows through “Monies” and inserting “Monies”.

(3) By adding at the end the following:

“(2) PROHIBITIONS.—The Secretary may not directly or indirectly require a donation or other payment to the Restoration Fund—

“(A) or environmental restoration or mitigation fees not otherwise provided by law, as a condition to—

“(i) providing for the storage or conveyance of non-Central Valley Project water pursuant to Federal reclamation laws; or

“(ii) the delivery of water pursuant to section 215 of the Reclamation Reform Act of 1982 (Public Law 97–293; 96 Stat. 1270); or

“(B) for any water that is delivered with the sole intent of groundwater recharge.”

(b) CERTAIN PAYMENTS.—Section 3407(c)(1) of the Central Valley Project Improvement Act is amended—

(1) by striking “mitigation and restoration”; and

(2) by striking “provided for or”; and

(3) by striking “of fish, wildlife” and all that follows through the period and inserting “of carrying out all activities described in this title.”

(c) ADJUSTMENT AND ASSESSMENT OF MITIGATION AND RESTORATION PAYMENTS.—Section 3407(d)(2) of the Central Valley Project Improvement Act is amended by inserting “, or after October 1, 2013, \$4 per megawatt-hour for Central Valley Project power sold to power contractors (October 2013 price levels)” after “\$12.00 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project”.

(d) COMPLETION OF ACTIONS.—Section 3407(d)(2)(A) of the Central Valley Project Improvement Act is amended by inserting “, no later than December 31, 2020,” after “That upon the completion of the fish, wildlife, and habitat mitigation and restoration actions mandated under section 3406 of this title.”

(e) REPORT; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended by adding at the end the following:

“(g) REPORT ON EXPENDITURE OF FUNDS.—At the end of each fiscal year, the Secretary, in consultation with the Restoration Fund Advisory Board, shall submit to Congress a plan for

the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

“(h) **ADVISORY BOARD.**—

“(1) **ESTABLISHMENT.**—There is hereby established the Restoration Fund Advisory Board (hereinafter in this section referred to as the ‘Advisory Board’) composed of 12 members selected by the Secretary, each for four-year terms, one of whom shall be designated by the Secretary as Chairman. The members shall be selected so as to represent the various Central Valley Project stakeholders, four of whom shall be from CVP agricultural users, three from CVP municipal and industrial users, three from CVP power contractors, and two at the discretion of the Secretary. The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

“(2) **DUTIES.**—The duties of the Advisory Board are as follows:

“(A) To meet at least semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out pursuant to the Central Valley Project Improvement Act.

“(B) To ensure that any advice or recommendation made by the Advisory Board to the Secretary reflect the independent judgment of the Advisory Board.

“(C) Not later than December 31, 2013, and annually thereafter, to transmit to the Secretary and Congress recommendations required under subparagraph (A).

“(D) Not later than December 31, 2013, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406 of this title.

“(3) **ADMINISTRATION.**—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.”.

**SEC. 107. ADDITIONAL AUTHORITIES.**

(a) **AUTHORITY FOR CERTAIN ACTIVITIES.**—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4728) is amended to read as follows:

“(c) **CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.**—

“(1) **IN GENERAL.**—The Secretary is authorized to enter into contracts pursuant to Federal reclamation law and this title with any Federal agency, California water user or water agency, State agency, or private organization for the exchange, impoundment, storage, carriage, and delivery of nonproject water for domestic, municipal, industrial, fish and wildlife, and any other beneficial purpose.

“(2) **LIMITATION.**—Nothing in this subsection shall be deemed to supersede the provisions of section 103 of Public Law 99-546 (100 Stat. 3051).

“(3) **AUTHORITY FOR CERTAIN ACTIVITIES.**—The Secretary shall use the authority granted by this subsection in connection with requests to exchange, impound, store, carry, or deliver nonproject water using Central Valley Project facilities for any beneficial purpose.

“(4) **RATES.**—The Secretary shall develop rates not to exceed the amount required to recover the reasonable costs incurred by the Secretary in connection with a beneficial purpose under this subsection. Such rates shall be charged to a party using Central Valley Project facilities for such purpose. Such costs shall not include any donation or other payment to the Restoration Fund.

“(5) **CONSTRUCTION.**—This subsection shall be construed and implemented to facilitate and encourage the use of Central Valley Project facilities to exchange, impound, store, carry, or deliver nonproject water for any beneficial purpose.”.

(b) **REPORTING REQUIREMENTS.**—Section 3408(f) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) by striking “Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries” and inserting “Natural Resources”;

(2) in the second sentence, by inserting before the period at the end the following: “, including progress on the plan required by subsection (j)”; and

(3) by adding at the end the following: “The filing and adequacy of such report shall be personally certified to the Committees referenced above by the Regional Director of the Mid-Pacific Region of the Bureau of Reclamation.”.

(c) **PROJECT YIELD INCREASE.**—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) By redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking “In order to minimize adverse effects, if any, upon” and inserting “(1) **IN GENERAL.**—In order to minimize adverse effects upon”.

(3) By striking “needs, the Secretary,” and all that follows through “submit to Congress, a” and inserting “needs, the Secretary, on a priority basis and not later than September 30, 2013, shall submit to Congress a”.

(4) By striking “increase,” and all that follows through “options—” and inserting “increase, as soon as possible but not later than September 30, 2016 (except for the construction of new facilities which shall not be limited by that deadline), the water of the Central Valley Project by the amount dedicated and managed for fish and wildlife purposes under this title and otherwise required to meet the purposes of the Central Valley Project including satisfying contractual obligations. The plan required by this subsection shall include recommendations on appropriate cost-sharing arrangements and authorizing legislation or other measures needed to implement the intent, purposes, and provisions of this subsection and a description of how the Secretary intends to use the following options—”.

(5) In subparagraph (A), by inserting “and construction of new water storage facilities” before the semicolon.

(6) In subparagraph (F), by striking “and” at the end.

(7) In subparagraph (G), by striking the period and all that follows through the end of the subsection and inserting “; and”.

(8) By inserting after subparagraph (G) the following:

“(H) Water banking and recharge.”.

(9) By adding at the end the following:

“(2) **IMPLEMENTATION OF PLAN.**—The Secretary shall implement the plan required by paragraph (1) commencing on October 1, 2013. In order to carry out this subsection, the Secretary shall coordinate with the State of California in implementing measures for the long-term resolution of problems in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.

“(3) **FAILURE OF THE PLAN.**—Notwithstanding any other provision of Federal reclamation law, if by September 30, 2016, the plan required by paragraph (1) fails to increase the annual delivery capability of the Central Valley Project by 800,000 acre-feet, implementation of any non-mandatory action under section 3406(b)(2) shall be suspended until the plan achieves an increase in the annual delivery capability of the Central Valley Project by 800,000 acre-feet.”.

(d) **TECHNICAL CORRECTION.**—Section 3408(h) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) in paragraph (1), by striking “paragraph (h)(2)” and inserting “paragraph (2)”; and

(2) in paragraph (2), by striking “paragraph (h)(i)” and inserting “paragraph (1)”.

(e) **WATER STORAGE PROJECT CONSTRUCTION.**—The Secretary, acting through the Commissioner of the Bureau of Reclamation, may partner on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability, and Environmental Improvement Act

(Public Law 108-361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance these projects. No Federal funds are authorized for this purpose and each water storage project is authorized for construction if non-Federal funds are used for financing and constructing the project.

**SEC. 108. BAY-DELTA ACCORD.**

(a) **CONGRESSIONAL DIRECTION REGARDING CENTRAL VALLEY PROJECT AND CALIFORNIA STATE WATER PROJECT OPERATIONS.**—The Central Valley Project and the State Water Project shall be operated pursuant to the water quality standards and operational constraints described in the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, and such operations shall proceed without regard to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other law pertaining to the operation of the Central Valley Project and the California State Water Project. Implementation of this section shall be in strict conformance with the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994.

(b) **APPLICATION OF LAWS TO OTHERS.**—Neither a Federal department nor the State of California, including any agency or board of the State of California, shall impose on any valid water right obtained pursuant to State law, including a pre-1914 appropriative right, any condition that restricts the exercise of that water right in order to conserve, enhance, recover or otherwise protect any species that is affected by operations of the Central Valley Project or California State Water Project. Nor shall the State of California, including any agency or board of the State of California, restrict the exercise of any valid water right obtained pursuant to State law, including a pre-1914 appropriative right, in order to protect, enhance, or restore under the Public Trust Doctrine any public trust value. Implementation of the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, shall be in strict compliance with the water rights priority system and statutory protections for areas of origin.

(c) **COSTS.**—No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) **NATIVE SPECIES PROTECTION.**—California law is preempted with respect to any restriction on the quantity or size of nonnative fish taken or harvested that preys upon one or more native fish species that occupy the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

**SEC. 109. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.**

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous fish species present in the Sacramento and San Joaquin Rivers or their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

**SEC. 110. AUTHORIZED SERVICE AREA.**

The authorized service area of the Central Valley Project shall include the area within the boundaries of the Kettleman City Community Services District, California, as those boundaries

exist on the date of the enactment of this title. Notwithstanding the provisions of the Act of October 30, 1992 (Public Law 102-575, 106 Stat. 4600 et seq.), upon enactment of this title, the Secretary is authorized and directed to enter into a long-term contract in accordance with the reclamation laws with the Kettleman City Community Services District, California, for the delivery of up to 900 acre-feet of Central Valley Project water for municipal and industrial use. The Secretary may temporarily reduce deliveries of the quantity of water made available pursuant to up to 25 percent of such total whenever reductions due to hydrologic circumstances are imposed upon agricultural deliveries of Central Valley Project water. If any additional infrastructure or related-costs are needed to implement this section, such costs shall be the responsibility of the non-Federal entity.

#### SEC. 111. REGULATORY STREAMLINING.

(a) **APPLICABILITY OF CERTAIN LAWS.**—Filing of a Notice of Determination or a Notice of Exemption for any project, including the issuance of a permit under State law, related to any project of the CVP or the delivery of water therefrom in accordance with the California Environmental Quality Act shall be deemed to meet the requirements of section 102(2)(C) of the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)) for that project or permit.

(b) **CONTINUATION OF PROJECT.**—The Bureau of Reclamation shall not be required to cease or modify any major Federal action or other activity related to any project of the CVP or the delivery of water there from pending completion of judicial review of any determination made under the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) **PROJECT DEFINED.**—For the purposes of this section:

(1) **CVP.**—The term “CVP” means the Central Valley Project.

(2) **PROJECT.**—The term “project”—

(A) means an activity that—

(i) is undertaken by a public agency, funded by a public agency, or that requires an issuance of a permit by a public agency;

(ii) has a potential to result in physical change to the environment; and

(iii) may be subject to several discretionary approvals by governmental agencies;

(B) may include construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit; or

(C) as defined under the California Environmental Quality Act in section 21065 of the California Public Resource Code.

### TITLE II—SAN JOAQUIN RIVER RESTORATION

#### SEC. 201. REPEAL OF THE SAN JOAQUIN RIVER SETTLEMENT.

As of the date of enactment of this title, the Secretary shall cease any action to implement the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S-88-1658 LKK/GGH).

#### SEC. 202. PURPOSE.

Section 10002 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended by striking “implementation of the Settlement” and inserting “restoration of the San Joaquin River”.

#### SEC. 203. DEFINITIONS.

Section 10003 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) The term ‘Restoration Flows’ means the additional water released or bypassed from Friant Dam to insure that the target flow entering Mendota Pool, located approximately 62 river miles downstream from Friant Dam, does not fall below 50 cubic feet per second.”;

(2) by striking paragraph (3) and inserting the following:

“(3) The term ‘Water Year’ means March 1 through the last day of February of the following Calendar Year, both dates inclusive”; and

(3) by adding at the end the following new paragraph:

“(4) The term ‘Critical Water Year’ means when the total unimpaired runoff at Friant Dam is less than 400,000 acre-feet, as forecasted as of March 1 of that water year by the California Department of Water Resources.”.

#### SEC. 204. IMPLEMENTATION OF RESTORATION.

Section 10004 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “authorized and directed” and all that follows through “in the Settlement” and inserting “authorized to carry out the following.”;

(B) by striking paragraphs (1), (2), (4), and (5);

(C) in paragraph (3)—

(i) by striking “(3)” and inserting “(1)”;

(ii) by striking “paragraph 13 of the Settlement” and inserting “this part”

(D) by adding at the end the following new paragraphs:

“(2) In each Water Year, commencing in the Water Year starting on March 1, 2013—

“(A) shall modify Friant Dam operations so as to release the Restoration Flows for that Water Year, except in any Critical Water Year;

“(B) shall ensure that the release of Restoration Flows are maintained at the level prescribed by this part, but that Restoration Flows do not reach downstream of Mendota Pool;

“(C) shall release the Restoration Flows in a manner that improves the fishery in the San Joaquin River below Friant Dam, but upstream of Gravelly Ford in existence as of the date of the enactment of this part, and the associated riparian habitat; and

“(D) may, without limiting the actions required under paragraphs (A) and (C) and subject to subsections 10004(a)(3) and 10004(l), use the Restoration Flows to enhance or restore a warm water fishery downstream of Gravelly Ford to and including Mendota Pool, if the Secretary determines that it is reasonable, prudent, and feasible to do so; and

“(3) Not later than 1 year after the date of the enactment of this section, the Secretary shall develop and implement, in cooperation with the State of California, a reasonable plan, to fully recirculate, recapture, reuse, exchange, or transfer all Restoration Flows and provide such recirculated, recaptured, reused, exchanged, or transferred flows to those contractors within the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project that relinquished the Restoration Flows so recirculated, recaptured, reused, exchanged, or transferred. Such a plan shall address any impact on ground water resources within the service area of the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project and mitigation may include ground water banking and recharge projects. Such a plan shall not impact the water supply or water rights of any entity outside the Friant Division, Hidden unit, and Buchanan Unit of the Central Valley Project. Such a plan shall be subject to applicable provisions of California water law and the Secretary’s use of Central Valley Project facilities to make Project water (other than water released from Friant Dam pursuant to this part) and water acquired through transfers available to existing south-of-Delta Central Valley Project contractors.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(3) in subsection (c), by striking “the Settlement” and inserting “this part”;

(4) by striking subsection (d) and inserting the following:

“(d) **MITIGATION OF IMPACTS.**—Prior to October 1, 2013, the Secretary shall identify—

“(1) the impacts associated with the release of Restoration Flows prescribed in this part;

“(2) the measures which shall be implemented to mitigate impacts on adjacent and downstream water users, landowners and agencies as a result of Restoration Flows prescribed in this part; and

“(3) prior to the implementation of decisions or agreements to construct, improve, operate, or maintain facilities that the Secretary determines are needed to implement this part, the Secretary shall implement all mitigations measures identified in subsection (d)(2) before Restoration Flows are commenced.”;

(5) in subsection (e), by striking “the Settlement” and inserting “this part”;

(6) in subsection (f), by striking “the Settlement” and all that follows through “section 10011” and insert “this part”;

(7) in subsection (g)—

(A) by striking “the Settlement and” before this part; and

(B) by striking “or exchange contract” and inserting “exchange contract, or water rights settlement or holding contracts”;

(8) in subsection (h)—

(A) by striking “INTERIM” in the header;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “Interim Flows under the Settlement” and inserting “Restoration Flows under this part”;

(ii) in subparagraph (C)—

(I) in clause (i), by striking “Interim” and inserting “Restoration”; and

(II) in clause (ii), by inserting “and” after the semicolon;

(iii) in subparagraph (D), by striking “and” at the end; and

(iv) by striking subparagraph (E);

(C) in paragraph (2)—

(i) by striking “Interim” and inserting “Restoration”;

(ii) by striking subparagraph (A); and

(iii) by striking “(B) exceed” and inserting “exceed”;

(D) in paragraph (3), by striking “Interim” and inserting “Restoration”; and

(E) by striking paragraph (4) and inserting the following:

“(4) **CLAIMS.**—Within 60 days of enactment of this Act the Secretary shall promulgate a rule establishing a claims process to address current and future claims including, but not limited to, ground water seepage, flooding, or levee instability damages caused as a result of, arising out of, or related to implementation of subtitle A of title X of Public Law 111-11.”;

(9) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “the Settlement and parts I and III” and inserting “this part”;

(ii) in subparagraph (A), by inserting “and” after the semicolon;

(iii) in subparagraph (B)—

(I) by striking “additional amounts authorized to be appropriated, including the”;

(II) by striking “; and” and inserting a period; and

(iv) by striking subparagraph (C); and

(B) by striking paragraph (3); and

(10) by adding at the end the following new subsections:

“(k) **NO IMPACTS ON OTHER INTERESTS.**—No Central Valley Project or other water other than San Joaquin River water impounded by or bypassed from Friant Dam shall be used to implement subsection (a)(2) unless such use is on a voluntary basis. No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley

Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such costs are incurred on a voluntary basis. The implementation of this part shall not result directly or indirectly in any reduction in water supplies or water reliability on any Central Valley Project contractor, any State Water Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such reductions or costs are incurred on a voluntary basis.

“(l) PRIORITY.—All actions taken under this part shall be subordinate to the Secretary’s use of Central Valley Project facilities to make Project water available to Project contractors, other than water released from the Friant Dam pursuant to this part.

“(m) IN GENERAL.—Notwithstanding section 8 of the Reclamation Act of 1902, except as provided in this part, including Title IV of the Sacramento and San Joaquin Valleys Water Reliability Act, this part preempts and supersedes any State law, regulation, or requirement that imposes more restrictive requirements or regulations on the activities authorized under this part. Nothing in this part shall alter or modify the obligations, if any, of the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project, or other water users on the San Joaquin River or its tributaries, under orders issued by the State Water Resources Control Board pursuant to the Porter-Cologne Water Quality Control Act (California Water Code sections 13000 et seq.). Any such order shall be consistent with the congressional authorization for any affected Federal facility as it pertains to the Central Valley Project.

“(n) PROJECT IMPLEMENTATION.—Projects to implement this title shall be phased such that each project shall follow the sequencing identified below and include at least the—

- “(1) project purpose and need;
- “(2) identification of mitigation measures;
- “(3) appropriate environmental review; and
- “(4) prior to releasing Restoration Flows under this part, the Secretary shall—

“(A) complete the implementation of mitigation measures required; and

“(B) complete implementation of the project.”.

#### SEC. 205. DISPOSAL OF PROPERTY; TITLE TO FACILITIES.

Section 10005 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a), by striking “the Settlement authorized by this part” and inserting “this part”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary” and inserting “The Secretary”; and

(ii) by striking “the Settlement authorized by this part” and inserting “this part”; and

(B) by striking paragraph (2); and

(3) in subsection (c)—

(A) in paragraph (1), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2)—

(i) by striking “through the exercise of its eminent domain authority”; and

(ii) by striking “the Settlement” and inserting “this part”; and

(C) in paragraph (3), by striking “section 10009(c)” and inserting “section 10009”.

#### SEC. 206. COMPLIANCE WITH APPLICABLE LAW.

Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “unless otherwise provided by this part” before the period at the end; and

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(2) in subsection (b), by inserting “, unless otherwise provided by this part” before the period at the end;

(3) in subsection (c)—

(A) in paragraph (2), by striking “section 10004” and inserting “this part”; and

(B) in paragraph (3), by striking “the Settlement” and inserting “this part”; and

(4) in subsection (d)—

(A) by inserting “, including without limitation to sections 10004(d) and 10004(h)(4) of this part,” after “implementing this part”; and

(B) by striking “for implementation of the Settlement”.

#### SEC. 207. COMPLIANCE WITH CENTRAL VALLEY PROJECT IMPROVEMENT ACT.

Section 10007 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in the matter preceding paragraph (1),

(A) by striking “the Settlement” and inserting “enactment of this part”; and

(B) by inserting: “and the obligations of the Secretary and all other parties to protect and keep in good condition any fish that may be planted or exist below Friant Dam including any obligations under section 5937 of the California Fish and Game Code and the public trust doctrine, and those of the Secretary and all other parties under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)” before “, provided”; and

(2) in paragraph (1), by striking “, as provided in the Settlement”.

#### SEC. 208. NO PRIVATE RIGHT OF ACTION.

Section 10008(a) of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) by striking “not a party to the Settlement” after “person or entity”; and

(2) by striking “or the Settlement” before the period and inserting “unless otherwise provided by this part. Any Central Valley Project long-term water service or repayment contractor within the Friant Division, Hidden Unit, or Buchanan Unit adversely affected by the Secretary’s failure to comply with section 10004(a)(3) of this part may bring an action against the Secretary for injunctive relief or damages, or both.”.

#### SEC. 209. IMPLEMENTATION.

Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in the header by striking “; SETTLEMENT FUND”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “the Settlement” and inserting “this part”;

(ii) by striking “, estimated to total” and all that follows through “subsection (b)(1).”; and

(iii) by striking “, provided; however,” and all that follows through “\$110,000,000 of State funds”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “(A) IN GENERAL.—The Secretary” and inserting “The Secretary”;

(ii) by striking subparagraph (B); and

(C) in paragraph (3)—

(i) by striking “Except as provided in the Settlement, to” and inserting “To”; and

(ii) by striking “this Settlement” and inserting “this part”;

(3) in subsection (b)(1)—

(A) by striking “In addition” through “however, that the” and inserting “The”;

(B) by striking “such additional appropriations only in amounts equal to”; and

(C) by striking “or the Settlement” before the period;

(4) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “the Settlement” and inserting “this part”;

(ii) in subparagraph (C), by striking “from the sale of water pursuant to the Settlement, or”; and

(iii) in subparagraph (D), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2), by striking “the Settlement and” before “this part”; and

(5) by striking subsections (d) through (f).

#### SEC. 210. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

Section 10010 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(D), by striking “the Settlement and” after “this part”; and

(B) in paragraph (4)(C), by striking “the Settlement and” after “this part”;

(2) in subsection (c), by striking paragraph (3);

(3) in subsection (d)(1), by striking “the Settlement” in both places it appears and inserting “this part”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) by striking “Interim Flows or Restoration Flows, pursuant to paragraphs 13 or 15 of the Settlement” and inserting “Restoration Flows, pursuant to this part”;

(ii) by striking “Interim Flows or” before “Restoration Flows”; and

(iii) by striking “the Interim Flows or Restoration Flows or is intended to otherwise facilitate the Water Management Goal, as described in the Settlement” and inserting “Restoration Flows”; and

(B) in paragraph (2)—

(i) by striking “except as provided in paragraph 16(b) of the Settlement” after “Friant Division long-term contractor”; and

(ii) by striking “the Interim Flows or Restoration Flows or to facilitate the Water Management Goal” and inserting “Restoration Flows”.

#### SEC. 211. REPEAL.

Section 10011 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is repealed.

#### SEC. 212. WATER SUPPLY MITIGATION.

Section 10202(b) of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in paragraph (1), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”;

(2) in paragraph (2), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “meet the Restoration Goal as described in part I of this subtitle” and inserting “recover Restoration Flows as described in this part”;

(B) in subparagraph (C)—

(i) by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”; and

(ii) by striking “, and for ensuring appropriate adjustment in the recovered water account pursuant to section 10004(a)(5)”.

#### SEC. 213. ADDITIONAL AUTHORITIES.

Section 10203 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (b)—

(A) by striking “section 10004(a)(4)” and inserting “section 10004(a)(3)”;

(B) by striking “, provided” and all that follows through “section 10009(f)(2)”;

(2) by striking subsection (c).

#### TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS

#### SEC. 301. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

(a) CONVERSION OF CONTRACTS.—

(1) Not later than 1 year after enactment, the Secretary of the Interior, upon request of the contractor, shall convert all existing long-term Central Valley Project contracts entered under subsection (e) of section 9 of the Act of August 4, 1939 (53 Stat. 1196), to a contract under subsection (d) of section 9 of said Act (53 Stat. 1195), under mutually agreeable terms and conditions.

(2) Upon request of the contractor, the Secretary is further authorized to convert, not later than 1 year after enactment, any Central Valley Project long-term contract entered under subsection (c)(2) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to a contract under subsection (c)(1) of section 9 of said Act, under mutually agreeable terms and conditions.

(3) All contracts entered into pursuant to paragraph (1) shall—

(A) require the repayment, either in lump sum or by accelerated prepayment, of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Irrigation Capital Allocations by Contractor, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor, no later than January 31, 2013, or if made in approximately equal annual installments, no later than January 31, 2016; such amount to be discounted by the Treasury Rate. An estimate of the remaining amount of construction costs as of January 31, 2013, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days after enactment;

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the converted contract or not reflected in the schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversions under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law, provided that the reference to the amount of \$5,000,000 shall not be a precedent in any other context; and

(C) provide that power revenues will not be available to aid in repayment of construction costs allocated to irrigation under the contract.

(4) All contracts entered into pursuant to paragraph (2) shall—

(A) require the repayment in lump sum of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Municipal and Industrial Water Rates, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor, no later than January 31, 2016. An estimate of the remaining amount of construction costs as of January 31, 2016, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days after enactment; and

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversions under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law, provided that the reference to the amount of \$5,000,000 shall not be a precedent in any other context.

(b) FINAL ADJUSTMENT.—The amounts paid pursuant to subsection (a) shall be subject to

adjustment following a final cost allocation by the Secretary of the Interior upon completion of the construction of the Central Valley Project. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are greater than what has been paid by the contractor, the contractor shall be obligated to pay the remaining allocated costs. The term of such additional repayment contract shall be no less than 1 year and no more than 10 years, however, mutually agreeable provisions regarding the rate of repayment of such amount may be developed by the parties. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are less than what the contractor has paid, the Secretary of the Interior is authorized and directed to credit such overpayment as an offset against any outstanding or future obligation of the contractor.

(c) APPLICABILITY OF CERTAIN PROVISIONS.—

(1) Notwithstanding any repayment obligation under subsection (a)(3)(B) or subsection (b), upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs as provided in subsection (a)(3)(A), the ownership and full-cost pricing limitations of any provision of Federal reclamation law shall not apply to lands in such district.

(2) Notwithstanding any repayment obligation under paragraph (3)(B) or paragraph (4)(B) of subsection (a), or subsection (b), upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs as provided in paragraphs (3)(A) and (4)(A) of subsection (a), such contractor shall continue to pay applicable operation and maintenance costs and other charges applicable to such repayment contracts pursuant to the then-current rate-setting policy and applicable law.

(d) CERTAIN REPAYMENT OBLIGATIONS NOT ALTERED.—Implementation of the provisions of this section shall not alter the repayment obligation of any other long-term water service or repayment contractor receiving water from the Central Valley Project, or shift any costs that would otherwise have been properly assignable to any contractors absent this section, including operations and maintenance costs, construction costs, or other capitalized costs incurred after the date of enactment of this Act, to other such contractors.

(e) STATUTORY INTERPRETATION.—Nothing in this part shall be construed to affect the right of any long-term contractor to use a particular type of financing to make the payments required in paragraph (3)(A) or paragraph (4)(A) of subsection (a).

(f) DEFINITION OF TREASURY RATE.—For purposes of this section, "Treasury Rate" shall be defined as the 20-year Constant Maturity Treasury rate published by the United States Department of the Treasury as of October 1, 2012.

#### TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS PRESERVATION AND PROTECTION

##### SEC. 401. WATER RIGHTS AND AREA-OF-ORIGIN PROTECTIONS.

Notwithstanding the provisions of this Act, Federal reclamation law, or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)—

(1) the Secretary of the Interior ("Secretary") is directed, in the operation of the Central Valley Project, to strictly adhere to State water rights law governing water rights priorities by honoring water rights senior to those belonging to the Central Valley Project, regardless of the source of priority;

(2) the Secretary is directed, in the operation of the Central Valley Project, to strictly adhere to and honor water rights and other priorities that are obtained or exist pursuant to the provisions of California Water Code sections 10505, 10505:5, 11128, 11460, and 11463; and sections 12200 to 12220, inclusive; and

(3) any action that affects the diversion of water or involves the release of water from any

water storage facility taken by the Secretary or the Secretary of the Department of Commerce to conserve, enhance, recover, or otherwise protect any species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be applied in a manner that is consistent with water right priorities established by State law.

##### SEC. 402. SACRAMENTO RIVER SETTLEMENT CONTRACTS.

In the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), in the Bay-Delta and on the Sacramento River, the Secretary and the Secretary of Commerce are directed to apply any limitations on the operation of the Central Valley Project or to formulate any "reasonable prudent alternative" associated with the operation of the Central Valley Project in a manner that strictly adheres to and applies the water rights priorities for "Project Water" and "Base Supply" provided for in the Sacramento River Settlement Contracts. Article 3(i) of the Sacramento River Settlement Contracts shall not be utilized by the United States as means to provide shortages to the Sacramento River Settlement Contracts that are different than those provided for in Article 5(a) of those contracts.

##### SEC. 403. SACRAMENTO RIVER WATERSHED WATER SERVICE CONTRACTORS.

(a) IN GENERAL.—Subject to subsection (b) and the absolute priority of the Sacramento River Settlement Contractors to Sacramento River supplies over Central Valley Project diversions and deliveries to other contractors, the Secretary is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(1) Not less than 100% of their contract quantities in a "Wet" year.

(2) Not less than 100% of their contract quantities in an "Above Normal" year.

(3) Not less than 100% of their contract quantities in a "Below Normal" year.

(4) Not less than 75% of their contract quantities in a "Dry" year.

(5) Not less than 50% of their contract quantities in a "Critically Dry" year.

(b) PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in subsection (a) shall be deemed to (i) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary, (ii) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies, (iii) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies, or (iv) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies. Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern or affect, directly or indirectly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or its facilities.

(c) DEFINITIONS.—In this section:

(1) The term "existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed" means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40-30-30) Index.

##### SEC. 404. NO REDIRECTED ADVERSE IMPACTS.

The Secretary shall insure that there are no redirected adverse water supply or fiscal impacts to those within the Sacramento River watershed or to the State Water Project arising from the Secretary's operation of the Central Valley

Project to meet legal obligations imposed by or through any State or Federal agency, including, but not limited to those legal obligations emanating from the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or this Act, or actions or activities implemented to meet the twin goals of improving water supply or addressing environmental needs of the Bay Delta.

#### TITLE V—MISCELLANEOUS

##### SEC. 501. PRECEDENT.

Congress finds and declares that—

(1) coordinated operations between the Central Valley Project and the State Water Project, previously requested and consented to by the State of California and the Federal Government, require assertion of Federal supremacy to protect existing water rights throughout the system; and

(2) these circumstances are unique to California.

Therefore, nothing in this Act shall serve as precedent in any other State.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112-405. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-405.

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 24, strike “CONTRACTS” and insert “CONTRACT”.

Page 4, starting on line 7, strike “, and renew such contracts for successive periods of 40 years each”.

Page 4, after line 9, insert the following new subsection:

(b) ADMINISTRATION OF CONTRACTS.—Except as expressly provided by this Act, any existing long-term repayment or water service contract for the delivery of water from the Central Valley Project shall be administered pursuant to the Act of July 2, 1956 (70 Stat. 483).

Page 4, line 10, strike “(b)” and insert “(c)”.

Page 11, line 21, strike “.00”.

Page 12, line 3, strike “, no” and insert “no”.

Page 16, line 18, strike “submit to” and insert “submit to the”.

Page 16, line 23, strike “options—” and insert “options”.

Page 19, line 3, after “may partner” insert “or enter into an agreement”.

Page 19, line 11, after “No” and before “Federal funds” insert “additional”.

Page 19, lines 11, strike “this purpose and” and insert “the activities authorized in sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii) and 103(d)(1)(A)(iii) of Public Law 108-361.”

Page 19, lines 11 and 12, before “each water storage project” insert “However,”.

Page 19, line 12, after “water storage project” insert “under sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii) and 103(d)(1)(A)(iii) of Public Law 108-361”.

Page 20, line 10, strike “valid”.

Page 20, line 17, strike “valid”.

Page 25, line 16, insert a period after “inclusive”.

Page 26, line 4, insert a colon after “Settlement”.

Page 37, line 22, insert “the first place it appears” before “and”.

Page 38, line 1, strike “, provided;” and insert “provided”.

Page 39, line 19, strike “after” and insert “before”.

Page 39, line 21, strike “after” and insert “before”.

Page 49, line 12, insert “Central Valley Project” before “water”.

Page 52, line 12, after “Sacramento River” insert “or San Joaquin River”.

Page 52, line 21, strike “MISCELLANEOUS” and insert “MISCELLANEOUS”.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment addresses two concerns that have been raised by opponents of the bill during the committee markup and here on the floor today.

A great deal of time during that markup and more today was spent addressing concerns that the bill provides for 40-year contracts that can be renewed each year. The minority charged that this amounts to de facto privatization of a public resource.

Well, we have tried over and over to explain to them that 40-year successive renewal contracts are the rule in Western water law, and the 25-year provision for the Central Valley Project was actually the exception. Indeed, the CVP used to operate with a 40-year provision until that was changed in 1992.

This amendment makes it absolutely crystal clear, I certainly hope, that the contract provisions for the Central Valley Project must be in conformity with the act of July 2, 1956, that amended the Reclamation Projects Act of 1939. These provisions govern all reclamation projects throughout the western United States and treats the CVP contracts no differently. I hope that this provision settles this issue.

The second substantive provision, also included in deference to opponents of the measures, arises from an amendment that intends to expedite four CALFED surface water projects. It was charged that the wording would have interfered with authorization of the project.

This amendment makes it crystal clear that these four projects are authorized as long as non-Federal financing is used. This clears the way for local, State, and private funds to be applied immediately to the construction of these facilities.

The rest of the amendments are technical. They remove superfluous language, correct misspellings, and correct inadvertent omission.

I reserve the balance of my time.

The Acting CHAIR. Who seeks recognition in opposition to the amendment?

Mrs. NAPOLITANO. Actually, Mr. Chairman, I wish to speak on this issue.

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

Mrs. NAPOLITANO. Mr. Chairman, as my colleague has said, his amendment makes technical changes to the legislation, but it leaves in question and very much in doubt—although it says the 40-year rule in Western water is standard—but is this in perpetuity?

I would like a response on that, if I may involve myself in a colloquy with my colleague, Mr. Chairman.

The Acting CHAIR. The gentlewoman may proceed.

Mrs. NAPOLITANO. Is this a renewal every 40 years, or is it in perpetuity?

Mr. MCCLINTOCK. Let me read directly from the act of July 2, 1956, governing all reclamation contracts, including those under this legislation:

The Secretary of the Interior shall include in any long-term contracts—

Mrs. NAPOLITANO. Reclaiming my time, Mr. Chairman, I don't wish to know of '56. I wish to know what your amendment does.

Mr. MCCLINTOCK. This amendment applies the act that I was just reading to the Central Valley Project. I was specifically answering the gentlelady's question by quoting directly from the text of the act that this proposes.

Mrs. NAPOLITANO. I would ask again, is it in perpetuity?

Mr. MCCLINTOCK. No. It has to be negotiated. In fact, just read the text. I think this will answer the question.

Mrs. NAPOLITANO. Thank you, Mr. MCCLINTOCK. Reclaiming my time, the technical memo also makes some standard corrections to the language passed out in committee. While we were not consulted in the drafting of this amendment, we don't oppose the amendment, as it does nothing substantial.

I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, if I could now answer the question of the gentlewoman that she didn't seem to want to hear, it is this:

This act applies—the act of July 2, 1956—to all contracts in the CVP under this legislation. That legislation states:

The Secretary of the Interior shall include in any long-term contract hereafter entered into, if the other contracting party so requests, for renewal thereof under stated terms and conditions mutually agreeable to the parties.

And I repeat: under stated terms and conditions mutually agreeable to the parties.

This is not automatic renewal. This is negotiated anew between the government and the contractor. The only exception to that act under this bill is to accommodate the early repayment of Federal loans, which would be a boon to the cash-strapped Federal Treasury.

Mr. Chairman, as we have repeatedly tried to explain to the minority, this measure simply applies the same

standards to the CVP as are applied to all other water contracts throughout the western United States.

It was a punitive act by this Congress in 1992 that reduced the amount of time in these contracts from 40 years to 25 years exclusively for the CVP. This legislation sets that right and returns the CVP to equal treatment with any other water project in the western United States.

I reserve the balance of my time, unless the gentlelady has closed.

The Acting CHAIR. The Chair wishes to clarify, the gentlewoman from California is not in opposition to the amendment but has yielded back the remainder of her time.

Mrs. NAPOLITANO. I wish to reclaim my time, Mr. Chairman.

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

There was no objection.

The Acting CHAIR. The gentlewoman from California is recognized.

□ 1540

Mrs. NAPOLITANO. I just want to thank my colleague on the other side for clarifying that, and I would like to yield the balance of my time to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. There is always the rest of the story. And while this amendment deals with one of the pernicious parts of the legislation that would have been a perpetual contract, it does not deal with the remaining pieces of the Central Valley Improvement Act, which dealt with the issue of how those contracts were to be renegotiated at the end of 40 years. In fact, those parts of the Central Valley Improvement Act said that, in the renegotiation process, the Federal Government needed to take into account the issues of water availability. You know, maybe there's not that much water available and we need to downgrade, or maybe we need to increase the amount of water, take into account the environmental issues. So those very, very important qualifications on how the contracts would be renegotiated disappeared in the underlying bill.

You did deal with one of the problems, and that is the perpetuity issue, and we understand that. But, nonetheless, there is a very, very serious problem that remains in the negotiation or the renegotiation of the contracts; and, therefore, the amendment, while dealing with one problem, allows the remaining problems to exist. And those remaining problems are how and under what circumstances is the Federal Government to carry out the negotiations; that is, do we take into account environmental issues, fish in the river or not, and availability of water or not.

Mr. McCLINTOCK. Mr. Chairman, to answer the gentleman very specifically, the contract negotiations are conducted in precisely the same manner as every other contract in the Western United States.

I would remind the gentleman and the gentlelady who carried the legislation, this Congress approved a 50-year contract for Hoover power users. And I would remind my friend, the gentleman from California, that during the markup, he specifically said that he could probably live with 40 years. I hope that is still the case. I hope that these amendments assuage his concerns, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. THOMPSON OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-405.

Mr. THOMPSON of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 2, insert the following:

**SEC. 3. EFFECTIVE DATE CONDITIONS.**

Notwithstanding sections 104, 105, 110, and 111 and title III, nothing in this Act or the amendments made by this Act shall take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, certifies that the provisions of this Act and the amendments made by this Act will not result in the loss of agriculture, agriculture-related, fishery, or fishery-related jobs or revenue in California counties north of the Sacramento-San Joaquin River Delta.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMPSON of California. Mr. Chairman, I yield myself such time as I may consume.

The Thompson-Eshoo amendment states that nothing in this bill can go into effect if the Secretary of the Interior determines that any agricultural, fishery, or related jobs will be lost in northern California counties as a result of this bill. I represent a community with varied economic interests: agriculture, fisheries, and tourism. Our amendment would protect these jobs from this politically driven legislation that would divert water to south-of-delta private agricultural interests.

Proponents of this bill claim that the bill protects jobs. The bill does the exact opposite of what it claims to do. It's a job-killer bill. It creates economic winners and losers based on south-of-delta interests. The livelihoods and concerns of individuals outside of this limited area are ignored in order to support well-heeled agricultural interests south of the delta.

In my home district, over 2 million acres of farmland support a greater than \$1 billion market value of prod-

ucts. Over 10 percent of these farms depend on irrigation. I do not believe that these farmers are less important than the south-of-delta farmers. Their jobs, their income, their families should not be sacrificed.

However, this is not simply a northern farmer versus southern farmer issue. Fishermen on the north coast of California saw the result of politically driven water resources decisions in '08 and '09, and they paid the price in almost 5,000 jobs and the economic loss of over \$534 million.

The Thompson-Eshoo amendment would prevent any provisions of this bill from going into effect that would result in the loss of jobs in northern California. Join me in protecting jobs from this politically driven bill that prioritizes the agricultural economies south of the delta over all others.

And I now yield 2 minutes to the gentlewoman from California (Ms. ESHOO), my friend and colleague.

Ms. ESHOO. Mr. Chairman, I thank the gentleman, and I rise in support of the amendment. Why? Because it states that if any fishery-related or agricultural job is lost as a result of this act, the bill will not be enacted. And I think that really sets down where we are.

We need jobs in this country and not job-killing legislation. Now this legislation would undo years of negotiations reached by the State of California, local ranchers, farmers, and other users of water from the San Joaquin River. It would set up a new round of water wars, which means more employment for lawyers but not much for anyone else.

My congressional district, which includes Silicon Valley and the fishing community of Half Moon Bay, is not in the delta, but my constituents oppose this legislation because their communities, their livelihoods, their resources will also be negatively affected by this bill.

Now listen to what the Silicon Valley Leadership Group says, over 350 major companies in Silicon Valley:

We believe that H.R. 1837 would be counterproductive to the development of a comprehensive solution to the Golden State's water programs as it overrides many existing regulations and laws concerning the delta ecosystem and undermines years of collaboration and goodwill developed by a broad coalition of actors and experts.

And this mention of broad coalition, it's why this bill stinks, in plain English, because there's not a coalition. You have to build from the ground up with the stakeholders. That's why there's such a problem with it.

Listen to what the Pacific Coast Federation of Fishermen's Associations says, and they're the largest commercial fishermen association along the Pacific coast:

Make no mistake, this bill will only preempt State law; it will destroy jobs. One of the west coast's oldest industries, our salmon fishery, along with the fishing communities and the economy and heritage it represents, is threatened with extinction by this audacious bill.

We need to protect our citizens from further economic hardships by defending American jobs and enacting legislation that will help, not harm.

For these reasons, I urge my colleagues to vote for Representative THOMPSON's amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, it is amazing the inconsistencies in the amendment itself. Here the gentlelady is talking about San Jose, yet San Jose is south of the area we're talking about, and yet Silicon Valley receives water exports from the delta.

But let's take a different inconsistency. I represent Stanislaus County, which is north of Stockton. Maybe we need to look at a map. We actually have Stanislaus County that reaches up past Stockton, San Joaquin County, the Sacramento area, and yet we're going to be excluded.

So it's one thing to pick winners and losers in this, but what we try to do is not pit north versus south. We're trying to use natural resources in the best option available.

I find interesting another inconsistency: This amendment, does it include forestry, which resides under the jurisdiction of USDA? Are the authors not concerned about the devastating effects of the timber industry and how it's suffered due to the ESA issues associated with the spotted owl?

There are many inconsistencies here. Pick your battle.

Mr. THOMPSON of California. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. NUNES), the author of the legislation.

Mr. NUNES. Mr. Chairman, the gentleman from California (Mr. DENHAM) just made a very important point. Silicon Valley gets their water from Hetch Hetchy. San Francisco gets their water from Hetch Hetchy. What's Hetch Hetchy? Hetch Hetchy was dammed up. It's in Yosemite, and they pipe their water. So if they care about the fish and the fishermen, tear down the dam, send their water out to the delta. But they don't want to do that.

Now I have a lot of my respect for my friend from northern California (Mr. THOMPSON). We've worked together on many issues. But I have to remind the gentleman that the salmon fishermen were bailed out. They were given \$230 million in payments.

□ 1550

I think there needs to be a GAO study on where this money went to because we don't know where this money went. There's never been any report to

show where this money went—\$230 million. But it was the Federal Government that told the fishermen not to fish. And I would hope that the gentleman would actually support this legislation because what we have here is the fish that are killing the salmon are the bass—the bass fish do that. So let's let the fishermen go fish. And here's the gruesome picture again. I know you don't like to see it. Let's go get the bass that are eating the smelt so that then the salmon don't have anything to eat. The bass is a nonnative species. So this bill allows fishermen to go back to work.

I would hope that the gentleman would support this bill because we need to get the fishermen back to work. I agree. We don't want to spend \$230 million after the Federal Government tells the fishermen, no, you can't fish, and then pays them not to fish. That is insanity.

Mr. THOMPSON of California. Mr. Speaker, just a couple of comments on some of the previous speaker's remarks. I'm glad to add forestry in one of the areas if there's any jobs lost that the bill won't go into effect if that would garner my friend's support of this amendment. And as he mentioned, he said it himself: it creates winners and losers. That's not what we're about. We're about creating jobs, not moving jobs from one area to another.

My friend from California mentioned that there was no salmon fishing and it caused these problems. Well, there's no salmon fishing because the last politically motivated water policy killed 80,000 spawning salmon. It shut down the season—it shut it down. It cost people their boats, and it cost people their jobs. Motels, gas stations, bait shops, grocery stores—everybody was hurt tremendously by that matter, and now we're back at it again trying, once again, to politically move water from one portion of the State to another.

It's a job killer and it preempts State law. It's a bad bill, it ought to be killed, and this amendment ought to be added to it.

I yield back the balance of my time. Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield the balance of the time to a member of the committee and somebody who has worked on this legislation, Mr. MCCLINTOCK.

The Acting CHAIR. The gentleman from California is recognized for 2 minutes.

Mr. MCCLINTOCK. I thank the gentleman.

Mr. Chairman, this amendment would allow the Interior Secretary to suspend this bill if he finds that one job is lost north of the delta. Well, this is the same Interior Secretary who appeared before the Natural Resources Committee in 2009. At the time, thousands of farmworkers were thrown into unemployment by the water diversions. Hundreds of thousands of acres of productive farmland were turned into a dust bowl.

And in the midst of the crisis, he admitted that as Interior Secretary, he had the authority to stop the diversions and end the agony of the Central Valley, but he chose not to do so because, in his words, "It would be like admitting defeat." And this is the man that the gentleman from California would give the power—upon finding a single lost job in northern California—to plunge our State into another government-created dust bowl? I don't think so.

The Northern California Water Association represents the farms and communities of northern California and they write of this bill:

The bill, if enacted, would provide an unprecedented Federal statutory express recognition of and commitment to California's State water rights priority system and area of origin protections. This is important for the region to provide sustainable water supply for productive farmlands, wildlife refuges and managed wetlands, cities and rural communities, recreation and meandering rivers that support important fisheries.

So speaks northern California.

Mr. Chairman, fewer Americans are working today than on the day that this administration took office. We will not put in the hands of that administration the power to destroy still more jobs, which this amendment cynically seeks to do.

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

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

Mr. THOMPSON of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-405.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 2, insert the following:

**SEC. 3. EFFECTIVE DATE CONDITIONS.**

Notwithstanding sections 104, 105, 110, and 111, and title III, this Act and the amendments made by this Act shall not take effect until the Secretary of the Interior, in consultation with other Federal agencies with relevant expertise, determines that this Act and the amendments made by this Act shall not have a harmful effect on the quality or safety of drinking water supplies for residents of the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I'm honored to represent much of the San Joaquin Delta, and the delta is a precious, precious resource that provides water for urban, industrial, and agricultural uses throughout the State of California. The delta flows through five northern California counties that are home to 4 million people. The delta region is home to big cities, small towns, and lush farmlands. Just like other Californians, the people of the delta deserve access to clean, safe drinking water. I'm deeply concerned that, as currently written, H.R. 1837 will severely erode the quality of our local water resources.

This issue is important to public health and to local governments throughout northern California. This bill takes more of our freshwater, and what's left will be saltier and lower quality. Deterioration of delta water increases treatment costs by tens of millions of dollars and requires hundreds of millions of dollars in new capital investments. This bill will hurt the people.

Unfortunately, many communities in the delta region are struggling with budget and public health challenges as it is. The last thing we need is for the Congress to pass a bill that threatens our well-being and forces us to spend millions more to just treat our water. It's bad enough to steal somebody's water; it's even worse to steal their water and then charge them millions of dollars for the privilege.

This legislation we are considering today should not pass. It will harm the safety of drinking water supplies for delta communities. My amendment makes sure that, before this bill comes into effect, it won't burden the delta with heavy costs and new public health threats. I ask all of my colleagues to support my amendment, which will secure the safety and security of our drinking water.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. WESTMORELAND). The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield 4 minutes to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Speaker, once again, I don't believe the other side has read the bill. This bill provides for the ultimate protections for delta communities—ultimate protections that guarantee their God-given right to their property and to their water. That's what this bill does. So if you vote against this bill, you're voting to continue the attack on farmers all over the State and communities all over the State. So, if delta farmers want to continue to take water out of the delta like they've been doing for 100 years—they have always had their allocation—this bill guarantees that.

Now, I've been to the delta numerous times, and I've spoken to the communities there. Their number one concern is that they do not want the peripheral canal to be built. Well, if you vote against this bill, you are voting to ensure that Jerry Brown, the Governor of California who opposes this bill, gets his wish to build the peripheral canal that the delta farmers don't want. So if the gentleman wants the peripheral canal built, vote against the bill. If the gentleman wants to make sure that his farmers are not guaranteed their right for water, vote against the bill.

But I find it ironic that the minority is arguing for the delta farmers and the delta communities, but at the very basic level the people who are behind this, the Governor of California, was just here the other day advocating to build the peripheral canal that the gentleman says his constituents don't want. Well, my constituents don't want it either. Neither do the people in the north. None of us wants to build a multibillion dollar project like this. And we don't have to because passage of this bill allows valuable water to be moved across the delta in a more equitable fashion to guarantee waterfowl and fish populations would increase, and guarantees rights to farmers and farmworkers and communities.

□ 1600

That's what this bill does. I would hope that folks in this body and the gentleman himself would maybe withdraw his amendment so that we don't have to take a vote on this because I would hate for the gentleman to vote on an amendment that would basically ensure that he would be supporting Jerry Brown and the Democratic administration that want to take his water away from him that he so cherishes.

Mr. Chairman, I would just say that we need to slow down. I would hope that the other side would take a look at this bill and read the bill. Once they do, they will figure out that all the stakeholders were together in 1994 when everyone sat down to make this agreement. That's what this goes back to.

Mr. MCNERNEY. Mr. Chairman, I certainly appreciate the passion of my colleague from California; but if this bill is beneficial to the delta, then why does every delta county oppose the bill? They made it very clear to me their concern: to protect the drinking water. The quality of the drinking water is something that everyone can understand.

It seems to me what is happening is that the other side is saying we have the money, we have the votes, let's go get the water. Might makes right. We know in this country that might doesn't make right. We have laws that have been observed. We're working through processes now. To shortcut that process right now and start shipping all this water will devastate our community, and we're going to do everything we can to prevent it.

I yield 2 minutes to my colleague from California (Mr. GARAMENDI).

Mr. GARAMENDI. Sometimes on this floor you just shake your head and wonder if you may have fallen down the rabbit hole and "Alice in Wonderland" is really real, where up is down and down is up, and left is right and right is left, and this confusion abounding.

I just heard the most amazing argument I could possibly have imagined, that somehow this bill will stop the peripheral canal. I think not. Perhaps it will because it will totally destroy any opportunity that there may be for California to come together around a comprehensive solution to its water situation.

It just makes me wonder what in the world is going on here, particularly my colleague from California who wants to represent this county of Tuolumne who may want to read his own bill where he wipes out all of the contracting provisions in the Central Valley Improvement Act in which the Tuolumne County Regional Water Agency is given the right to water out of the New Melones Reservoir. That is gone.

By the way, if you happen to care about veterans who might somehow be placed in the San Joaquin Valley National Cemetery, their 850 acre-feet of water is also wiped out.

This bill has far-reaching effects. It has far, far-reaching effects in wiping out the Central Valley Improvement Act. It also wipes out the environmental laws, wipes out the water for the Central Valley National Cemetery, it wipes out the water for Tuolumne County. What effect it has on the peripheral canal, I just can't understand other than it will destroy whatever comity and working together there is in California to solve the overarching problems.

By the way, you are stealing 800,000 acre-feet from the delta in this bill. That's water that the delta community needs. That's water that the delta community needs for its citizens, for water quality, and for agriculture.

Mr. HASTINGS of Washington. Mr. Chairman, how much time remains on both sides?

The Acting CHAIR. The gentleman from Washington has 2 minutes remaining. The gentleman from California's time has expired.

Mr. HASTINGS of Washington. With that, Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, this debate is really incredible.

There is nothing about veteran cemeteries in this bill. I can understand why the minority would want to talk about veterans, because we love our veterans in this country and we do everything to support them. But it is a stretch to say that a bill dealing with property rights somehow involves veteran cemeteries. Since we're talking about veterans, I will say when we send our veterans overseas, our men and women in the

military to protect this country, we have a right to protect people's private property. That's what this bill does.

I know my other friends on the other side of the aisle who have continued to make this argument, they suddenly care about State preemption. They didn't care about State preemption in 1986, 1992, when they sat down in 1994, when they did their boondoggle in 2009. They didn't care about State preemption then. Boy, today, when we talk about guaranteeing people their right to their private property, they suddenly are the defenders of the Constitution. This is really stretching it.

I know that the gentleman who was the under secretary at the time who made the deal in 1994, that was bragged about by not only the former chairman of the Natural Resources Committee at the time, bragged about the Bay-Delta Accord of 1994, not only the Under Secretary of the Interior and the Secretary of the Interior himself and President Bill Clinton. They all supported the '94 agreement. All this talk about comprehensive reform and getting people to the table, we've done that before. What that results in is the illegal taking of people's personal property.

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-405.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 2, insert the following:

**SEC. 3. EFFECTIVE DATE CONDITIONS.**

Notwithstanding sections 104, 105, 110, and 111, and title III, this Act and the amendments made by this Act shall not take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, determines that carrying out this Act and the amendments made by this Act shall not have a harmful effect on water quality or water availability for agricultural producers in the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I yield myself as much time as I may consume.

Someone needs to speak up for the delta communities.

I rise to offer a second amendment to H.R. 1837, and I urge my colleagues to consider this amendment.

As my colleagues now know, I'm very honored to represent the people of the San Joaquin Delta. The delta is a precious resource that provides tremendous economic benefits to my entire State. Preserving the delta should be a priority to all Californians.

Agriculture is the backbone of the delta region, generating nearly \$800 million in 2009 and sustaining thousands of jobs. Supporting delta farming is essential to the economic sustainability of the delta region. I'm deeply upset that as currently written, H.R. 1837 will ship vastly more water out of the delta, even though the current shipments are already threatening the water quality for local farmers.

Simply put, this bill will steal water from northern California and devastate water quality for our delta farmers. Farmers need fresh water. They don't need salt water for their harvest. That is why I'm offering a simple amendment to make sure that the most harmful provisions of this bill do not come into effect until the Secretary of the Interior certifies that they will not harm the water quality or water availability for delta farmers.

Proponents of H.R. 1837 claim their bill is pro-farmer, but the truth is far different. The bill steals water from one part of California to give it to another. If the authors of H.R. 1837 support farmers throughout the entire State of California, then they should support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition.

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

Mr. HASTINGS of Washington. I am pleased to yield 1 minute to the gentleman from California (Mr. DENHAM).

□ 1610

Mr. DENHAM. Mr. Chairman, you know, the last couple of amendments we've talked about the inconsistencies on how they affect other counties in the community. Certainly my county and Stanislaus County has been excluded, even though it certainly has impact in this area.

But even San Joaquin County, this amendment contradicts itself, because West Side ag districts in San Joaquin County, West Side Irrigation District, Byron Bethany Irrigation District, Del Puerto Irrigation District, their water is going to be shut off in prior years. Their water will be shut off this year with a 30 percent water allocation.

The City of Tracy is important. They should have their water. Thirty percent water allocation is unacceptable. So the inconsistencies around the valley are certainly interesting as these different amendments come up.

But why even divide a community that relies on the water that comes out of this allocation?

Mr. MCNERNEY. Mr. Chairman, I thank my colleague for his remarks. Drought affects everyone.

My big concern here is protecting the water quality of the delta. Right now we see saltwater coming into the delta. We see farmers pumping water and having salt in it, not able to use it, needing additional treatments.

All I'm asking is that the Secretary look at the bill and prevent parts of the bill that will deteriorate water quality from going into effect until we're sure that it's safe. We're not asking for anything other than that.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. NUNES), the author of this legislation.

Mr. NUNES. Mr. Chairman, once again, I will say that delta communities are protected in this bill.

They're concerned about water quality. This bill allows water to move through the delta.

They're concerned about maintaining their ability to divert water. This bill allows them to do that. It ensures their private property rights and their rights to their water.

The delta farmers want to make sure that they get conveyance through the delta so they can get their water. This bill does that.

And, as Mr. DENHAM pointed out, the communities on the west side of San Joaquin County, I guess, perhaps they don't matter to the minority because, evidently, by supporting this and opposing this bill, you're basically guaranteeing that the City of Tracy and those districts, those water districts where those jobs are created, are going to be cut off of their water this year. This bill fixes that.

And, once again, I will say that if the delta communities are worried about this peripheral canal, this is why the delta communities should be supporting this bill. But we don't hear anything about that. We hear about Jerry Brown, the Governor of California, opposing the bill and the attorney general of California opposing the bill.

Why are they opposing the bill? Well, because they were just back in Washington 2 days ago lobbying for the construction of the peripheral canal.

Now, perhaps the delta communities want the peripheral canal. Maybe that's a change. I don't know. I haven't been up there in the last few months. But last I heard, the delta communities do not want the peripheral canal to be built.

So, Mr. Chairman, I would urge the gentleman to drop his amendment and to vote in favor of this bill.

Mr. MCNERNEY. Mr. Chairman, right now the delta is in a serious decline. We're shipping more water south

than is good for the health of the delta. What this bill does is increases water shipments. So I don't see how we can put protection for the delta in a bill, in a provision, that increases shipments when we're already seeing decline in the delta.

Again, as I said before, the other side sees they have the votes and they want to go take this water, and that's what this is about. It's about taking water. And our communities, the delta communities have rights to the water. We've been there for a long time. We've been farming this lush farmland. Our farms are very productive.

What this will do is turn it into a salt, stagnant pool, and that will destroy a lot of agriculture, more agriculture than would be created in other areas. It'll destroy a lot of jobs. I don't see how people could support this sort of a provision.

Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

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

Mr. HASTINGS of Washington. Mr. Chairman, we only have one other speaker, and we have the right to close, so I'll reserve my time.

Mr. MCNERNEY. Well, as we've heard both sides, this is a complicated issue. We don't want farmers in any part of the valley to be hurt, but the delta has a long history of providing excellent farm products, \$800 million a year of agricultural output. This is at risk. This is what's at risk.

My community is crying out to me. San Joaquin County is solidly behind my amendment. They're opposed to this bill. And I ask my colleagues to stand up and consider what this bill means for the rest of the country. If we adopt this, it sets a nasty precedent.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield the balance of the time again to the author of this legislation, the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, once again I want to talk about the water exports.

You saw this earlier. Here are the water exports, Mr. Chairman, right here at the bottom. The green line represents the inflows to the delta. You can see that most of the water, in fact, 76 percent of the water that enters the delta ends up out in the ocean. Seventy-six percent of the water ends up in the ocean.

What this bill does, this allows the folks in the delta their rights to their water. So if you vote against this bill, you're voting to take those people's water away and their right to their water away.

So if the gentleman's concerned about water quality, then he should support the bill, because this bill allows the water to move more freely throughout the delta because it gets rid of the problems that we have

throughout the delta and the rigidity that was created when this Congress, in 1992, basically attempted to put farmers out of business and farmworkers in food lines. That's what this debate's about.

And I would suggest, if the gentleman—we could have a unanimous consent agreement right now for an amendment, if the chairman of the committee would allow me.

The City of San Francisco and Santa Clara and all over the bay area, many of the folks from the other side of the aisle who oppose this bill, why do they oppose it other than they want to construct the peripheral canal? They want to ensure construction of the peripheral canal like their Governor, Jerry Brown, wants to do.

But also they don't like the dirty little secret—Yosemite. This was dammed up. Hetch Hetchy was dammed up. Here's the water that sits in Hetch Hetchy today. It was one of John Muir's favorite places on Earth, and this Congress dammed it up.

But you don't see—in all this water that's here, this water would go out to the delta. So perhaps we could have a unanimous consent agreement to tear this down today. Let's dump all this water that goes to San Francisco and Silicon Valley, let's take all this water that would go to the delta, let's dump it down there. Let's save the fish.

Let's go. Unanimous consent agreement. Will anybody agree to it?

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

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

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

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

□ 1620

AMENDMENT NO. 5 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-405.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 103.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I've heard some of the most amazing things in the last 20 minutes that I'm absolutely sometimes unable to even respond to them.

First of all, let's get a couple of things straight before I go to the amendment.

The water that is delivered by the Central Valley Project either under the CVPIA or under the original law is water that is under contract. It is not a property right. It is water that is granted by reason of a contract between the Federal Government and the individual water districts that take that water. It is not a property right.

Now, certainly the farmers own their property, and that is a property right. But the water is not. And by the way, that water—on every one of those contracts, there is a shortage on most of those contracts, particularly the ones that are not replacing riparian water rights. Those contracts all have shortage provisions, so that when we have a drought—and we certainly have been in that situation in California today, and we were back in 2008 and 2007—there are specific requirements in the contracts to reduce the amount of water.

So all of this poppycock that we've been hearing around here today about 100 percent, it's just not the way it has ever been and never will be unless the contract provisions remain, or if this bill become law, and that's where my amendment comes in. It simply removes from this bill the contract provisions in the bill and goes back to the original law.

Now, the original law, which is the CVPIA, which amended the earlier law, has many, many provisions, and in fact it does provide up to 850 acre-feet of water for the national cemetery in the San Joaquin Valley. That, by the way, is wiped out, and also wiped out by the proposed bill before us is the water for the Tuolumne County regional water agencies. So if I represented those counties, I might be concerned about what was happening here.

Understand that many other provisions of this law are important. We did not know back in 1990-1992 what was going to happen with water. The State was in the process of adjudicating the water rights, the Water Resources Control Board, and so the law took into account their decision.

Now, what's happening here in this bill is the removal of the power of the State to allocate its water, to look at the water resources and to make some sense out of what is happening with water. Apparently, we're not going to care about that anymore, and we're simply going to bring to the Federal Government the power to appropriate water in California. That's precisely what happens here.

Now, there was an improvement. I'll grant the chairman of the subcommittee credit for eliminating the perpetual nature of the contracts that were in the original bill that was brought to the floor. Good as far as it goes. But all of the other requirements that are in the CVPI that are wise requirements about how the water is to be allocated from north to south, from the environment to the farmers, and among the farmers, are all removed. And the power of the State to allocate that water using the Water Resources

Control Board, which has been the traditional method, is also removed. Giving rise to this point that this bill overrides State law. And if you are any other State that has a reclamation project in it, beware. Beware what is happening here in the House of Representatives this day. You, too, could be at risk of some interest group in or out of your State seizing your water.

I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. McCLINTOCK. Perhaps my friend from California was not listening when I presented the manager's amendment which addresses this very subject.

As I pointed out to him—apparently he has a short memory—he had objected to the successive renewal provision that he claimed was in the bill but very specifically said he felt he could probably live with 40 years on the amount of time for these contracts. As I've tried to point out to him repeatedly, the measure, and explicitly as amended, does restore the contracting provisions used throughout the Western United States for contracts involving CVP water.

The gentleman says that his amendment puts the contract provisions back to the original law. No, his amendment does not do that. This bill puts the contract provisions back to the original law. That's the reclamation law of 1939 as amended July 2, 1956, the very provisions that are restored in this bill.

What his measure does is to continue to single out the Central Valley Project uniquely among all the reclamation projects across America as the one project that can only get 25-year financing. The problem, of course, with that is that these contracts require a degree of certainty over the long-term costs. That's why the 40-year contracts are in place with every other project of the Bureau of Reclamation in the United States, just as was the fact for the Central Valley Project until it was amended by Congress in 1992.

The gentleman says this overrides State law. The CVPIA overrode State law, and the gentleman was very supportive of that at the time. He obviously has concerns over long-term memory loss as well.

I would simply point out that this measure simply says that the CVP contracts will be treated on the same basis as every other contract in America.

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, may I inquire as to the time remaining?

The Acting CHAIR. You have 1½ minutes remaining.

Mr. GARAMENDI. Well, first of all, if the gentleman would listen carefully, I was always referring not to the 1956 law but rather to the CVPIA, the 1992

law. Indeed, the 1992 law did change for the better, recognizing the unique situation in California where we had both a State and a Federal water project operating and many other appropriators operating on the rivers in California.

Taking that into account, and taking into account the rapidly growing population and need in California and allowing the State to determine what might be done for the need of that water—I would refer the gentleman, if he cares to take a look, at section 3404, limitation on contracts and contracting reforms. This is what you've wiped out in your bill. It specifically provides that the California State Water Resources Control Board, in concluding their review of the California Court of Appeals—in other words, you have wiped out in your bill the ability of the State of California through the Water Resources Control Board to allocate the water, to take into account court decisions. The bill overturns 150 years of California water law and wipes it out.

In fact, the CVPI took very specific account of California law and wrote it into the Federal law.

What's wrong with that? Nothing that I could think about, because California is unique in so many, many ways, and the CVPIA allowed that to happen.

Now, if I might just take a few seconds and clarify a few things.

Yes, indeed, you were talking about the Deputy Secretary of the Department of Interior. That's me. I did conduct those negotiations.

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

Mr. McCLINTOCK. Mr. Chairman, I yield 1 minute to my colleague, the author of the legislation, Mr. NUNES of California.

Mr. NUNES. Mr. Chairman, I appreciate the gentleman admitting that he was the Under Secretary at the time, and he failed to implement the agreement that everyone came together and agreed upon.

Now, earlier, we had the gentleman from California, who was the author of the 1992 act, who came down to the floor, berated farmers, berated production agriculture, and admitted that it was his goal to get rid of production agriculture.

So why did they, at the time, change from 40-year contracts to 25-year contracts? Folks, I think this is something that the American people will understand. The American people right now from other States may not understand a whole lot about what we're talking about, but they will understand this, and farmers across America will understand this: that when farmers borrow money on their land, many times they have to do it under 30-year agreements with the bank.

So I have to ask myself, why in 1992 did they move this from 20 to 25 years?

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

Mr. McCLINTOCK. I yield the gentleman an additional minute.

Mr. NUNES. Why did they move in 1992 to 25 years? Conveniently that made it very hard for farmers to get loans on their land, especially when they were not sure if they were going to have a water supply. That's what this bill tries to fix. That's why we should vote "no" on this amendment because I believe our Founding Fathers and previous Members of Congress who came before us knew at the time that a 40-year agreement would be enough for farmers and people trying to borrow money to go and borrow that money so they could put their families to work and provide for their families.

So that's why we should vote "no" against this agreement, when we had the author down here berating production agriculture.

□ 1630

We know what the intent was of 1992, and we've seen the chaos that has been created since 1992, and that's what we fix in this bill.

The Acting CHAIR. The gentleman from California (Mr. McCLINTOCK) has 30 seconds remaining.

Mr. McCLINTOCK. First, I want to correct one thing. I said that 40 years is common throughout the western United States. I do need to point out again that the Hoover Dam was actually given a 50-year contract.

The amendment fully addresses the concerns that were expressed by the gentleman over the successive renewal provisions in the contracts. I think we've made it very clear that the conditions of the contracts have to be agreed to by both parties. The gentleman, himself, in markup said he could live with 40 years. He has obviously reconsidered. This measure simply sets right a wrong that was done in 1992, and it treats the CVP as every other reclamation project.

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

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MRS. NAPOLITANO

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-405.

Mrs. NAPOLITANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 15, after the period insert the following: "Charges for all delivered water shall include interest, as determined by the

Secretary of the Treasury, on the basis of average market yields on outstanding marketable obligations of the United States with the remaining periods of maturity comparable to the applicable reimbursement period of the project, adjusted to the nearest ¼ of 1 percent on the underpaid balance of the allocable project cost.”

The Acting CHAIR. Pursuant to House Resolution 566, the gentlewoman from California (Mrs. NAPOLITANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Chairman, I yield myself such time as I may consume.

This is a simple amendment. It creates a revenue stream through the elimination of debt without interest, in other words, ending free subsidy on \$400 million. It requires that any new water contracts or renewed contracts must reflect the price of water with interest and repay the debt of the project, with interest, to the Treasury. It is a small, but very important, assist to continue to try to balance our Federal budget. We are always looking for ways to find these little—I call them “pockets of money” to be able to help out.

Reclamation established in 1902 was meant to deliver water to farms with a maximum of 160 acres, and it was provided interest free on the cost of that project. That was in 1902. Times have changed. Subsequent reclamation reform acts have changed the acreage limitation along with the repayment contracts for these projects. Congressional action has also made the repayment of project debt interest free—I repeat, debt interest free—on \$400 million for irrigators while municipalities, like my constituency and power users, pay all of the required appropriate interest. I wish our water users in southern California were as lucky.

H.R. 1837 removes the role of the Federal Government in protecting the environment and public good. If we are removing the role of the Federal Government in protecting the environment and public good, as we plan to do, we should also remove the Federal subsidy associated with renewed or new water contracts. My constituency and anybody else’s must be treated fairly and must be required to pay equally any additional interest on any future water contract and project.

Southern California foresaw the need for infrastructure, so local entities stepped up to the plate. They paid for and constructed new storage facilities, like a dam, the Diamond Valley Reservoir. It was entirely paid for by our local folks without one cent of Federal moneys—no tax cuts, no free interest at taxpayer expense.

Eliminating this unfair subsidy will help to cut our deficit. So I urge all of my colleagues to vote “yes” on this amendment.

I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. McCLINTOCK. I yield 2 minutes to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, once again, I want to bring up this issue that the minority continues to ignore. They don’t want to talk about this, and I don’t understand why. They care about this freshwater. They also care about the environment, but they dammed up Yosemite. They have the water here, and they pipe it to their communities. They completely go around the delta so that none of this water ever makes it to the precious fish that they care about.

We have this beautiful environment here, Mr. Chairman, that was destroyed by the Congress; but we don’t see any amendments to fix this travesty, do we? It’s interesting that the gentlelady from California wants to raise water rates. Do you know who pays the cheapest water rates in California or electricity rates and fees on that? Hetch Hetchy, the power generation at Hetch Hetchy.

So perhaps we should have an amendment that would be offered that would make Hetch Hetchy pay today’s fees, fees that all of the other folks in California are having to pay. If we want to do that, then everyone would be on a level playing field. But no. Instead, this is an attack, once again, as usual, on farm workers and farmers.

I want to remind my colleagues that this bill saves \$300 million, \$300 million, this bill saves. So if the ratepayers in San Francisco, in Santa Clara, in Silicon Valley, and all over the Bay Area want to have their precious water, well, they ought to pay the same fees, too.

I would suggest, and I would hope, that we come back at some other time and deal with the issue and with the unfairness of people who don’t have any water in San Francisco who are so hell-bent on taking people’s water away.

Mrs. NAPOLITANO. Mr. Chairman, may I inquire as to how much time remains.

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Mrs. NAPOLITANO. It is my understanding, then, that my colleagues on the other side are arguing to keep a subsidy. That’s news to us.

Just as an aside, according to the California Department of Food and Agriculture, California agriculture experienced a 9 percent drop in the sales value of its products in 2009, which was at the height of the drought. The State’s 81,500 farms and ranches received \$34.8 billion for their output, down from an all-time high of \$38.4 billion, which was reached in 2008.

Despite the water supply shortages and regulatory restrictions, the State’s agricultural sales for 2009 were the third highest recorded; 2007, 2008 and 2009 were the years of the drought, and

the three highest years of agricultural sales coincided with the three consecutive years of drought.

With that, I yield 1½ minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. We are going around and around here. At the end of the day, I think we need to step back from the heat of the debate and realize exactly what’s happening here.

In this particular amendment is an effort to try to make sure that the taxpayers of the United States are adequately compensated for the money that they have loaned for the development of the Central Valley Project and for the money that they have loaned for the specific elements within the Central Valley Project. These are the specific authorized sub-portions of the Central Valley Project. For example, with the San Luis Unit, the taxpayers loaned a vast amount of money.

When you look at the details in this bill, you will find that there is a very artful way of avoiding the full cost of repayment through early repayments. The way in which the bill is written, the water districts are able to pay off their loans without having to pay off the interest, and then going forward, they’re not having to share in the ongoing cost of maintenance of the major reservoirs and water facilities.

□ 1640

In other words, they are simply charged with the cost of the water, not for the ongoing operational repair and other costs. It’s very interesting, very artfully done and, once again, provides an enormous subsidy to those who have had a very good subsidy for many years. It’s not right. It ought not occur.

The amendment before us simply says that, if you’re going to get a loan, you are going to have to pay interest.

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

Mrs. NAPOLITANO. Mr. Chairman, may I inquire as to how much time remains?

The Acting CHAIR. The gentlewoman from California has 30 seconds remaining.

Mrs. NAPOLITANO. I yield that time to the gentleman from California.

Mr. GARAMENDI. You will hear this from the other side as they close, Oh, but you are going to be able to get some \$300 million. Yes, that money will flow more quickly into the treasury to be sure because it allows the water districts, as a result of the way in which this bill is written, to achieve an enormous advantage. They will be able to get water into the future without having to pay the full cost of that water.

So when you look at it from the total accounting procedures, you wind up with an additional subsidy going to these water districts. It’s not right, and it’s not fair to the taxpayers.

Mr. McCLINTOCK. Mr. Chairman, I yield 30 seconds to my good friend from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, I will be very quick.

The gentlelady from California is the biggest offender of the ultimate subsidy of all. Those are those mystery little Title XVI grants from the Bureau of Reclamation. They don't even charge interest. They just give those away. That's an outrageous subsidy that goes to communities in southern California and in the bay area of \$1,500 an acre-foot.

So, I guess we could offer an amendment to strip out all Title XVI money. I'd be willing to do that, too. Let's strip out all the Title XVI money, all the subsidies that go to Los Angeles, Hollywood, and San Francisco. Let's strip out the Title XVI money.

Is the gentlelady willing to strip out Title XVI money?

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

Mr. McCLINTOCK. Mr. Chairman, may I ask how much time remains?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining, and the time of the gentlewoman from California has expired.

Mr. McCLINTOCK. Mr. Chairman, this amendment was rejected on a bipartisan vote when the gentlelady introduced it in markup, and it deserves a similar fate on the House floor. I mean, let's be clear about what this does. It singles out Central Valley Project participants to pay a punitive surtax that is imposed on no other Bureau of Reclamation project in the United States. This surtax would be passed on to consumers through higher prices.

The Central Valley Project was already singled out for one punitive tax, about \$50 million annually, by Congress in 1992 to fund an array of environmental slush funds. Now, I believe that beneficiaries should pay the cost of the water projects, but they should pay only the cost of those projects and no more. These are not cash cows for the Federal Government to milk until they're dry.

When the left speaks of corporate farms, you know, they often leave out the fact that virtually every family farm is incorporated, and that's who we would be singling out for what amounts to a special tax. That tax can be paid in one of two ways: by employees through lower wages or by consumers through higher prices.

I have a modest suggestion for the gentlelady. Perhaps we should start putting people back to work rather than running them out of business.

I have often criticized her colleagues for policies that have created the conditions that indirectly send water prices through the roof, but this proposal is quite bold. This proposal does so directly and dramatically. That's why several of her colleagues on the Democratic side abandoned her in committee and why they would be well advised to do so again on the floor.

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

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

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

Mrs. NAPOLITANO. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MR. GARAMENDI  
The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-405.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 105.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, once again we need to step back and really understand the full impact of this particular piece of legislation that is before us. It has profound impact on California. We heard earlier discussion about the delta, two amendments put forth by my colleague, Mr. McNERNEY, and as he spoke to the issues of the delta and the sensitivity of it.

The delta is the largest estuary on the west coast of the Western Hemisphere, and it includes the San Francisco Bay. It's a very sensitive estuary. It's dependent upon a flow of freshwater at certain times of the year, and this legislation very artfully, in a very complex series of languages and changes in law and word, takes 800,000 acre-feet away from the environment of the delta, that would be the aquatic environment, and delivers it to the water contractors, the south-of-delta water contractors. It's done in a way that it is hard to recognize; but when I asked the chairman of the committee what the purpose was, he stated unequivocally that it was to take the 800,000 acre-feet of water.

The impact of that will be profound. So whatever you may say about the species in the delta, the salmon, the striped bass, the smelt or any other species, this theft of 800,000 acre-feet of water will have a profound and negative effect.

It's water that is there to be used certain times of the year to carry out the necessary protection of species, water that would flow down the river when the salmon want to migrate up the river, water that would be there for the smelt when they are breeding or when they are moving into their breeding habitat.

It is one of the biggest water grabs, at least in the last half century, and it will have profound negative effects. When taken with the other provisions of the bill that wipe out entirely, entirely wipe out the Environmental Protection Act, the Endangered Species Act, the EPA Clean Water Act, all of those are gone in this bill, and now you are taking the water.

California protections for the environment, the California laws that replicate the Federal laws, they too are pushed aside by this bill. Then you wind up taking the water on top of it.

What is left for the delta? What is left for the species in the delta, the fish, the aquatic? What is left for San Francisco Bay? Not much. Not much. That's why this bill is the worst environmental bill in many, many decades. Call it any other way you like, but that's exactly what it is.

I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. McCLINTOCK. Mr. Chairman, this amendment, more than any other, focuses on the central issues surrounding the bill. What comes first, people or fish?

In 1992, the Central Valley Project Improvement Act carved out 800,000 acre-feet to be dedicated to fish and wildlife purposes temporarily. In fact, during a Senate debate, the floor manager of the conference report, Senator Malcolm Wallop, pointed out that that 800,000 acre-feet of CVP yield is up-front water designed to deal with the requirements of the Endangered Species Act and delta requirements while the various mitigation actions are undertaken. The various mitigation actions were to build more supply so that that 800,000 acres taken from the farmers would then be returned to them.

That 800,000 acre-feet came out of allocations of the Central Valley Project, were agreed to by all sides that were incorporated in the Bay-Delta Accord, which this bill restores. But somewhere along the line, the Federal Government began treating this allotment as a floor rather than as a ceiling.

Back in the mid-1990s, a zealous official in the Interior Department, under Bill Clinton, ordered that more than 1 million acre-feet of water appropriated by the Central Valley Project be used for purposes not authorized under water rights permits issued by the State of California.

□ 1650

That preempted State water rights laws, I might add, and I believe the gentleman from California knows him. In fact, I believe the gentleman from California is him.

This bill reestablishes the 800,000 acre foot allotment agreed to by all sides when Interior Secretary Bruce Babbitt promised "a deal is a deal." This provision redeems the promise that was broken by Mr. Babbitt's deputy, and this

is the provision that the gentleman would have us delete.

I might also add that under this bill, the 800,000 acre feet of water can be recycled by communities once it has met its environmental purpose rather than being lost to the ocean. That's 800,000 acre feet of additional water for communities like his. Of that, a little more than one-tenth of 1 percent would have gone to the little town of Cattlemen City. That's irrelevant because this provision, too, the gentleman was proposing to strike.

The contract holders that paid for this project gave up 800,000 acre feet of water with the promise it would be a temporary ceiling. One broken promise after another changed this to a permanent floor, claiming more and more water be expropriated from the people who paid for it and dumped into the Pacific Ocean. This measure sets that injustice right.

With that, I yield 30 seconds to the gentleman from Washington (Mr. HASTINGS), the chairman of the Natural Resources Committee.

Mr. HASTINGS of Washington. I thank the gentleman for yielding, Mr. Chairman, and I heard the author of the amendment state something, and I will paraphrase, that he spoke to the chairman of the committee on the allocation of the water, and supposedly the chairman of the committee responded back "take the water away."

Number one, I do not recall ever having that dialogue with the maker of the amendment. But had he asked me, my answer would have been an equitable distribution of the water. So I just wanted to set the record straight, Mr. Chairman, because that's what I heard in the debate just previously.

Mr. GARAMENDI. Mr. Chairman, may I inquire as to the time remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. GARAMENDI. The chairman of the committee, if I did say the chairman of the committee, I believe I said the chairman of the subcommittee. In which case if I did, Mr. HASTINGS, you are quite correct; you were not there. The chairman of the subcommittee was to whom I was referring.

With regard to the effect, you can try to spin this any way you like, but the reality is that in the Central Valley Improvement Act, 800,000 acre feet of water was dedicated to the environment, and it was not temporary; it was part of what was to be done into the future. And the negotiations that ensued following the accord in 1994, those negotiations were specifically designed to reach an accommodation on how to meet all of the requirements of the Central Valley Improvement Act, including what to do with the 800,000 acre feet.

I would point out to the opponents of this amendment that the accord, the 1994 Bay-Delta Accord, was never intended to be permanent. It had in fact

a 3-year limitation, which led to my involvement when I became deputy secretary to try to work out a solution. And in fact we did. Unfortunately, the Westlands Water District, one of the proposed signatories to the bill, walked away from the table when everybody else was ready to sign. And we have been involved in this imbroglio ever since.

Now, the 800,000 acre feet is indeed taken away from the environment. No matter how you spin this, it's gone. It is the biggest theft of water perhaps in modern California water history—800,000 acre feet. It may be recycled, but the control of it for the environment is lost. The environmental protections that go along with that water are gone. Both the State and the Federal protections, the Clean Water Act, the National Environmental Protection Act, California CEQA, all of those are gone as a result of this bill. This is the most amazing override of environmental law that I have ever seen in the 37 years that I've been involved in water policy throughout this Nation. It is remarkable what is being attempted here, and we've got to stop this bill.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, the gentleman's memory problems seem to have struck again. I do not recall making such a statement either, or intending to make such a statement. What I have said is that that 800,000 acre feet, which now will become a ceiling rather than a floor, can provide the opportunity for recycling under this bill so that that 800,000 acre feet, once it has served its environmental purposes, may then be used by communities throughout the bay area.

With that, Mr. Chairman, I would ask for a "no" vote on the amendment, and I yield back the balance of my time.

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

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

Mr. GARAMENDI. I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-405.

Mr. MARKEY. Mr. Chairman, I rise to offer an amendment along with Ms. MATSUI and Mr. THOMPSON.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend subsection (a) of section 108 to read as follows:

(a) OPERATION.—Notwithstanding any other provision of this Act, the Central Valley Project and the State Water Project shall be operated in a manner that meets all

obligations under State and Federal law, with operational constraints that are based on the best available science.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself 1 minute.

Our amendment is simple. It would ensure that State law is upheld and that the best available science is used when making decisions about the complex California water system.

Instead of using cutting-edge science, the Republican bill would take us back to 1994.

So let me ask you: Are you willing to give up your 2012 iPhone for a 1994 brick of a cellular phone? How about giving up your Prius for a Yugo? Or using a phonebook instead of Facebook? Would you rather fold a map or use Google maps? The answer to those questions is easy.

And so is this one: Would you trade the science of California water in 2012 for 1994 science? If your answer is no, if your answer is you want to use the best science, today's science, in order to ensure that we protect the water users and the environment, then vote "yes" on our amendment.

I reserve the balance of my time, Mr. Chairman.

Mr. McCLINTOCK. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

Mr. McCLINTOCK. I yield 2 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. I rise in opposition to this amendment. Long ago my parents told me a truism that has been reconfirmed over and over again in my life. My parents both were raised on dirt-poor farms in North Dakota in abject poverty. And my father, who made a decent life for himself and for his family with hard work and struggle, told me as a child when we visited those farms, he said: Son, ordinary people are not going to live well in this country or any country unless there is an abundance of water and energy. And that's what all through my life I've seen; that those people who have had their water or energy restricted, it has hurt the ordinary people, the standard of living of the people of that country.

What we have faced in this country is a good example of that. What we have got is a coalition of radical environmentalists who have over the years prevented America from having the energy we need to have a high and a good standard of living for our people. Ordinary people have suffered. The same is true when we are talking about water.

Now, this radical coalition has never thought anything about constitutional rights and about whether it is States'

rights to this or that. That has made no difference to them at all. The central issue is there is a vision that the radical environmentalists have in which people are less important than fish or little insects or reptiles.

The bottom line is ordinary people, ordinary Americans, should be our highest priority. What is it doing to their standard of living? And we have seen an attack on the standard of living of the people of California by depleting water resources that should go to them that instead are being committed to a tiny little fish that isn't even good enough for bait.

Today, we are going to reaffirm in a very bipartisan fashion that no, the people of this body are elected to represent the well-being of ordinary Americans, to make sure that we have the energy and the water we need to fulfill the American Dream where everyone has a chance at a decent life.

□ 1700

Mr. MARKEY. I yield 2 minutes to the gentleman from California (Mr. THOMPSON) so he can explain why the radical coalition that we have also includes the Governors of seven States that don't like this bill.

Mr. THOMPSON of California. I thank the gentleman for yielding.

The Governors of seven States, fishermen, hunters and farmers, a whole list of people, oppose this bill. Our amendment states that the Central Valley Project and State Water Project shall be operated in a manner that meets all obligation under State and Federal law with operational constraints that are based on the best available science. More than 750 plant and animal species depend upon the delta for their survival. Many of these then support important industries, such as the fishermen, hunters, recreational industries, and farmers that promote local and State economies.

We've seen what happens when science is ignored and environmental protections are gutted for the sake of politics. In 2008 and 2009, salmon fisheries were forced to close because of low-water flows in the rivers. This resulted in the loss of over a half a billion dollars and nearly 5,000 jobs—the same number that the proponents of the bill claim that their bill would create.

This bill would prevent the use of the best available science and adaptive management in the bay and delta by permanently limiting agencies from acting on new scientific information developed since 1994. This alone ignores the last 15 years of the best available science.

I urge a "yes" vote on this amendment and a "no" vote on this terrible piece of legislation.

Mr. McCLINTOCK. Mr. Chairman, I yield 30 seconds to my friend from California (Mr. NUNES).

Mr. NUNES. Thank you, Mr. Chairman.

I just want to remind my colleagues of Dr. Peter Gleick—we haven't heard

from him today—Dr. Peter Gleick, the man who comes to testify in Congress before the committee to tell us why it's so important that we take water away from farmers and families. Why have we not heard about Dr. Peter Gleick today? Because 2 weeks ago, Dr. Peter Gleick admitted to impersonating someone else on the Internet, stole information and then falsified the information and sent it out all over the planet. But Dr. Peter Gleick got caught. Dr. Peter Gleick got caught. The main man that they support got caught.

Mr. MARKEY. May I ask, Mr. Chairman, how much time is remaining on either side.

The Acting CHAIR. The gentleman from Massachusetts has 2½ minutes remaining. The gentleman from California has 2½ minutes remaining.

Mr. MARKEY. I yield 2 minutes to the gentlelady from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I rise in support of this amendment. I have always said that solutions to our country's resource problems must be based on sound science. To do otherwise is simply foolish and severely shortsighted.

Mr. Chairman, H.R. 1837 ignores years of scientific research on the health of California's watersheds. This bill pretends that science does not exist. We don't believe the Earth is flat, and we don't believe that thunder is made by bowling balls. We know better. Science has given us the answers to so many questions about the world in which we live.

We have used science and discovered the truth. H.R. 1837 will prevent the use of the best available science and adaptive management in the bay delta by permanently limiting agencies from acting on new scientific information developed since 1994.

The amendment before us would require us to use the scientific research that we have on California's natural resources. It would allow us to acknowledge what the research has shown us to be true. This amendment is critically important, not only to California, but to every State in this Union.

Mr. Chairman, lastly, I keep hearing that the Sacramento area supports this bill. I represent the Sacramento area, and I can tell you that both the city and county of Sacramento strongly oppose this bill.

I urge my colleagues to support this amendment and to reject the bill.

Mr. MARKEY. Would you be able to tell us, Mr. Chairman, who has the right to conclude debate?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. MARKEY. And could you again tell me how much time I have remaining?

The Acting CHAIR. The gentleman from Massachusetts has 1 minute remaining.

Mr. MARKEY. I yield myself that 1 minute in order to just say this.

If we don't do anything else here, at least we should say that we're going to use science, we're going to use the best available knowledge about science to ensure that this legislation does not invoke the law of unintended consequences, that we understand what we're doing. And I don't know why the Republicans have this aversion to using modern science; but I will tell you this, that this is going to be a defining vote here on the House floor. Do the Republicans actually believe in science? Do they want modern science to be used, or do they want some science from two decades ago to be used?

The importance of using science is that it doesn't depend on one man. It relies on hundreds and thousands of scientists testing each other's works. The Republican bill would ignore 18 years of work by hundreds and thousands of scientists to reach today's consensus because they want that old science in order to take care of the special interests that cannot live within the advances made and the knowledge about the implications of what would happen under their bill.

Mr. McCLINTOCK. Mr. Chairman, the devastation of the Central Valley of California occurred because of the breaking of a Federal promise—a Federal agreement. The gentleman from California says, oh, it wasn't an agreement at all; it was just a suggestion. Well, that's not what the Interior Secretary said at the time. He said, a deal is a deal, and if it turns out there's a need for additional water, it will come at the expense of the Federal Government. The Senator who carried the conference report on the Senate floor said it was a deal, a temporary measure until additional water was brought online. This bill redeems that promise. The amendment offered by the gentleman from Massachusetts would have us break that promise forever.

As I stated earlier, we keep hearing, well, that was then and this is now. Science has changed and so should our policy. If that's the case, then the Federal Government's promises are worthless, and they mean nothing. That was a promise agreed to by all parties. It was broken by the Federal Government.

What they're referring to is not science. It is ideology masquerading as science, so has said the Federal court. Now we have news from the Klamath that one of the scientists involved in the reports is now charging that the Department subverted science for political ends.

It is time that the ideological zealotry that threw thousands of families into unemployment be replaced with practical and fact-based solutions that keep our promises. It's time that we placed a higher value on human lives than on the bureaucratic dictates of the environmental left. That's what this bill does, and that's what the gentleman's amendment would prevent.

Finally, the gentleman would insert a requirement that the act require the

best available science to move forward. Well, the gentleman knows that what is termed “best available science” was literally thrown out of court with the court saying not only was it not the best available science; it wasn’t science at all. The only practical effect of the provision is to provide employment for the only growth sector left in California’s economy—environmental lawsuits intended not to win, because ultimately they do lose, but rather to delay projects indefinitely and make them cost prohibitive to pursue. But I compliment the gentleman on his creativity.

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

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

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

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

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

The Chair understands that amendment No. 9 will not be offered.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-405 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. THOMPSON of California.

Amendment No. 3 by Mr. MCNERNEY of California.

Amendment No. 4 by Mr. MCNERNEY of California.

Amendment No. 5 by Mr. GARAMENDI of California.

Amendment No. 6 by Mrs. NAPOLITANO of California.

Amendment No. 7 by Mr. GARAMENDI of California.

Amendment No. 8 by Mr. MARKEY of Massachusetts.

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

#### AMENDMENT NO. 2 OFFERED BY MR. THOMPSON OF CALIFORNIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 239, not voting 16, as follows:

[Roll No. 83]

AYES—178

Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Bonamici  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carmahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)

NOES—239

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Amodei  
Austria  
Bachmann  
Bachus  
Bartletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishak  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Denham  
Dent  
DesJarlais  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake

Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walberg  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Yarmuth

Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souterland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner (NY)  
Turner (OH)  
Upton  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

NOT VOTING—16

Bass (CA)  
Boustany  
Cantor  
Davis (KY)  
Diaz-Balart  
Gohmert  
Lee (CA)  
Nadler  
Palazzo  
Paul  
Payne  
Pelosi  
Rangel  
Rush  
Schakowsky  
Schmidt

□ 1737

Mr. GRIMM, Mrs. BLACKBURN, Messrs. FARENTHOLD, ROONEY, and HALL changed their vote from “aye” to “no.”

Ms. WATERS, Messrs. LIPINSKI and POLIS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 3 OFFERED BY MR. MCNERNEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 178, noes 242, not voting 13, as follows:

Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth

[Roll No. 84]

AYES—178

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

NOES—242

Adams	Calvert	Fitzpatrick
Aderholt	Camp	Flake
Akin	Campbell	Fleischmann
Alexander	Canseco	Fleming
Amash	Capito	Flores
Amodei	Cardoza	Forbes
Austria	Carter	Fortenberry
Bachmann	Cassidy	Fox
Bachus	Chabot	Franks (AZ)
Barletta	Chaffetz	Frelinghuysen
Bartlett	Coble	Gallegly
Barton (TX)	Coffman (CO)	Gardner
Bass (NH)	Cole	Garrett
Benishkek	Conaway	Gerlach
Berg	Costa	Gibbs
Biggert	Cravaack	Gingrey (GA)
Billbray	Crawford	Goodlatte
Bilirakis	Crenshaw	Gosar
Bishop (UT)	Culberson	Gowdy
Black	Davis (KY)	Granger
Blackburn	Denham	Graves (GA)
Bonner	Dent	Graves (MO)
Bono Mack	DesJarlais	Griffin (AR)
Boren	Diaz-Balart	Griffith (VA)
Boustany	Dold	Grimm
Brady (TX)	Dreier	Guinta
Brooks	Duffy	Guthrie
Broun (GA)	Duncan (SC)	Hall
Buchanan	Duncan (TN)	Hanna
Bucshon	Ellmers	Harper
Buerkle	Emerson	Harris
Burgess	Farenthold	Hartzler
Burton (IN)	Fincher	Hastings (WA)

[Roll No. 85]

AYES—177

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

NOES—243

Adams	Calvert	Fitzpatrick
Aderholt	Camp	Flake
Akin	Campbell	Fleischmann
Alexander	Canseco	Fleming
Amash	Capito	Flores
Amodei	Cardoza	Forbes
Austria	Carter	Fox
Bachmann	Cassidy	Franks (AZ)
Bachus	Chabot	Frelinghuysen
Barletta	Chaffetz	Gallegly
Bartlett	Coble	Gardner
Barton (TX)	Coffman (CO)	Garrett
Bass (NH)	Cole	Gerlach
Benishkek	Conaway	Gibbs
Berg	Cooper	Gingrey (GA)
Biggert	Costa	Goodlatte
Billbray	Cravaack	Gosar
Bilirakis	Crawford	Gowdy
Bishop (GA)	Crenshaw	Granger
Bishop (UT)	Culberson	Graves (GA)
Black	Davis (KY)	Graves (MO)
Blackburn	Denham	Griffin (AR)
Bonner	Dent	Griffith (VA)
Bono Mack	DesJarlais	Grimm
Boren	Diaz-Balart	Guinta
Boustany	Dold	Guthrie
Brady (TX)	Dreier	Hall
Brooks	Duffy	Hanna
Broun (GA)	Duncan (SC)	Harper
Buchanan	Duncan (TN)	Harris
Bucshon	Ellmers	Hartzler
Buerkle	Emerson	Hastings (WA)
Burgess	Farenthold	Hayworth
Burton (IN)	Fincher	Heck

NOT VOTING—13

Bass (CA)	Nader	Rush
Cantor	Paul	Schakowsky
Davis (CA)	Payne	Tierney
Gohmert	Rangel	
Lee (CA)	Rogers	(KY)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1741

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

Stated for:  
Mrs. DAVIS of California. Mr. Chair, on roll-call No. 84, had I been present, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MR. MCNERNEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 177, noes 243, not voting 13, as follows:

Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon

NOT VOTING—13

Bass (CA)  
Cantor  
Fortenberry  
Gohmert  
Lee (CA)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1744

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

PERSONAL EXPLANATION

Ms. SCHAKOWSKY. Mr. Chair, on rollcall Nos. 83—Thompson/Eshoo Amendment, 84—McNerney Amendment No. 3, and 85—McNerney Amendment No. 4, had I been present, I would have voted “aye.”

AMENDMENT NO. 5 OFFERED BY MR. GARAMENDI

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 9, as follows:

[Roll No. 86]  
AYES—181  
Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Hinchey  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Capps  
Hoyer  
Carnahan  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi

NOES—243

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Amodei  
Austria  
Bachmann  
Bachus  
Bartletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Billray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess

Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock

NOT VOTING—9

Bass (CA)  
Cantor  
Gohmert

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1748

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

AMENDMENT NO. 6 OFFERED BY MRS. NAPOLITANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 174, noes 250, not voting 9, as follows:

Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Pelosi  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Yarmuth

Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar  
Gowdy  
Granger  
DesJarlais  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall

McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Young (AR)  
Ross (FL)  
Young (IN)

Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner (NY)  
Turner (OH)  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

[Roll No. 87]

AYES—174

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

NOES—250

Adams	Camp	Fleming
Aderholt	Campbell	Flores
Akin	Canseco	Forbes
Alexander	Capito	Fortenberry
Amash	Cardoza	Fox
Amodei	Carter	Franks (AZ)
Austria	Cassidy	Frelinghuysen
Bachmann	Chabot	Galleghy
Bachus	Chaffetz	Gardner
Barletta	Coble	Garrett
Barrow	Coffman (CO)	Gerlach
Bartlett	Cole	Gibbs
Bass (NH)	Conaway	Gibson
Benishkek	Costa	Gingrey (GA)
Berg	Cravaack	Goodlatte
Biggert	Crawford	Gosar
Bilbray	Crenshaw	Gowdy
Bilirakis	Culberson	Granger
Bishop (GA)	Davis (KY)	Graves (GA)
Bishop (UT)	Denham	Graves (MO)
Black	Dent	Griffin (AR)
Blackburn	DesJarlais	Griffith (VA)
Bonner	Diaz-Balart	Grimm
Bono Mack	Dold	Guinta
Boren	Dreier	Guthrie
Boustany	Duffy	Hall
Brady (TX)	Duncan (SC)	Hanna
Brooks	Duncan (TN)	Harper
Broun (GA)	Ellmers	Harris
Buchanan	Emerson	Hartzler
Bucshon	Farenthold	Hastings (WA)
Buerkle	Fincher	Hayworth
Burgess	Fitzpatrick	Heck
Burton (IN)	Flake	Hensarling
Calvert	Fleischmann	Herger

Herrera Beutler	McNerney	Ryan (WI)
Huelskamp	Meehan	Scalise
Huizenga (MI)	Mica	Schilling
Hultgren	Miller (FL)	Schmidt
Hunter	Miller (MI)	Schock
Hurt	Miller, Gary	Schweikert
Inslee	Mulvaney	Scott (SC)
Issa	Murphy (PA)	Scott, Austin
Jenkins	Myrick	Sensenbrenner
Johnson (IL)	Neugebauer	Sessions
Johnson (OH)	Noem	Shimkus
Johnson, Sam	Nugent	Shuler
Jones	Nunes	Shuster
Jordan	Nunnelee	Simpson
Kelly	Olson	Smith (NE)
King (IA)	Palazzo	Smith (NJ)
King (NY)	Paulsen	Smith (TX)
Kingston	Pearce	Southerland
Kinzinger (IL)	Pence	Stearns
Kline	Perlmutter	Stivers
Klabrador	Peterson	Stutzman
Lamborn	Petri	Sullivan
Lance	Pitts	Terry
Landry	Platts	Thompson (PA)
Lankford	Poe (TX)	Thornberry
Latham	Pompeo	Tiberi
LaTourette	Posey	Tipton
Latta	Price (GA)	Turner (NY)
Lewis (CA)	Quayle	Turner (OH)
LoBiondo	Reed	Upton
Long	Rehberg	Walberg
Lucas	Reichert	Walden
Luetkemeyer	Renacci	Walsh (IL)
Lummis	Ribble	Walz (MN)
Lungren, Daniel	Rigell	Webster
E.	Rivera	West
Mack	Roby	Westmoreland
Manzullo	Roe (TN)	Whitfield
Marchant	Rogers (AL)	Wilson (SC)
Marino	Rogers (KY)	Wittman
Matheson	Rogers (MI)	Wolf
McCarthy (CA)	Rohrabacher	Womack
McCaul	Rokita	Woodall
McClintock	Rooney	Yoder
McCotter	Ros-Lehtinen	Young (AK)
McHenry	Roskam	Young (FL)
McKeon	Ross (AR)	Young (IN)
McKinley	Ross (FL)	
McMorris	Royce	
Rodgers	Ryunan	

NOT VOTING—9

Bass (CA)	Lee (CA)	Payne
Cantor	Nadler	Rangel
Gohmert	Paul	Rush

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1752

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

AMENDMENT NO. 7 OFFERED BY MR. GARAMENDI

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 178, noes 247, not voting 8, as follows:

[Roll No. 88]

AYES—178

Ackerman	Baca	Becerra
Altmire	Baldwin	Berkley
Andrews	Barrow	Berman

Bishop (NY)	Hanabusa	Pascrell
Blumenauer	Hastings (FL)	Pastor (AZ)
Bonamici	Heinrich	Pelosi
Boswell	Higgins	Perlmutter
Brady (PA)	Himes	Peters
Braley (IA)	Hinchee	Pingree (ME)
Brown (FL)	Hinojosa	Polis
Butterfield	Hirono	Price (NC)
Capps	Hochul	Quigley
Capuano	Holden	Rahall
Carnahan	Carnahan	Reyes
Carney	Carney	Richardson
Carson (IN)	Carson (IN)	Richmond
Castor (FL)	Castor (FL)	Israel
Chandler	Chandler	Rothman (NJ)
Chu	Chu	Royal-Allard
Ciциlline	Ciциlline	Ruppersberger
Clarke (MI)	Clarke (MI)	Ryan (OH)
Clarke (NY)	Clarke (NY)	Sánchez, Linda
Clay	Clay	T.
Cleaver	Cleaver	Sanchez, Loretta
Clyburn	Clyburn	Sarbanes
Cohen	Cohen	Schakowsky
Connolly (VA)	Connolly (VA)	Schiff
Conyers	Conyers	Schrader
Cooper	Costello	Schwartz
Costello	Costello	Scott (VA)
Courtney	Courtney	Scott, David
Critz	Critz	Serrano
Crowley	Crowley	Sewell
Cuellar	Cuellar	Sherman
Cummings	Cummings	Shuler
Davis (CA)	Davis (CA)	Sires
Davis (IL)	Davis (IL)	Slaughter
DeFazio	DeFazio	Smith (WA)
DeGette	DeGette	Speier
DeLauro	DeLauro	Stark
Deutch	Deutch	Sutton
Dicks	Dicks	Thompson (CA)
Dingell	Dingell	Thompson (MS)
Doggett	Doggett	Tierney
Donnelly (IN)	Donnelly (IN)	Tonko
Doyle	Doyle	Towns
Edwards	Edwards	Tsongas
Ellison	Ellison	Van Hollen
Engel	Engel	Velázquez
Eshoo	Eshoo	Visclosky
Farr	Farr	Walz (MN)
Fattah	Fattah	Wasserman
Filner	Filner	Schultz
	Fudge	Watt
	Garamendi	Waxman
	Gonzalez	Welch
	Green, Al	Wilson (FL)
	Green, Gene	Woolsey
	Grijalva	Yarmuth
	Gutierrez	
	Hahn	

NOES—247

Adams	Cardoza	Galleghy
Aderholt	Carter	Gardner
Akin	Cassidy	Garrett
Alexander	Chabot	Gerlach
Amash	Chaffetz	Gibbs
Amodei	Coble	Gibson
Austria	Coffman (CO)	Gingrey (GA)
Bachmann	Cole	Gohmert
Bachus	Conaway	Goodlatte
Barletta	Cooper	Gosar
Bartlett	Costa	Gowdy
Barton (TX)	Cravaack	Granger
Bass (NH)	Crawford	Graves (GA)
Benishkek	Crenshaw	Graves (MO)
Berg	Culberson	Griffin (AR)
Biggert	Davis (KY)	Griffith (VA)
Bilbray	Denham	Grimm
Bilirakis	Dent	Guinta
Bishop (GA)	DesJarlais	Guthrie
Bishop (UT)	Diaz-Balart	Hall
Black	Dold	Hanna
Blackburn	Dreier	Harper
Bonner	Duffy	Harris
Bono Mack	Duncan (SC)	Hartzler
Boren	Duncan (TN)	Hastings (WA)
Boustany	Ellmers	Hayworth
Brady (TX)	Emerson	Heck
Brooks	Farenthold	Hensarling
Broun (GA)	Fincher	Herger
Buchanan	Fitzpatrick	Herrera Beutler
Bucshon	Flake	Huelskamp
Buerkle	Fleischmann	Huizenga (MI)
Burgess	Fleming	Hultgren
Burton (IN)	Flores	Hunter
Calvert	Forbes	Hurt
	Fortenberry	Issa
	Campbell	Jenkins
	Canseco	Johnson (IL)
	Capito	Johnson (OH)

Johnson, Sam	Mulvaney	Scalise	Clay	Hoyer	Pingree (ME)	Long	Pence	Sensenbrenner
Jones	Murphy (PA)	Schilling	Cleaver	Inslee	Polis	Lucas	Peterson	Sessions
Jordan	Myrick	Schmidt	Clyburn	Israel	Price (NC)	Luetkemeyer	Petri	Shimkus
Kelly	Neugebauer	Schock	Cohen	Jackson (IL)	Quigley	Lummis	Pitts	Shuster
King (IA)	Noem	Schweikert	Connolly (VA)	Jackson Lee	Rahall	Lungren, Daniel	Platts	Simpson
King (NY)	Nugent	Scott (SC)	Conyers	(TX)	Reyes	E.	Poe (TX)	Smith (NE)
Kingston	Nunes	Scott, Austin	Cooper	Johnson (GA)	Richardson	Mack	Pompeo	Smith (NJ)
Kinzinger (IL)	Nunnelee	Sensenbrenner	Costello	Johnson (IL)	Richmond	Manzullo	Posey	Smith (TX)
Kline	Olson	Sessions	Courtney	Johnson, E. B.	Rothman (NJ)	Marchant	Price (GA)	Southerland
Labrador	Palazzo	Shimkus	Critz	Kaptur	Roybal-Allard	Marino	Quayle	Stearns
Lamborn	Paulsen	Shuster	Crowley	Keating	Ruppersberger	Matheson	Reed	Stivers
Lance	Pearce	Simpson	Cuellar	Kildee	Rush	McCarthy (CA)	Rehberg	Stutzman
Landry	Pence	Smith (NE)	Cummings	Kind	Ryan (OH)	McCaul	Reichert	Sullivan
Lankford	Peterson	Smith (NJ)	Davis (CA)	Kissell	Sánchez, Linda	McClintock	Renacci	Terry
Latham	Petri	Smith (TX)	Davis (IL)	Kucinich	T.	McCotter	Rivera	Thompson (PA)
LaTourette	Pitts	Southerland	DeFazio	Langevin	Sanchez, Loretta	McHenry	Roby	Thornberry
Latta	Platts	Stearns	DeGette	Sarbanes	Sarbanes	McKeon	Roe (TN)	Tiberi
Lewis (CA)	Poe (TX)	Stivers	DeLauro	Schakowsky	Schakowsky	McKinley	Rogers (AL)	Tipton
LoBiondo	Pompeo	Stutzman	Deutch	Schiff	Schiff	McMorris	Rogers (KY)	Turner (NY)
Long	Posey	Sullivan	Dicks	Schrader	Schrader	Rodgers	Rogers (MI)	Turner (OH)
Lucas	Price (GA)	Terry	Dingell	Schwartz	Schwartz	Meehan	Rohrabacher	Upton
Luetkemeyer	Quayle	Thompson (PA)	Doggett	Scott (VA)	Scott (VA)	Mica	Rokita	Walberg
Lummis	Reed	Thornberry	Donnelly (IN)	Scott, David	Scott, David	Miller (FL)	Rooney	Walden
Lungren, Daniel	Rehberg	Tiberi	Doyle	Serrano	Serrano	Miller (MI)	Ros-Lehtinen	Walsh (IL)
E.	Reichert	Tipton	Edwards	Sewell	Sewell	Miller, Gary	Roskam	Webster
Mack	Renacci	Turner (NY)	Ellison	Sherman	Sherman	Mulvaney	Ross (AR)	West
Manzullo	Ribble	Turner (OH)	Engel	Shuler	Shuler	Murphy (PA)	Ross (FL)	Westmoreland
Marchant	Rigell	Upton	Eshoo	Sires	Sires	Myrick	Royce	Whitfield
Marino	Rivera	Walberg	Farr	Slaughter	Slaughter	Neugebauer	Runyan	Wilson (SC)
Matheson	Roby	Walden	Fattah	Smith (WA)	Smith (WA)	Noem	Ryan (WI)	Wittman
McCarthy (CA)	Roe (TN)	Walsh (IL)	Filler	Speier	Speier	Nugent	Scalise	Wolf
McCaul	Rogers (AL)	Webster	Frank (MA)	Stark	Stark	Nunes	Schilling	Womack
McClintock	Rogers (KY)	West	Fudge	Sutton	Sutton	Nunnelee	Schmidt	Woodall
McCotter	Rogers (MI)	Westmoreland	Garamendi	Thompson (CA)	Thompson (CA)	Olson	Schock	Yoder
McHenry	Rohrabacher	Whitfield	Gonzalez	Thompson (MS)	Thompson (MS)	Palazzo	Schweikert	Young (AK)
McKeon	Rokita	Wilson (SC)	Paulsen, Al	Tierney	Tierney	Paulsen	Scott (SC)	Young (FL)
McKinley	Rooney	Wittman	Green, Gene	Michaud	Michaud	Pearce	Scott, Austin	Young (IN)
McMorris	Ros-Lehtinen	Wolf	Grijalva	Miller (NC)	Miller (NC)			
Rodgers	Roskam	Womack	Gutierrez	Miller, George	Miller, George			
Meehan	Ross (AR)	Woodall	Hahn	Moore	Moore	Bass (CA)	Nadler	Rangel
Mica	Ross (FL)	Yoder	Hanabusa	Moran	Moran	Cantor	Paul	Ribble
Miller (FL)	Royce	Young (AK)	Hastings (FL)	Murphy (CT)	Murphy (CT)	Lee (CA)	Payne	Rigell
Miller (MI)	Runyan	Young (FL)	Heinrich	Napolitano	Napolitano			
Miller, Gary	Ryan (WI)	Young (IN)	Higgins	Neal	Neal			
			Himes	Oliver	Oliver			
			Hinchev	Owens	Owens			
			Hinojosa	Pallone	Pallone			
			Hirono	Pascrell	Pascrell			
			Hochul	Pastor (AZ)	Pastor (AZ)			
			Holden	Pelosi	Pelosi			
			Holt	Perlmutter	Perlmutter			
			Honda	Peters	Peters			

NOT VOTING—8

Bass (CA)	Nadler	Rangel
Cantor	Paul	Rush
Lee (CA)	Payne	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1755

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

AMENDMENT NO. 8 OFFERED BY MR. MARKEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 244, not voting 9, as follows:

[Roll No. 89]

AYES—180

Ackerman	Blumenauer	Carnahan
Andrews	Bonamici	Carney
Baca	Boswell	Carson (IN)
Baldwin	Brady (PA)	Castor (FL)
Barrow	Braley (IA)	Chandler
Becerra	Brown (FL)	Chu
Berkley	Butterfield	Ciilline
Berman	Capps	Clarke (MI)
Bishop (NY)	Capuano	Clarke (NY)

Adams	Coble	Graves (GA)
Aderholt	Coffman (CO)	Graves (MO)
Akin	Cole	Griffin (AR)
Alexander	Conaway	Griffith (VA)
Altmire	Costa	Grimm
Amash	Cravaack	Guinta
Amodei	Crawford	Guthrie
Austria	Crenshaw	Hall
Bachmann	Culberson	Hanna
Bachus	Davis (KY)	Harper
Barletta	Denham	Harris
Bartlett	Dent	Hartzler
Barton (TX)	DesJarlais	Hastings (WA)
Bass (NH)	Diaz-Balart	Hayworth
Benishek	Dold	Heck
Berg	Dreier	Hensarling
Biggett	Duffy	Heger
Bilbray	Duncan (SC)	Herrera Beutler
Bilirakis	Duncan (TN)	Huelskamp
Bishop (GA)	Ellmers	Huizenga (MI)
Bishop (UT)	Emerson	Hultgren
Black	Farenthold	Hunter
Blackburn	Fincher	Hurt
Bonner	Fitzpatrick	Issa
Bono Mack	Flake	Jenkins
Boren	Fleischmann	Johnson (OH)
Boustany	Fleming	Johnson, Sam
Brady (TX)	Flores	Jones
Brooks	Forbes	Jordan
Broun (GA)	Fortenberry	Kelly
Buchanan	Fox	King (IA)
Bucshon	Franks (AZ)	King (NY)
Buerkle	Frelinghuysen	Kingston
Burgess	Gallegly	Kinzinger (IL)
Burton (IN)	Gardner	Kline
Calvert	Garrett	Labrador
Camp	Gerlach	Lamborn
Campbell	Gibbs	Lance
Canseco	Gibson	Landry
Capito	Gingrey (GA)	Lankford
Cardoza	Gohmert	Latham
Carter	Goodlatte	LaTourette
Cassidy	Gosar	Latta
Chabot	Gowdy	Lewis (CA)
Chaffetz	Granger	LoBiondo

NOT VOTING—9

Bass (CA)	Nadler	Rangel
Cantor	Paul	Ribble
Lee (CA)	Payne	Rigell

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1800

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

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GARDNER) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes, and, pursuant to House Resolution 566, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. GARAMENDI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GARAMENDI. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Garamendi moves to recommit the bill H.R. 1837 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

After section 2, insert the following:

**SEC. 3. PROTECTING THE CONSTITUTION AND STATES' RIGHTS.**

Consistent with the tenth amendment to the United States Constitution, nothing in this Act shall preempt or supersede State law, including State water law.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Speaker, I thank you for the opportunity to present this amendment. This amendment will not kill the bill nor send it back to committee, but it is an amendment that is important to every Representative in this House if you care about the 10th Amendment and you care about the ability of your State to set its own policies.

Mr. Speaker, every Member in this House should be paying attention to this bill. We read the Constitution the first day of this Congress. The 10th Amendment guarantees that the States have the ability to take care of their own water systems and many other issues that pertain to the States. This bill, this bill overrides State law in California. This bill sets aside numerous State laws in California. This bill overrides 150 years of California water law set in place by the legislature, the governors, by the courts of California, and the Federal courts. This bill destroys the ability of California to conduct and to manage its own water.

I put this map up of California so that you might contemplate for a few moments the impact and exactly what we're talking about. California is a big State, 38 million people, diverse, extraordinary water fights. There's a fellow who lived in California years ago, Mark Twain, and he said, "In California, whiskey's for drinking and water's for fighting." And it's been true ever since.

This is the Central Valley of California, the largest estuary on the West Coast of the Western Hemisphere. It's where the Sacramento River and the San Joaquin River join together in an inland estuary, one of the few in the world. And also, San Francisco Bay. This bill will lead to the destruction of the largest estuary on the West Coast of the Western Hemisphere, and it does so by overriding California law and the California Constitution.

The California Constitution holds the water of the State of California in trust. In trust. The State of California,

the government, is responsible for the care of that water so that it can be appropriately distributed, not only for the beneficial use of consumptive users, cities and farmers, but also, also for the environment.

This bill takes away the laws of the State of California that would provide for the protection of the environment. The California CEQA, Environmental Quality Act, the Air Quality Act, the Endangered Species Act of the State of California, are overridden by this bill. And by the way, the Federal laws also. It takes us back to 1994, to a period of time when we didn't know the science. We didn't understand what the full impact of water diversions and other contaminants and other species would be in the delta.

Since 1994, we have seen the collapse of the delta fisheries. We have seen thousands upon thousands of fishermen, both commercial and recreational, unable to fish. The loss of much. There is a much talk in this House about a manmade drought. That's baloney. It was a real drought. And yes, there were environmental considerations that further reduced water. That water was reduced under contracts that called for shortages in the case of drought.

So what are we talking about here with this bill? We're talking about the usurpation of power by the Federal Government, taking the basic ability of the State of California to regulate its water, to deal with its environmental issues, and causing this House, this Federal Government, to have that power.

Think closely all of you who have a reclamation project in your district, and there are some 18 States, ranging from the Pacific to the Mississippi. You have reclamation projects. Think deeply. Think about what happens when the Federal Government goes to California, the biggest State, and says: We don't care what your laws are; we're going to tell you what to do. Think what that might mean to you in the future when somebody in your State has the power to put before this House a law that runs over the top of your State laws.

If you care about the 10th Amendment, if you care about States' rights, you'd better be voting "no" because this is a precedent you don't want to ever see in your State, and we don't want to see it in California. Think deeply, Members of this House, think deeply about what's at stake here. I ask for this motion to pass.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Mr. McCLINTOCK. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. McCLINTOCK. Mr. Speaker, it is odd, very odd to hear the argument

again in this Hall that a State's right to deny basic freedoms to its citizens trumps the 14th Amendment to our Constitution. The last time we heard this argument in this Hall, it involved citizens' civil rights. Now it is the citizens' water rights. But make no mistake: it is the same old saw.

The reason we have a 14th Amendment to our Constitution is because its Framers recognized that States could become abusive of the rights of their citizens, including their property rights, including their water rights, and the Federal Government had a responsibility and a duty to protect them. A responsibility and a duty specifically vested in this Congress, a responsibility and a duty that we exercise in the bill that the gentleman from California would have us gut.

Well, what does the Constitution actually say on the subject? It says:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

And it grants Congress the power to enforce by appropriate legislation the provisions of this article.

Let us turn to the provisions of the bill that the gentleman objects to. It is Title IV. It directs the Interior Secretary, in the operation of the Central Valley Project, a Federal project, I might add, to strictly adhere to State water rights laws and priorities. It doesn't trample State water rights; it invokes and enforces them.

Title IV goes on further to direct the Secretary to strictly adhere to and honor water rights and priorities that were obtained or existed pursuant to various sections of California water code.

□ 1810

I repeat, it doesn't trample States' rights. It invokes them and enforces them. This sets no precedent for other States. California is the only State in the country with a coordinated operations agreement that combines a Federal project, the Central Valley Project, with a State project, the State Water Project, and does so, by the way, at California's request and with California's consent.

In fact, Congress has a long history of citing that Coordinated Operations Agreement to invoke preemptive authority over this coordinated Federal and State project. The Central Valley Project Improvement Act in 1992 is replete with such preemptions.

Mr. Speaker, fewer Americans are working today than were working the day that this administration was sworn into office. This administration's actions caused thousands and thousands of hardworking farm working families to lose their jobs. This measure solves that travesty. The same administration that is blocking the thousands of jobs that the Keystone pipeline would produce has also vowed to veto this measure. I think the American people are going to have a great deal to say about that in coming days.

Ironically, the provision that the gentleman would have us remove was specifically placed in the bill because he and his colleagues objected that its original provision might cause the State government to actively undermine the rights of its senior water rights holders. Now that was a legitimate concern. Senior water rights holders in northern California were scared to death that they might have the State undercut their water rights, and this bill specifically addresses that concern. To address that concern, this provision was placed in the bill, and now the gentleman objects to it.

The gentleman first attacked the bill because the bill lacked this protection, and now he attacks the bill because it has that protection. The gentleman knows what I'm talking about. The gentleman knows that I have great affection for him, but I must say he is becoming exceedingly hard to please.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. GARAMENDI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 178, noes 248, not voting 7, as follows:

[Roll No. 90]

AYES—178

Ackerman	Clyburn	Fudge
Andrews	Cohen	Garamendi
Baca	Connolly (VA)	Gonzalez
Baldwin	Conyers	Green, Al
Barrow	Cooper	Green, Gene
Becerra	Costello	Grijalva
Berkley	Courtney	Gutierrez
Berman	Critz	Hahn
Bishop (GA)	Crowley	Hanabusa
Bishop (NY)	Cuellar	Hastings (FL)
Blumenauer	Cummings	Heinrich
Bonamici	Davis (CA)	Higgins
Boswell	Davis (IL)	Himes
Brady (PA)	DeFazio	Hinchey
Bralley (IA)	DeGette	Hinojosa
Brown (FL)	DeLauro	Hirono
Butterfield	Deutch	Hochul
Capps	Dicks	Holden
Capuano	Dingell	Holt
Carnahan	Doggett	Honda
Carney	Donnelly (IN)	Hoyer
Carson (IN)	Doyle	Inslie
Castor (FL)	Edwards	Israel
Chandler	Ellison	Jackson (IL)
Chu	Engel	Jackson Lee
Ciциlline	Eshoo	(TX)
Clarke (MI)	Farr	Johnson (GA)
Clarke (NY)	Fattah	Johnson, E. B.
Clay	Filner	Kaptur
Cleaver	Frank (MA)	Keating

Kildee	Neal	Scott, David
Kind	Oliver	Serrano
Kucinich	Owens	Sewell
Langevin	Pallone	Sherman
Larsen (WA)	Pascarell	Sires
Larson (CT)	Pastor (AZ)	Slaughter
Levin	Pelosi	Smith (WA)
Lewis (GA)	Perlmutter	Speier
Lipinski	Peters	Stark
Loeb sack	Pingree (ME)	Sutton
Lofgren, Zoe	Polis	Thompson (CA)
Lowe y	Price (NC)	Thompson (MS)
Lujan	Quigley	Tierney
Lynch	Rahall	Tonko
Maloney	Reyes	Towns
Markey	Richardson	Tsongas
Matsui	Richmond	Van Hollen
McCarthy (NY)	Rothman (NJ)	Velázquez
McCollum	Roybal-Allard	Visclosky
McDermott	Ruppersberger	Rush
McGovern	Rush	Walz (MN)
McIntyre	Ryan (OH)	Wasserman
McNerney	Sánchez, Linda	Schultz
Meeks	T.	Waters
Michaud	Sanchez, Loretta	Watt
Miller (NC)	Sarbanes	Waxman
Miller, George	Schakowsky	Welch
Moore	Schiff	Wilson (FL)
Moran	Schrader	Woolsey
Murphy (CT)	Schwartz	Yarmuth
Napolitano	Scott (VA)	

NOES—248

Adams	Fincher	LaTourette
Aderholt	Fitzpatrick	Latta
Akin	Flake	Lewis (CA)
Alexander	Fleischmann	LoBiondo
Altmire	Fleming	Long
Amash	Flores	Lucas
Amodei	Forbes	Luetkemeyer
Austria	Portenberry	Lummis
Bachmann	Fox	Lungren, Daniel
Bachus	Franks (AZ)	E.
Barletta	Frelinghuysen	Mack
Bartlett	Galle gley	Manzullo
Barton (TX)	Gardner	Marchant
Bass (NH)	Garrett	Marino
Benishek	Gerlach	Matheson
Berg	Gibbs	McCarthy (CA)
Biggett	Gibson	McCaul
Bilbray	Gingrey (GA)	McClintock
Bilirakis	Gohmert	McCotter
Bishop (UT)	Goodlatte	McHenry
Black	Gosar	McKeon
Blackburn	Gowdy	McKinley
Bonner	Granger	McMorris
Bono Mack	Graves (GA)	Rodgers
Boren	Graves (MO)	Meehan
Boustany	Griffin (AR)	Mica
Brady (TX)	Griffith (VA)	Miller (FL)
Brooks	Grimm	Miller (MI)
Broun (GA)	Guinta	Miller, Gary
Buchanan	Guthrie	Mulvaney
Bucshon	Hall	Murphy (PA)
Buerkle	Hanna	Myrick
Burgess	Harper	Neugebauer
Burton (IN)	Harris	Noem
Calvert	Hartzler	Nugent
Camp	Hastings (WA)	Nunes
Campbell	Hayworth	Nunnelee
Canseco	Heck	Olson
Capito	Hensarling	Palazzo
Cardoza	Herger	Paulsen
Carter	Herrera Beutler	Pearce
Cassidy	Huelskamp	Pence
Chabot	Huitzenga (MI)	Peterson
Chaffetz	Hultgren	Petri
Coble	Hunter	Pitts
Coffman (CO)	Hurt	Platts
Cole	Issa	Poe (TX)
Conaway	Jenkins	Pompeo
Costa	Johnson (IL)	Posey
Cravaack	Johnson (OH)	Price (GA)
Crawford	Johnson, Sam	Quayle
Crenshaw	Jones	Reed
Culberson	Jordan	Rehberg
Davis (KY)	Kelly	Reichert
Dicks	King (IA)	Renacci
Dingell	King (NY)	Ribble
Doggett	Kingston	Rigell
Donnelly (IN)	Kinzing er (IL)	Rivera
Doyle	Kissell	Roby
Edwards	Kline	Roe (TN)
Ellison	Klabrador	Rogers (AL)
Engel	Lamborn	Rogers (KY)
Eshoo	Lance	Rogers (MI)
Farr	Landry	Rohrabacher
Fattah	Lankford	Rokita
Filner	Latham	Rooney
Frank (MA)		

Ros-Lehtinen	Shuster	Walberg
Roskam	Simpson	Walden
Ross (AR)	Smith (NE)	Walsh (IL)
Ross (FL)	Smith (NJ)	Webster
Royce	Smith (TX)	West
Runyan	Southerland	Westmoreland
Ryan (WI)	Stearns	Whitfield
Scalise	Stivers	Wilson (SC)
Schill ing	Stutzman	Wittman
Schmidt	Sullivan	Wolf
Schock	Terry	Womack
Schweikert	Thompson (PA)	Woodall
Scott (SC)	Thornberry	Yoder
Scott, Austin	Tiberi	Young (AK)
Sensenbrenner	Tipton	Young (FL)
Sessions	Turner (NY)	Young (IN)
Shimkus	Turner (OH)	
Shuler	Upton	

NOT VOTING—7

Bass (CA)	Nadler	Rangel
Cantor	Paul	
Lee (CA)	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1830

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. NAPOLITANO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 246, noes 175, answered “present” 1, not voting 11, as follows:

[Roll No. 91]

AYES—246

Adams	Cardoza	Garrett
Aderholt	Carter	Gerlach
Akin	Cassidy	Gibbs
Alexander	Chabot	Gibson
Altmire	Chaffetz	Gingrey (GA)
Amodei	Coble	Gohmert
Austria	Coffman (CO)	Goodlatte
Baca	Cole	Gosar
Bachmann	Conaway	Gowdy
Bachus	Costa	Granger
Barletta	Cravaack	Graves (GA)
Bartlett	Crawford	Graves (MO)
Barton (TX)	Crenshaw	Griffin (AR)
Bass (NH)	Culberson	Griffith (VA)
Benishek	Davis (KY)	Grimm
Berg	Denham	Guinta
Biggett	Dent	Guthrie
Bilbray	DesJarlais	Hall
Bilirakis	Diaz-Balart	Hanna
Bishop (GA)	Dold	Harper
Bishop (UT)	Dreier	Harris
Black	Duffy	Hartzler
Blackburn	Duncan (SC)	Hastings (WA)
Bonner	Duncan (TN)	Hayworth
Bono Mack	Ellmers	Heck
Boren	Emerson	Hensarling
Boustany	Farenthold	Herger
Brady (TX)	Fincher	Herrera Beutler
Brooks	Fitzpatrick	Huelskamp
Broun (GA)	Flake	Huizenga (MI)
Buchanan	Fleischmann	Hultgren
Bucshon	Fleming	Hunter
Buerkle	Flores	Hurt
Burgess	Forbes	Issa
Burton (IN)	Fortenberry	Jenkins
Calvert	Fox	Johnson (IL)
Camp	Franks (AZ)	Johnson (OH)
Campbell	Frelinghuysen	Johnson, Sam
Canseco	Galle gley	Jones
Capito	Gardner	Jordan

Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney

## NOES—175

Ackerman  
Amash  
Andrews  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Bonamici  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel

Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise

Schilling  
Schmidt  
Schmid  
Noem  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner (NY)  
Turner (OH)  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

Tonko  
Towns  
Tsongas  
Van Hollen  
Velazquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Yarmuth

## ANSWERED "PRESENT"—1

Shuler

## NOT VOTING—11

Bass (CA)  
Cantor  
Lee (CA)  
McIntyre  
Meeks  
Murphy (PA)  
Nadler  
Paul  
Payne  
Rangel  
Whitfield

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1836

Ms. BROWN of Florida changed her vote from "aye" to "no."  
So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 91, I was unavoidably detained.

Had I been present, I would have voted "aye."

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1912

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent that Congressman ED ROYCE be removed as a cosponsor of H.R. 1912.

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

There was no objection.

## CRASH OF USCG MH-65C HELICOPTER

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

Mr. BONNER. Mr. Speaker, it is with a heavy heart that I bring to the attention of the House the news that a United States Coast Guard helicopter crashed last night in Mobile Bay during a training mission.

Early this morning I spoke by phone to Coast Guard Sector Commander Captain Don Rose in Mobile, where he informed me that one crew member had lost his life, and three others are missing. Search efforts for the missing crew have been under way through last night and today, and they are ongoing at this time near the crash site off Point Clear, Alabama.

Naturally, I offered to Captain Rose the praise and heartfelt sympathies of the Congress, as well as our entire Nation, not only to those immediate families of those brave Coasties, but to the entire Coast Guard family.

Whether during a hurricane, an oil spill, or one of their daily encounters with danger when conducting a search and rescue mission, the United States Coast Guard plays a vital role that we too often take for granted.

It is at times like this when we are reminded of the dangers they face in

their service to our Nation. They are truly on the first line of protecting our country, and we can never thank them enough.

Mr. Speaker, I ask, at this time, that all Americans lift a prayer to the Good Lord for the loss of life that has occurred. May God's blessings and healing hand be on those left behind.

## TORNADO IN HARRISBURG, ILLINOIS

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

Mr. SHIMKUS. Mr. Speaker, I too come to the well to address a tragedy that happened this morning. Early this morning, an F-4 tornado hit the city of Harrisburg, Illinois, in my district. There was extensive damage, and six residents lost their lives.

Our thoughts and prayers are with those who lost family and friends, those who were injured, and those who lost their homes.

I plan to visit Harrisburg personally tomorrow and thank all those first responders who have been working tirelessly to care for the injured and to begin the long road back to clean up. The mutual aid provided by the surrounding communities is also very heartwarming.

I pledge to work with Mayor Eric Gregg and other local officials to rebuild the Harrisburg we all know and love.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DESJARLAIS). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

□ 1840

## ST. CROIX RIVER CROSSING PROJECT AUTHORIZATION ACT

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1134) to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1134

## SECTION 1. SHORT TITLE.

This Act may be cited as the "St. Croix River Crossing Project Authorization Act".

## SEC. 2. AUTHORIZATION OF PROJECT WITH MITIGATION MEASURES.

Notwithstanding section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)), the head of any Federal agency or department may authorize and assist in the construction of a new extradosed bridge crossing the St.

Croix River approximately 6 miles north of the I-94 crossing if the mitigation items described in paragraph 9 of the 2006 St. Croix River Crossing Project Memorandum of Understanding for Implementation of Riverway Mitigation Items, signed by the Federal Highway Administration on March 28, 2006, and by the National Park Service on March 27, 2006 (including any subsequent amendments to the Memorandum of Understanding), are included as enforceable conditions.

#### SEC. 3. OFFSET.

(a) IN GENERAL.—Notwithstanding any other provision of law, amounts made available for items 676, 813, 3186, 4358, and 5132 in the table contained in section 1702 of the SAFETEA-LU (119 Stat. 1288, 1380, 1423) shall be subject to the limitation on obligations for Federal-aid highways and highway safety construction programs distributed under section 120(a)(6) of title I of division C of Public Law 112-55 (23 U.S.C. 104 note; 125 Stat. 652).

(b) RESCISSION.—Any obligation authority made available until used to a State as a result of receipt of contract authority for the items described in subsection (a) that remains available to the State as of the date of enactment of this Act is permanently rescinded.

#### SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentlewoman from Minnesota (Ms. MCCOLLUM) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

#### GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill before us.

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

There was no objection.

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

The passage of this bill, which was adopted by the Senate earlier this year by unanimous consent, will remove the last remaining roadblock to construction of a new bridge over the St. Croix River, a bridge that has been identified for replacement by the States of Wisconsin and Minnesota for nearly 60 years and a project that has actively been worked on for more than 30 years.

Support for this new bridge is bipartisan and bicameral. The Governors of Wisconsin and Minnesota support it. The entire Senate delegations from the two States support it. With few exceptions, the members of the House delegations from Minnesota and Wisconsin support it. We just need this final action in order to finally proceed with the bridge.

The longer we delay, the more unsafe the current lift bridge becomes, con-

gestion continues to worsen, and costs just continue to rise. It's time to end the gridlock.

I urge passage of the bill, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Speaker, I yield myself as much time as I may consume.

The bill before the House today, S. 1134, is a controversial bill that represents wasteful government spending, bad transportation policy, and bad environmental policy.

A new bridge across the protected St. Croix River between my State of Minnesota and Wisconsin needs to be built. The aging Stillwater Lift Bridge needs to be replaced and everyone agrees on that, but I support a more affordable and more appropriately scaled replacement bridge.

This bill is controversial because it does much more than authorize a replacement bridge. This bill mandates construction of an exotic and massive extradosed style bridge some 219 feet above the St. Croix River at a cost of \$700 million for only 18,000 cars per day.

This \$700 million extradosed megabridge will connect Oak Park Heights, Minnesota—population 4,700—and Houlton, Wisconsin—population 386.

I quote from the St. Paul Pioneer Press, January 25, 2012, about Houlton, Wisconsin, it “is not big enough for a stop sign on its main street.”

Houlton, Wisconsin, may not have a stop sign, but Congress could give it a \$700 million bridge.

This bill is controversial because, if you look at page 2, line 10 of the bill, you will see that the bill dictates the location of this \$700 million megabridge, and I quote from the bill, “approximately 6 miles north of the Interstate-94 crossing.” In other words, this bill mandates a 65-mile-per-hour interstate freeway bridge connecting a town of 368 people and builds it only 6 miles from an existing interstate crossing on the same river.

What would the Tea Party call an effective and efficient use of taxpayer dollars? Would they call this that? The fiscal watchdog group Taxpayers for Common Sense calls the bill, and I quote from them, “A massive misuse of taxpayer money.”

In a letter to Congress opposing this bill, the Taxpayers for Common Sense said:

In an era of trillion-dollar deficits and a \$15 trillion national debt, it is simply unacceptable to spend \$700 million on a bridge to carry so few vehicles when an interstate bridge exists nearby.

This bill is controversial because it is opposed by the Interior Department, which testified before the Senate Energy and Natural Resources Committee on July 28, 2011, opposing S. 1134. I quote from the Director of the National Park Service, when he stated:

The Department cannot support this legislation as the National Park Service is determined that the St. Croix River Project would have a direct and adverse impact to the river and these impacts cannot be mitigated.

To be very clear, I asked Interior Secretary Salazar 2 weeks ago during an Interior appropriations subcommittee hearing a direct question. That was on February 16, just this month. I asked:

Does the Interior Department still oppose S. 1134?

Interior Secretary Salazar responded, saying:

Our position remains unchanged. A wild and scenic river is a wild and scenic river. The position of the Parks Service as articulated a year ago is the position of the Department. We have, as you know, Congresswoman McCollum, met with the delegations from the two States and Secretary LaHood and I have offered to work with a work group to see whether or not an alternative can be found.

Unfortunately, despite opposition from the Interior Department, an offer to work on a compromised solution, Congress will now be voting on a \$700 million megabridge.

This bill is controversial because it will directly result in a property tax increase for the residents of Oak Park Heights, Minnesota, a community in which Minnesota's new redistricting map places it in my new congressional district. According to a unanimously passed resolution by the Oak Park Heights City Council, the passage of S. 1134 by Congress will do this to the city of Oak Park Heights. I quote from the city council's resolution:

It will require an estimated \$443 in annual property tax increase for the next 10 years to most city homeowners and businesses.

A vote for S. 1134 will be a tax increase on Minnesotans.

This bill is controversial because it puts Congress in the position of prioritizing spending of \$700 million of taxpayers' money to replace one bridge while Minnesota has more than 1,100 additionally structurally deficient bridges—far less costly—that all are in desperate need of repair or replacement. In fact, dozens of Minnesota State legislators wrote our delegation saying:

We are united in our concern that the current design of the bridge is far too expensive, particularly in light of much more cost effective alternatives.

Those State legislators, many from my congressional district, urge defeat of this legislation. Former Vice President and U.S. Senator Walter Mondale, an original sponsor of the Wild and Scenic Rivers Act, opposes this bill, saying that the passage, and I quote from Vice President Mondale, “would be a profound mistake.” He urges a vote against the bill.

This bill was even controversial in the Senate. Senator JEFF BINGAMAN, the chairman of the Senate Committee on Energy and Natural Resources, Senator MARK UDALL of Colorado, and Senator MARIA CANTWELL of Washington oppose S. 1134, saying:

In our opinion, waiving the protections of the Wild and Scenic Rivers Act for the lower St. Croix is bad policy and sets a dangerous precedent.

Here in the House, this bill is also controversial. It is controversial because this bill is an earmark, pure and simple. This bill designates a specific project in a specific location and it mandates the construction of a \$700 million extradosed bridge design, and it does that all through an exemption to Federal law. Of course, earmarks are banned in the House except when a bill comes to the floor on suspension of rules and all the rules and points of order are waived, just like this one.

This megabridge was highlighted in a New York Times editorial. The editorial highlights my Minnesota colleague and megabridge champion, Representative BACHMANN, who has called for a redefinition of what an earmark is to accommodate "a bridge over a vital waterway." Today Congresswoman BACHMANN has been successful in bringing this earmark to the floor.

It's not just me. My dear friend from Minneapolis, Mr. ELLISON, and other House colleagues and the U.S. Department of the Interior are opposing this \$700 million bridge. The bill is also opposed by Taxpayers for Common Sense, the Sierra Club, the National Parks Conservation Association, American Rivers, League of Conservation Voters, former Vice President Mondale, and a whole lot of Minnesotans who care deeply about fiscal responsibility, wise transportation investments, and responsible environmental conservation.

Tomorrow we will vote on this bill. The question is: Will the House give a rubber stamp to a \$700 million megabridge or will this Congress reject this bad bill and direct Minnesota and Wisconsin to come up with a smarter plan that would save taxpayers hundreds of millions of dollars?

Every Minnesotan and every Wisconsin Member of this House supports a replacement bridge, none more than me. But I ask my colleagues to reject this fiscally irresponsible bill. Not one dollar of Minnesota transportation funds will be lost.

I have a Minnesota Department of Transportation document in my hand that outlines how hundreds of millions of dollars could be reprogrammed across our State creating thousands of jobs and rebuilding roads and bridges in great need of repair.

S. 1134 is a bad bill, and it should be defeated by Democrats and Republicans alike.

Mr. Speaker, I reserve the balance of my time.

□ 1850

Mr. PETRI. Mr. Speaker, I yield 2 minutes to my colleague from the State of Washington, the chairman of the Natural Resources Committee, Representative DOC HASTINGS.

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

As chairman of the House Natural Resources Committee, which has partial jurisdiction on this bill, I support S. 1134.

For over two decades, Wisconsin and Minnesota have been working on a plan to replace this bridge, which is over 80 years old. This two-State project has

been delayed by lawsuit after lawsuit and by the interference of Federal bureaucrats. These nuisance lawsuits and bureaucrat attacks are all based on the fact that the bridge spans the St. Croix River, which was listed in 1972 under the Federal Wild and Scenic River Act. This bipartisan bill simply says that this "wild and scenic" label on the river, under Federal law, cannot stop these States from building a safe, new bridge.

It's as simple as that.

In regards to earmarks, which was brought up by the gentlelady from Minnesota, this bill has been reviewed and is in compliance with the earmark definition in clause 9 of rule XXI. The bill does not contain congressional earmarks, limited tax benefits, or limited tariff benefits. The bill is aimed at ensuring the Federal Wild and Scenic River Act doesn't prevent a safer bridge from being built. It affects multiple States.

So, Mr. Speaker, the people of Minnesota and Wisconsin have been waiting decades to build this project. Let's pass this bill and allow them to do so.

Ms. MCCOLLUM. Mr. Speaker, I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman has 11½ minutes remaining.

Ms. MCCOLLUM. With that, I yield 3½ minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the gentlelady for yielding.

Mr. Speaker, I didn't quite know from which side to request time on this issue. You see, I am for legitimate, well-scrutinized, scrubbed, and screened earmarks. Now, unless the GOP leadership can convince me that this is not an earmark, then I will vote "no" on the bill.

We should be here today debating a long-term, robust surface transportation bill that would create jobs and keep our economy moving forward by rebuilding America and by putting Americans to work. Rather, we are considering a bill that authorizes the construction of a specific bridge between Minnesota and Wisconsin with an estimated total project cost of \$574 million to \$690 million—an earmark. Instead of openly acknowledging that this bill is a blatant earmark, the Republican leadership pretends that it is not one. It was quietly added to the schedule less than 48 hours ago, scheduled for this post-sundown debate.

Do not get me wrong. I am not against earmarks, but let's be open, transparent, and honest with the American people. That's why "earmark" got the bad name it did, because we were not open and transparent and honest with the American people. So if there is any doubt whether the bill that the House is now considering today is an earmark, all you have to do is read the bill:

... may authorize and assist in the construction of a new extradosed bridge crossing the St. Croix River approximately 6 miles north of the I-94 crossing.

Then the bill goes on on lines 21 through 23, page 2, section 3. It pro-

vides an offset. Guess where that offset comes from? Earmarks under the SAFETEA-LU, under the previous transportation bill. It's how the majority is funding this bill. That was our last transportation bill, which took so much grief.

It all sounds pretty specific to me. In fact, the bill even tells the States what kind of bridge to build. If it looks like a duck, swims like a duck and quacks like a duck, by golly, it's probably a duck. This is an earmark, and I sincerely hope that the some-90 new Members on the majority side are learning just what an earmark is.

Now, I recognize the need for this new bridge crossing the St. Croix to replace the deficient 80-year-old Stillwater Lift Bridge, but I also recognize the need to move similar transportation projects forward across this great country, including in my own home State of West Virginia. What we ought to be doing is passing a long-term, robust surface transportation bill so that we can address the backlog of deficient bridges, roads, and transit systems in every State across the Nation.

Instead, we're voting on one earmark, and we are doing nothing today to strengthen our Nation's economic competitiveness and quality of life. We are doing nothing to alleviate the congestion that continues to cripple the economy in California. We are doing nothing to fix the bridges that are in disrepair in my home State. We are doing nothing to solve the fact that trains are traveling on outdated tracks across this country. We are doing nothing to address the commerce that is being trapped on turnpikes because these arteries of commerce are being choked by a transportation system ill fit for the country that is leading the global economy.

Last November, the Speaker announced that the House would take up the surface transportation bill by the end of the year. We all know what subsequently transpired, which is that the Transportation and Infrastructure Committee produced a bill which slashes \$15.8 billion in highway funding to the States, destroying 550,000 American family-wage jobs.

The bill then proceeded to the Rules Committee, which is where it was divided up into I don't know how many different pieces because there weren't the votes to pass the whole package. Who knows what kind of mishmash we got that time. I'm still trying to figure it out. Then who knows what type of mishmash we'll get the next time before we finally pass, if we are going to, a transportation bill that puts Americans to work, that gets our economy moving, and that helps long-term deficit reduction.

Mr. HASTINGS of Washington. Will the gentleman yield?

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

Ms. MCCOLLUM. In reclaiming my time, I will not yield to the gentleman on my time.

Mr. PETRI. I yield 30 seconds to the gentleman from Washington (Mr. HASTINGS).

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

With all due respect to my good friend and colleague from West Virginia, each person may have his own definition of an earmark, but we are governed by the definition in House rules, not by a cavalier “quacking duck” standard. The bill has been reviewed and is in compliance with the earmark definition in clause 9 of House rule XXI. The bill does not contain congressional earmarks. I know the gentleman has been very open about his support for earmarks, but we are governed by the rules of the House, and the “quacking duck” comparison does not stand here.

Ms. MCCOLLUM. I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, in delight of the bipartisan support for the measure before us, I yield 1 minute to my colleague from Wisconsin, Representative BALDWIN.

Ms. BALDWIN. I rise today in strong support of the St. Croix River Crossing Project Authorization Act.

This past November, I had the chance to visit the existing 81-year-old Stillwater Bridge, and I met with local community leaders on the issue. After seeing this bridge for myself and after listening carefully to the arguments on all sides, I am convinced that this legislation is necessary, reasonable, and time-sensitive.

The bridge project will support thousands of construction jobs in both Wisconsin and Minnesota. In addition, the new bridge will help shorten travel times, reduce traffic congestion and, most importantly, improve safety. Perhaps it will even save some lives.

The stories I've heard from the Wisconsinites who use this bridge every day are truly startling. I've heard from some folks who literally fear for their safety and who are afraid something similar to the I-35 bridge collapse could happen to them. I've heard from others about the long delays and frequent spring closures of the bridge.

This is the reality on the ground, and it is woefully unacceptable. We have the power to change this. I urge my colleagues to vote “yes” and to support this bipartisan legislation.

Ms. MCCOLLUM. I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentelady for yielding.

Mr. Speaker, you heard from Representative MCCOLLUM as to the dimensions of this, as to how close it is to an existing large bridge, as to why this is really a boondoggle. I wanted to talk about how this fits in the national picture of wild and scenic rivers.

This bill would for the first time waive the requirements of the Wild and

Scenic Rivers Act, which is a law that has protected the lower St. Croix for nearly 30 years and that protects 12,000 miles of rivers in 38 States and Puerto Rico, including the Delaware River in my home State of New Jersey. These are special rivers designated under the Wild and Scenic Rivers law.

□ 1900

When the Resources Committee marked up the legislation before us now, I offered a simple amendment. My amendment would have ensured that any bridge authorized under this bill be designed and located in a way to minimize the direct and inverse environmental effect. It was defeated.

This is really a bridge too far. It's far too large, it is just, you know, far too expensive. Should Congress pass this bill and waive the Wild and Scenic Rivers protection, it's hard to imagine any future bridge project that won't receive a waiver like this issued by Congress.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, in 1972, the Wild and Scenic Rivers Act was used on this part of the river, even though there was already an existing bridge on that river. Now the safety of that bridge is creating problems for people, and the traffic buildup is creating problems for people.

Actually, the National Park Service already had met with everybody, found a way to build a new bridge and mitigate the adverse circumstances. An agreement was reached until outside groups, who came in here with this dogmatic reverence for the Wild and Scenic Rivers Act, basically took it to court, threw everything away, and we have now exacerbated the problem.

Wild and scenic river? On a clear day, if indeed the traffic does not produce enough smog that has backed up because we are trying to get across this river, you can actually see a marina, the smokestacks of a power plant that is in the neighborhood of a sewage plant, and maybe even the orange jumpsuits of the county jail that is in this area. We are abusing the law to stop this progress, stop this bridge that is needed desperately for safety reasons and for traffic reasons in this particular area.

There is a reason this bill passed by unanimous consent in the Senate. It solves a problem, it's common sense, and it's the right thing to do.

Ms. MCCOLLUM. In response, I don't think my constituents consider me an outside group.

With that, I would yield 1 minute to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the legislation. This bill is too controversial and should not be on the suspension calendar.

Last year the majority held a hearing on the issue in the Subcommittee on National Parks, Forests and Public Lands. The Park Service testified

against the bill. It was also opposed by a range of national organizations—from fiscal conservatives and tax watchdogs to environmental conservationists.

This bill, it has already been stated, would create the first ever exemption to the Wild and Scenic Rivers Act for construction of a bridge in a protected river. This has never been done, and the question is, why now? This precedent for a \$700 million mega-bridge that threatens all 203 protected rivers in 38 States should not be allowed to proceed, and it very much violates the no earmark pledge of the Republican majority.

Congresswoman MCCOLLUM and Congressman ELLISON introduced a better bill, H.R. 3434, that removes congressional mandate from this bill that is under consideration and sets a spending cap to protect taxpayers.

I understand the need to create jobs. I understand the need to fix our falling infrastructure. There are over 2,000 bridges in Minnesota and Wisconsin that need immediate dire attention that would create jobs, and it would move the infrastructure needs of this country in a very, very direct way and in a very needed way.

This is a waste of taxpayers' money and a violation of the Wild and Scenic Rivers Act.

Mr. PETRI. Mr. Speaker, this bill has bipartisan support. Other things being equal, I think we tend to listen to the Representative in whose district the project would exist. This project is in the district of my colleague, RON KIND, from the State of Wisconsin, and at this time I would be happy to yield him 4 minutes.

Mr. KIND. I thank the gentleman for yielding me this time.

Mr. Speaker, this bridge is in my congressional district. I have been living and breathing this issue for the last 16 years.

Mr. Speaker, it's time to build a bridge. This is a bipartisan bill. It passed the Senate under unanimous consent. This legislation before us today merely exempts this river under the Wild and Scenic Rivers Act. It exempts this bridge so that the States of Wisconsin and Minnesota can move forward on this vital infrastructure project.

This is what we have today, Mr. Speaker. It's an 82-year-old lift bridge that's on its last life. Last summer the drawbridge was up for 10 days, prohibiting traffic from crossing because of high water. Every summer, every time a boat travels underneath this bridge, the lift bridge is lifted and we have a traffic jam miles long waiting for the bridge to open up again.

Those cars and trucks are spewing fumes, dropping oil. It is a major environmental problem, not to mention the safety concern that we have with this old lift bridge. It's on its final legs, and there's consensus that we have to build a new bridge.

This is what's recommended by the States of Wisconsin and Minnesota.

This is what the new bridge would look like. Yes, you will see right next to it is a coal-burning power plant on this so-called part of the Wild and Scenic Rivers. There is very little wild or scenic at this location, and that's exactly why it's being sited along this location, along with two major manufacturing plants.

This is another view of the bridge in relationship to the power plant just south of the Stillwater area, and this is actually the view from downtown Stillwater looking south along the river at this bridge. You can barely see it because of how it's designed to blend into the atmosphere.

Mr. Speaker, about 6 years ago I formed a process called "resolve" to get all the stakeholders at the table so that they could discuss and scrub every option and every alternative that was available. At the end of that 5-year negotiating process, 26 of the 27 stakeholders reached an agreement on what needed to be done.

The only holdout was the Sierra Club, and that's why we're having this big debate this evening. Even their proposal that came in at the eleventh hour would cost just as much, it would take another 10 years to build, and it would actually cut into the bluff on the Minnesota side, causing more environmental damage.

Even the local and regional offices of the National Park Service and the Fish and Wildlife Service had signed off on this bridge project.

I believe, as do most of the members of the Wisconsin and Minnesota delegation, as well as all four of the U.S. senators, that it's time to build this bridge. Both governors in Wisconsin and Minnesota want to build this bridge. The Departments of Transportation in both Wisconsin and Minnesota want to build this bridge. Ninety-two percent of the residents in Wisconsin want to see this bridge go forward. Eighty-eight percent of the residents in Minnesota in Representative BACHMANN's district, where the bridge is also built, wants this bridge to go forward. It is time to build this bridge.

Every option, every alternative has been considered. This is where we keep coming back to time and time again. They looked at the cost. They looked at the design. They looked at the location. They looked at the environmental impact. They looked at the mitigation that can be done, and 26 of the 27 stakeholders reached this conclusion. It's unfortunate that the Wild and Scenic Rivers Act is being used to bludgeon a major infrastructure project that will create jobs in this region when we need them the most, not only the short-term jobs in building this bridge but the long-term economic development and the explosion of economic growth and job creation that will result from the creation of this bridge.

Heading south, as my colleague from Minnesota had suggested, to hook up to the interstate highway, was not a viable option. Yet the town of Hudson that lies in between—

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

Mr. KIND. Mr. Speaker, I ask unanimous consent for 2 additional minutes.

The SPEAKER pro tempore. Without objection, each side is granted 2 additional minutes.

There was no objection.

Mr. KIND. Going south to hook up to the interstate bridge down there is not a viable option. That too is under study for expansion, given the increased traffic load that's going through it today. What this bridge that's being proposed considers is not only current traffic flow projections, but future traffic flow projections over the next 20 or 30 years.

I know infrastructure projects can be difficult. I know they can be contentious. But when so many people at the Federal, State, and local level of the agencies, as well as private entities, have been at the table for 5 years negotiating and trying to reach agreement on what bridge is necessary, when they do finally reach an agreement, that tells me it's time to build a bridge.

□ 1910

I want to thank the ranking member and the chair of the Transportation Committee for your support, as well as the chair of the subcommittee and the ranking member on the subcommittee for your support.

Transportation Secretary LaHood has been strongly in favor of moving this project forward. And I also want to thank the administrations, the Governors of both Wisconsin and Minnesota, for their interest and support for this project. One of the reasons it is being brought up at this time is because Governor Dayton from Minnesota says life is short and they need predictability and certainty on what projects are moving forward. He has been a strong advocate of this bridge, but we can't be delaying this and dragging this out for another 16 years, which is the likely outcome if the opposition figures out a way to bring this bill down. Enough is enough.

We have explored this. We have exhausted it, and we keep coming back to the same place as before—this bridge, which makes this legislation necessary, and I encourage my colleagues to support it so we all can move on with our lives.

The SPEAKER pro tempore. The Chair wishes to clarify that each side now has an additional 2 minutes.

Ms. MCCOLLUM. Could you please tell me how many minutes I have besides the 2.

The SPEAKER pro tempore. The gentlewoman from Minnesota has 6 minutes remaining. The gentleman from Wisconsin has 10½ minutes remaining.

Ms. MCCOLLUM. I yield myself 2 minutes.

As I said at the beginning of this debate, this bill, S. 1134, is a bad bill. It reflects our irresponsible fiscal policy, bad transportation policy, and bad environmental policy.

The way the law has been structured into making this moment happen specifies only one type of bridge could be built, and it had to be a bridge that went 65 miles an hour. And then the legislation before us today takes it even farther and for the first time puts in that a bridge that is going to be a replacement bridge in a wild and scenic river must be an extradosed bridge. It mandates the size and the scope of the bridge. Ladies and gentlemen, we just could have had a piece of legislation that would have allowed an exemption without the specification that was added in this legislation. I could have stood here and supported it, but I cannot support a \$700 million interstate bridge when there is one 6 miles away.

The Stillwater bridge needs to be replaced, but it won't be replaced, actually, because the historic lift bridge is going to be used as a bike and pedestrian bridge which in perpetuity the States of Wisconsin and Minnesota will have to maintain and repair and will continue during the summer to be raised and lifted as boats go through.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield 5 minutes to my colleague from the State of Wisconsin, Representative SEAN DUFFY.

Mr. DUFFY. I appreciate the gentleman from Wisconsin yielding.

I think it is important that we are clear about what this bill truly does. This bill exclusively deems the St. Croix River consistent with the Wild and Scenic Rivers Act. That's all it does is deem it consistent. There is no appropriations aspect; there's no budgetary authority. All we're doing is deeming this bridge consistent with the Wild and Scenic Rivers Act.

You know, today is a pretty special day. It's a special day because it's leap day. It's February 29. It comes around only once every 4 years. And I have only been in this House for a year and a couple of months; but I have to tell you what, bipartisanship doesn't come around that often. But it is here tonight on the House floor. Bipartisanship, this is what I mean by that: you have two Governors, a Republican and a Democrat, who support this bill. You have Senators from Wisconsin and Minnesota, all four of them, Republicans and Democrats, supporting this bill. You have progressives and conservatives in this Chamber who have all come out in support of this bill. You have Vikings and Packers supporting this bill. This is a remarkable day.

Listen, we go so far, you have the AFL-CIO and local chambers together supporting this bill. This is remarkable. We haven't seen this kind of bipartisanship in the 15 months that I've been here. This is a great bill. This gets the job done because people are doing what their constituents asked them to do, which is work together. It makes sense.

This is working across party lines for a very important reason. It's because we all in this region understand the

importance of bridges and what happens when something goes wrong. We all remember I-35 between Minneapolis and St. Paul that had a sufficiency rating of 50, 50 out of 100. And a few years ago, we remember that bridge collapsed. We remember seeing the devastation of that bridge when it collapsed. But a rating of 50 out of 100.

The bridge we are talking about today, the one that is used across the St. Croix River, has a rating of 32 out of 100. It is less safe than I-35 was when it collapsed. And again, it was built in 1931. It is 81, 82 years old.

Listen, the people in this region they need the bridge. They want the bridge. Everybody is working together. I want to make sure we're clear about the people who use this. I know the gentlelady from Minnesota says it's only serving a small community in Holton, Wisconsin, a community of 386 people. You've got to explain to me, then, how 18,000 people go across that bridge every day.

You are dealing with the largest-growing county in Wisconsin, and the 13th largest metropolitan area in this country. That's what this bridge connects. People use it. This is a bedroom county. They work in St. Croix County over in Minneapolis-St. Paul. They use that bridge to get back and forth to work; 18,000 people a day use this bridge. This is no small feat.

We're talking about the funding component saying that it's \$700 million. I think we have to be clear on what that \$700 million is. It's really only \$292 million when you look at the actual cost of construction of the bridge, \$292 million. If you want to look at the extra cost that gets you upwards of \$600 million, that cost comes from all of the mitigation, the environmental mitigation work that's been requested over the decades of negotiation trying to get this bridge done. It's not the bridge cost. It's the bipartisan effort trying to get people to agree to make this project go forward that increases the cost so dramatically to \$600-plus million.

So I think it's important. You look at this, this is a shovel-ready project. Shovel ready. We hear it is going to create 6,000 new jobs over the course of 3 years. And it is far from rushed. We have talked about this, again, for decades. And I think when people would say it is a bad bill or a controversial bill, it's important to note Republican and Democrat Senators, Governors, Congressmen, communities have rallied around this project.

Let's get it done. Let's finally build the St. Croix River bridge.

Ms. MCCOLLUM. Mr. Speaker, I would like to state for the record that I have seven bridges in my congressional district with hundreds of thousands of car trips a day in worse condition than the lift bridge in Stillwater. This mega-bridge also will feed directly into Minnesota State Highway 36. Tens of thousands of my constituents along Highway 36, Oakdale, Maplewood, Roseville, North St. Paul, and Little

Canada will be suffering with crippling traffic congestion and higher property taxes to pay to relieve that congestion. This is a bad piece of legislation. I urge my colleagues to oppose it.

I would ask how much time I have remaining and of Mr. PETRI how many more speakers he has left.

□ 1920

The SPEAKER pro tempore. The gentlewoman has 4 minutes remaining.

Mr. PETRI. Mr. Speaker, at this time, I would like to yield 4 minutes to Representative BACHMANN from the neighboring State of Minnesota, a strong proponent of the legislation before us.

Ms. MCCOLLUM. Mr. Speaker, as Representative BACHMANN approaches the well, the gentleman from Wisconsin has the right to close, and I would like to know how many other speakers he has.

The SPEAKER pro tempore. How many speakers does the gentleman have?

Mr. PETRI. One, who is before us.

The SPEAKER pro tempore. The gentleman has one.

Ms. MCCOLLUM. And are you closing or is Representative BACHMANN closing?

Mr. PETRI. I have reserved, I think, 30 seconds.

Ms. MCCOLLUM. I have one other speaker, then, after Mrs. BACHMANN.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota.

Mrs. BACHMANN. Thank you, Mr. Speaker.

I'd like to have the RECORD reflect very clearly that if Representative MCCOLLUM gets her way, she will kill building the bridge over the St. Croix River. As we all know, and as our office has been told, this is one of the longest, if not the longest, unfinished bridge projects in the history of the United States. That's why it's come to this point, Mr. Speaker, where we actually have to go to Congress to get permission from the Federal Government so that the State of Minnesota and the State of Wisconsin can build this commonsense bridge at their own expense, and that's the point that we're at.

Not only will Representative MCCOLLUM be acting against the wishes of 86 percent of the people that live and reside in the St. Croix River Valley, the responsibility for the increased costs of building this bridge rests squarely on the shoulders of Representative MCCOLLUM and on her compatriots who have fought for decades to kill the building of this bridge.

The cost? The bridge would have cost \$80 million to complete back in 1992 if her compatriots wouldn't have tied this bridge project up for decades in the Federal courts in nuisance lawsuits. And why? Because they said there was pollution that was involved. And what was this pollution that they asserted? They said it would be visual pollution. Visual pollution? Because a

Federal bureaucrat came out to this river and pointed to the river and said that they didn't think that a bridge would look good built on this river, and that's in spite of the fact that there's already a bridge that's here on this river. This is a wide part of the river. This is the river that is literally the birthplace of Minnesota. As long as people have been in the State of Minnesota, Stillwater is the birthplace.

I've been working on this issue as a young mother living in this community, as an activist citizen who saw what a commonsense project this is. Representative MCCOLLUM has talked about this being a mega-bridge. This is a four-lane bridge. And after all, why wouldn't you build a four-lane bridge when you have a four-lane highway on Minnesota connected to a four-lane highway in Wisconsin? Representative MCCOLLUM is suggesting that we should be building a two or a three-lane bridge. Why would you build a bridge that would be obsolete the day that it's opened? You would build a commonsense, four-lane bridge to connect two four-lane highways.

This is also a center for industry in this region. We have not only the prison, the State prison; we have also one of the largest window manufacturers in the world, we have the sewer treatment plant, the water treatment plant, and we have a marina. This is the place that has been the site that's been selected as the perfect place to build this bridge to connect these two communities.

As we've heard before, this is an area that has a bridge that currently has a safety rating that's far below the safety rating of the bridge that collapsed in Minneapolis in 2007. We have a historic opportunity, a once-in-a-lifetime magic moment when we have Governors that are Republican and Democrat, Senators that are Republican and Democrat, representatives that are Republican and Democrat, saying, for once let's come together and do what the people expect.

And why did we get to this point? Bureaucratic red tape. We are here in foursquare agreement with the administration, saying, let's get this done on behalf of the people of these two States. Let's do what should have been done decades ago, and let's build this commonsense bridge.

Stillwater, Minnesota is the site of Minnesota's birthplace. And now it's the site of what we are told is the longest-running, unfinished bridge project in the Nation. In the 1950s, discussions began for a replacement to the current, 1931 Lift Bridge, connecting Minnesota and Wisconsin, over the St. Croix River.

In 1992, we saw progress. That year, a coalition of residents, businesses, transportation officials and environmental experts, settled on a bridge design to replace the existing Lift Bridge. They proposed a four-lane bridge to connect four-lane highways in both states to be built south of Stillwater.

We are here today for Congressional approval for this project to proceed. Without

Congressional approval, the project will continue to face the government redtape and lawsuits that it's seen over the past 20 years.

The St. Croix River Crossing Project before us is a bipartisan project, with strong bipartisan support. All four Senators from our States, each State's governor and numerous colleagues of mine all publically proclaim their support for this commonsense project. It doesn't get more bipartisan than this.

A recent survey of residents in the region shows an overwhelming 86% of people support the project.

The bill before us doesn't appropriate a nickel. This is no earmark. Instead, it allows a commonsense, bipartisan project to proceed.

I urge my colleagues to support S. 1134 because this is the final hurdle and our magic moment. Together, we can build this.

Ms. McCOLLUM. Is the gentleman from Wisconsin prepared to close after the last speaker that I have on my side?

Mr. PETRI. I am prepared to close after you finish, yes.

Ms. McCOLLUM. Mr. Speaker, I yield as much time as remains to my colleague from Minneapolis, Mr. ELLISON, who faced firsthand the tragedy of what happens when a bridge collapses. As I pointed out, I have seven bridges that have hundreds of thousands of cars every day on them in worse shape than the Stillwater bridge.

With that, I yield to the gentleman from Minneapolis.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 4 minutes.

Mr. ELLISON. Mr. Speaker, I stood on a highway called highway 7 on Friday at a bridge that was rated a 23 out of 100 scale. That bridge, 73 years old, in desperate need of repair, is designated structurally deficient. But I could go to another bridge within walking distance of my home over the Mississippi River only a few blocks from where the bridge fell down only a few years ago, but that would be on Plymouth Avenue. And people who know the area know Plymouth Avenue. That bridge, Mr. Speaker was and is shut down. You cannot drive a car over it. Now, that would only be one of about 1,398 other bridges that are structurally deficient in Minnesota that need repair right now.

I'm sensitive to bridges that need repair because it wasn't in somebody else's district that the I-35 bridge fell—it was in my own. Thirteen Minnesotans went to their reward, 100 had severe back and other injuries. I am incredibly sensitive to the need to fix our State's bridges, our Nation's bridges, which is why I am against this project, a \$700 million bridge when we have structurally deficient bridges all over the State of Minnesota and all over the United States. This is not a good use of taxpayer money.

I find it absolutely shocking that all these fiscal conservatives are lining up to throw money at this enormously overly expensive, over-height megabridge. Where are the anti-earmark advocates around here? Where are the

people who call for smaller government? Where are the conservative, small "c," who say, let's build a right-sized bridge that makes sense so that other bridges may be fixed around our State? Well, I guess all of that only matters, Mr. Speaker, when it comes to your own little project or earmark project. Then all of a sudden it gains a whole lot of other kind of credibility undiscovered before.

Mr. Speaker, I think it needs to be pointed out that this proposed bridge, which would carry about 18,000 vehicles a day—that's important. I feel for those folks, and I want them to have their bridge, and I would support a sane and sensible bridge. But the I-35 bridge much talked about tonight carries 140,000 people every day. Eighteen thousand at \$700 million versus the I-35 bridge, which cost us about \$260 million, was built in 1 year—less than a year, and carries 140,000? This is not a good use of taxpayer money. It soaks up resources that other people need. It violates our Scenic and Wild Rivers Act. This is a bad idea.

Mr. Speaker, I would far prefer if this bill were to go back to committee, go through the regular order, be defeated here on suspension, but go back through the committee process so some sensible amendments might be offered so this could be a good, decent project perhaps. But that's not what's happening. Suspension is for things that are supposed to be uncontroversial. We're supposed to be here passing post offices, but here we are dealing with what is absolutely a controversial piece of legislation on a suspension calendar with no chance to amend.

□ 1930

I wish we had that chance, because if we did, I would say we need to come together as a State, as a Nation, and fix all the bridges of this country, all the bridges of this State, and not just one big, fat megabridge.

Mr. PETRI. Mr. Speaker, I would remind the gentleman that we have come together. The legislation before us, S. 1134, passed the United States Senate by unanimous consent. It has a few people who seem to have raised some concerns here, but the fact of the matter is that AL FRANKEN, the Senator from Minnesota, AMY KLOBUCHAR, the Senator from Minnesota, RON JOHNSON, the Senator from Wisconsin, HERB KOHL—Senators from both parties have joined together in recognizing the need and importance and urging their colleagues who unanimously supported this. It's about time we did our job here in the House of Representatives.

This project has been studied for over 20 years. Representative RON KIND, as he said so eloquently in his statement, has consulted with every conceivable interest group in the area. As my colleague, Representative BACHMANN, said, the people in Minnesota and Wisconsin are wondering when we're going to do our job.

This is a major hazard now, an old bridge. We saw what happened with

other bridges in Minnesota, a growing population, commuter populations back and forth in the greater Minneapolis-St. Paul area. It's about time this hazard was removed and we had a bridge that we could be proud of and that was less intrusive than the one that's there now.

So I urge my colleagues to pass the legislation before us, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, S. 1134.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. McCOLLUM. 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.

#### DISTRICT OF COLUMBIA SPECIAL ELECTION REFORM ACT

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3902) to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3902

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Special Election Reform Act".

#### SEC. 2. TIMING OF SPECIAL ELECTIONS FOR LOCAL OFFICE IN DISTRICT OF COLUMBIA.

(a) COUNCIL.—

(1) CHAIR.—The first sentence of section 401(b)(3) of the District of Columbia Home Rule Act (sec. 1-204.01(b)(3), D.C. Official Code) is amended to read as follows: "To fill a vacancy in the Office of Chairman, the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation."

(2) MEMBERS ELECTED FROM WARDS.—The first sentence of section 401(d)(1) of such Act (sec. 1-204.01(d)(1), D.C. Official Code) is amended to read as follows: "In the event of a vacancy in the Council of a member elected from a ward, the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation."

(3) MEMBERS ELECTED AT-LARGE.—The second sentence of section 401(d)(2) of such Act (sec. 1-204.01(d)(2)) is amended by striking “and such special election” and all that follows and inserting the following: “and such special election shall be held on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.”.

(b) MAYOR.—The first sentence of section 421(c)(2) of such Act (sec. 1-204.21.(c)(2), D.C. Official Code) is amended to read as follows: “To fill a vacancy in the Office of Mayor, the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.”.

(c) ATTORNEY GENERAL.—The first sentence of section 435(b)(1) of such Act (sec. 1-204.35(b)(1), D.C. Official Code) is amended by striking “the Board” and all that follows and inserting the following: “the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.”.

### SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply with respect to vacancies occurring on or after the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Speaker, I'll be brief.

Today we're doing a small and technical change to everyone except the people of the District of Columbia, who consistently have to live under a rule that costs the voters and the residents of the District of Columbia to expend enormous additional dollars to have special elections rather than having the ordinary flexibility to try to combine their votes at a time in which it would be less expensive.

The bill, which is, if you will, an omission under the Home Rule Act, provides for the District of Columbia to fill vacancies on the first Tuesday 114 days after the date of such vacancy occurring. Unfortunately, this does not provide the flexibility necessary to time special elections concurrently with other general and primary elections. Therefore, this small—and yet not small to the District of Columbia—change will allow them to place the election on a Tuesday occurring between 70 and 174 days of the vacancy.

Understand, Mr. Speaker, if there is an ordinary election occurring within that process, this will cause us to have the election on that date.

The bill has been carefully considered and passed unanimously by the committee. Additionally, it's supported by the entire city council—we'll soon hear from the delegate from the District of Columbia—by the Mayor and his administration.

I want to take just a quick moment to thank the gentlelady from the District of Columbia. It has been, in fact, her work with the committee that made this technical change one that we can all live with for the benefit of the people who host us in the Federal city.

With that, I reserve the balance of my time.

Ms. NORTON. I want to thank the chairman of the full committee for his generosity. I want to thank my friends on both sides of the committee for their assistance with H.R. 3902, especially the chairman of the full committee, my good friend, Mr. ISSA, and the chair of the subcommittee, Mr. GOWDY, for working closely with us on this bill.

I also want to thank my good friends on our side, the ranking member of the full committee, Mr. CUMMINGS, and the ranking member of the subcommittee, Mr. DAVIS, for their considerable support and assistance.

Mr. Chairman, like you, I will be brief because you and I are the only ones here who have a vote in committee on this matter.

The District of Columbia Special Election Reform Act is similar to the legislation I introduced last Congress, which, with the help of the chairman, was passed without objection by the House Committee on Oversight and Government Reform and, with his help, quickly got to the full House for a vote.

Final enactment of the bill was prevented not by this House, but by an anonymous hold in the Senate, which fortunately no longer allows such holds in that Chamber.

This bill is of great importance to the District of Columbia, particularly now that the city council is faced with an example of a vacancy that this bill was designed to address—and had the bill been passed by the Senate, could have been addressed. However, instead of holding the special election that we are now required to hold on April 3, the day of the city's primary, the District must hold a special election on a different day, 1 month after the upcoming primary election, at a cost to the city of an additional \$318,000.

Although this bill, therefore, cannot take effect before the upcoming special election, the bill will provide the District with the flexibility in the future to conduct elections without the redundancy of coming to Congress and without unnecessary cost to the city.

The District of Columbia Special Election Reform Act makes minor changes in the District's Home Rule

Charter to provide the city greater flexibility to conduct special elections for vacancies in the office of Mayor, attorney general, council chair, and other members of the District of Columbia Council.

Current law requires that a special election be held on a rigid date, the first Tuesday occurring more than 114 days after a vacancy, offering the District no flexibility.

By the way, Mr. Chairman, there were complaints when the District of Columbia had a special election some time ago that the election had to be held on a religious holiday. The District had to say, We can't do anything about it, because it couldn't change the date itself.

Instead, this bill would establish a range during which a special election may be conducted. That range would be between 70 and 174 days, giving the District the necessary flexibility to make a special election coincide with an already scheduled election, reducing the chance the city would have to schedule costly multiple elections or do so in too short a time period, and allowing the city to maximize voter turnout, for example, by not scheduling the election on a religious holiday, and to reduce the time period when residents are without representation.

Mr. Speaker, this noncontroversial bill, which the committee passed by voice vote, provides the District with the necessary flexibility for holding timely and cost-effective special elections. It involves no cost whatsoever to the Federal Government.

□ 1940

The District of Columbia Special Election Reform Act is of little, indeed, no concern, I dare say, to the Congress. But the D.C. Council cannot amend the Home Rule Charter which spells out procedures and structural matters for setting up the District, so the Mayor and the council had to come to me to introduce this local bill.

Mr. Chairman, you indicated that such bills are not exactly congressional material. I hope that you and I can work together on a broader D.C. charter reform bill to give the District the authority to amend such local matters, such trivial local matters, as far as Congress is concerned, on its own, saving Congress from having to spend the time, its very valuable time at that, on uniquely local procedural matters affecting only the local government, the District of Columbia.

I urge passage of the bill, and I reserve the balance of my time.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, seeing that there are no further speakers, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. ISSA. I reserve the balance of my time, but I am prepared to close.

Ms. NORTON. I thank the chairman again for the haste with which he was able to get this bill heard today.

I have no further speakers, and I am pleased to yield back the remainder of my time.

Mr. ISSA. Mr. Speaker, I urge immediate support for this important reform for the District of Columbia, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 3902, as amended.

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

A motion to reconsider was laid on the table.

#### CONDEMNING IRAN FOR ITS PERSECUTION OF YOUCEF NADARKHANI

Mr. PITTS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 556) condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 556

Whereas the United Nations Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights recognize that every individual has "the right to freedom of thought, conscience and religion", which includes the "freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance";

Whereas Iran is a member of the United Nations and signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that religious minorities, including Nematullahi Sufi Muslims, Sunnis, Baha'is, and Christians, face human rights violations in Iran;

Whereas in recent years, there has been a significant increase in the number of incidents of Iranian authorities raiding religious services, detaining worshippers and religious leaders, and harassing and threatening members of religious minorities;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that Iranian intelligence officials are known to threaten Christian converts with arrest and apostasy charges if they do not return to Islam;

Whereas the Department of State's most recent report on International Religious Freedom, released on September 13, 2011, states that Iran's "laws and policies severely restrict freedom of religion," and notes "government imprisonment, harassment, in-

timidation, and discrimination based on religious beliefs" including "death sentences for apostasy or evangelism";

Whereas in October 2009, Youcef Nadarkhani, an Iranian Christian, protested an Iranian law that would impose Islam on his Christian children;

Whereas in September 2010, an Iranian court accused Youcef Nadarkhani of abandoning the Islamic faith of his ancestors, and condemned him to death for apostasy;

Whereas the Iranian court sentenced Youcef Nadarkhani to death by hanging;

Whereas on December 5, 2010, Youcef Nadarkhani appealed his conviction and sentence to the Supreme Revolutionary Court in Qom, Iran, and the court held that if it could be proven that he was a practicing Muslim in adulthood, his death sentence should be carried out unless he recants his Christian faith and adopts Islam;

Whereas from September 25 to September 28, 2011, an Iranian court held hearings to determine if Youcef Nadarkhani was a practicing Muslim in adulthood, and held that he had abandoned the faith of his ancestors and must be sentenced to death if he does not recant his faith;

Whereas on numerous occasions the judiciary of Iran offered to commute Youcef Nadarkhani's sentence if he would recant his faith;

Whereas numerous Government of Iran officials have attempted to coerce Youcef Nadarkhani to recant his Christian faith and accept Islam in exchange for his freedom;

Whereas Youcef Nadarkhani continues to refuse to recant his faith;

Whereas the Government of Iran continues to indefinitely imprison Youcef Nadarkhani for choosing to practice Christianity; and

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that, at the time of his report, on October 19, 2011, Iran had secretly executed 146 people during that calendar year, and in 2010, Iran secretly executed more than 300 people: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns the Government of Iran for its ongoing and systemic violations of the human rights of the Iranian people, including the state-sponsored persecution of religious minorities in Iran, and its continued failure to uphold its international obligations, including with respect to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

(2) calls for the Government of Iran to exonerate and immediately and unconditionally release Youcef Nadarkhani and all other individuals held or charged on account of their religious or political beliefs;

(3) calls on the Administration to designate additional Iranian officials, as appropriate, for human rights abuses pursuant to section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195); and

(4) reaffirms that freedom of religious belief and practice is a universal human right and a fundamental individual freedom that every government must protect and must never abridge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New York (Mr. HIGGINS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

##### GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, I want to thank the leaders on both sides of the aisle for allowing this resolution to come to the floor so promptly.

Article 18 of the Universal Declaration of Human Rights reads:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Iran was one of the original signers of the declaration and has not removed their country from the agreement, even through changes in government.

In October of 2009, Youcef Nadarkhani was alarmed to find out that his children were being forced to participate in Islamic religious instruction at their local school.

Pastor Youcef had no radical reaction to this revelation. Indeed, he only went to the school and asked that his children be granted their rights under the Iranian Constitution to freedom of religion. These rights explicitly include parents' rights to bring up children under the religious teaching of the family.

For the crime of asking that his rights be respected, Pastor Youcef was summoned to a tribunal. There he was arrested and charged with unlawful protesting. This charge was later changed to apostasy.

After almost a year in prison, Pastor Youcef was convicted and sentenced to death. A panel of judges demanded that he recant his faith. When confronted with this demand, Pastor Youcef stated, "I cannot."

While it is difficult to peer past the gates of an Iranian prison, we have some evidence that there has been continued pressure on Pastor Youcef to recant and that there may have been attempts to trap him into blaspheming Islam. Despite this pressure, he has remained faithful.

With our religious freedom protected by the First Amendment, it is difficult for any of us to imagine what Pastor Youcef has been going through, torn away from his children and family, placed in a high-security prison, with the likely outcome being the hangman's noose.

Today, we're not asking Iran to respect our laws or our conventions. We're asking them to abide by the agreements at the United Nations that they have signed on to.

The authorities in Iran are not proud of sentencing Pastor Youcef to death. Indeed, the Iranian Government doesn't even want their own people to

know that Pastor Youcef has been charged for practicing his religion. State media have actually reported that he is charged with rape and extortion, not apostasy.

Millions of Iranians are members of a minority religious group. Sunni Muslims, Christians, Jews, and Zoroastrians are all proud to call Iran home. They want to live in peace with their neighbors, and they want to follow the law, but they cannot do so when their faith is under assault.

This evening, I'm proud that we have bipartisan support for this resolution. I'm proud to join with Representative KEITH ELLISON on this resolution. We stand together tonight in support of basic human rights, and we appeal to the highest authorities in Iran to spare the life of Youcef Nadarkhani.

Please let this father return to his wife and his children. Further still, let the Iranian people freely practice their faith. Stand by your commitments to your people and to the world.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of this important resolution. I would like to join my colleagues in calling for the immediate release of Youcef Nadarkhani and all of the other individuals who are held or charged on account of their religion.

I would also like to send a message to Pastor Youcef's family. Please know that the United States stands behind you, and we will do all we can to see that Youcef is set free.

Mr. Speaker, it is difficult to comprehend in this day and age that there are nations in which one is not free to practice the religion of their choosing. And in Iran, freedom of religion is not the only right Iranian citizens are denied. The Iranian regime also continues to maintain severe restrictions on freedom of expression, association, and assembly.

Tehran maintains strict control over domestic and international media, aimed at reducing Iranians' contact with the outside world. And individuals and groups risk arrest, torture, imprisonment for political protesting or cooperating with foreign human rights organizations.

□ 1950

Women's and minority rights activists and other human rights defenders, lawyers, journalists, and students are regularly arrested and harassed. Once imprisoned, detainees are ill-treated and tortured. These are just a few examples of the repressive tactics of the Iranian regime. We must continue to speak out against these injustices and call on our friends and allies to do the same.

Mr. Speaker, once again, I ask Iran to immediately release Pastor Youcef and end its State-sponsored persecution of religious minorities.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to a champion of human rights, the gentleman from Alabama (Mr. ADERHOLT), chairman of the Appropriations Subcommittee on Homeland Security and a member of the Helsinki Commission.

Mr. ADERHOLT. I want to thank my colleague, the gentleman from Pennsylvania, for his work on this in authoring this resolution. I think, as Mr. PITTS mentioned, both sides of the aisle have worked together on this issue. I know many times the American people get frustrated with what goes on here in Washington, but this is a time when Democrats and Republicans have come together, Mr. Speaker, and worked together, and I think this is certainly a crucial thing that we're doing tonight.

Few times, Mr. Speaker, do Members of Congress have the opportunity to work on life-and-death issues. I would tell my colleagues tonight, Mr. Speaker, tonight is one of those issues.

As has already been said by Mr. PITTS, this is an issue where a pastor, Pastor Youcef Nadarkhani, is in prison because of his belief.

There are few things in life that a government can provide for its citizens that's more important than religious expression and a simple ability to worship as one chooses. That is why the support of this resolution tonight is so important, House Resolution 556.

We would ask that the people of this country, Mr. Speaker, would remember not only Pastor Youcef but other citizens of Iran and other countries around the world that sit in the same position as Pastor Youcef does.

But tonight, we focus on Pastor Youcef. We ask the leadership in Iran to set aside this ruling and release Pastor Youcef, and also that he can be reunited with his wife and his two young boys who are there in Iran.

Thank you, Mr. Speaker, for the opportunity to speak tonight. I urge my colleagues to support this resolution.

Mr. HIGGINS. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, tonight we come together, Republicans, Democrats, Muslims, Christians, and Jews, to stand for a very simple idea, and that idea is that it ought to be the case that a person can freely profess their faith. It ought to be the case that no matter what your religion is, it's dear to you, and you should not be punished for professing it publicly wherever you are.

You know, I have not really sought out a lot of attention for my own faith, but I got some of it anyway, and the fact is that I feel so privileged to be an American where I can, for the first time ever, when I was sworn in, use a book of my faith.

As I heard about the story of Pastor Youcef, I thought to myself, wow, you know, here I am a Muslim in a Christian majority country free to swear in on a Koran when I came to Congress,

and there he is a Christian facing the death penalty simply for professing his faith.

Pastor Youcef, he's a husband, he's a father. He has two young children. They're not even teenagers. They're 7 and 9 years old. I know they must be incredibly proud of their father, who would stand up against forces of repression that would kill him simply because he professed his faith in Christianity. It's wrong. I don't say it as an American only, I say it as a citizen of this small planet we live on, that every human being should be able to worship and seek the divine as they see fit.

Pastor Youcef deserves to be free. Pastor Youcef must be released. Pastor Youcef needs to walk out of that prison, grab his cross, go to his church, and lead his congregation in prayer, freely. He should be able to do it in his hometown in a local church.

All of us, no matter who you may be on this planet, you must stand for that idea, because if it can't be for one, it can't really be for any. We have to stand together, people of all faiths, all cultures, and all backgrounds and ethnicities and say that the right to seek the divine as you see fit must be an essential component of the human experience.

I also say a word of caution, and that is that the regime in Iran uses opportunities to deprive the people of human rights whenever they claim that there's a threat of war looming. I urge diplomacy because I think that whenever they can claim that they are under military threat, this allows them to crack down on any dissenter and try to use people like Pastor Youcef as an example so that other people will not freely express themselves and claim their God-given right not only to freedom of faith but to freedom of expression, the right to a fair trial.

You know, we come together in this place, this Congress that we're all in, and sometimes we debate taxes, and sometimes we debate where bridges should go, and we debate all kinds of stuff. But I pray that there will never be a debate about the simple right of every individual to worship and see God as they see fit or not to.

I just am particularly saddened when I think about how the early Muslim community, and Iran professes Islam, but early Muslims, the first Muslims were persecuted in their home of Mecca 1,400 years ago, and they fled their country, and they sought out their freedom of their faith in a distant land ruled by a Christian king in Ethiopia, and there they found sanctuary under that Christian king.

When their prosecutors and tormentors crossed the Red Sea and came into Africa and went to that king with bribes and said, Give us these people back, they're renegades, that Christian king listened to those early Muslims and said, You know what? These people are under my protection. You can go home.

I only wish tonight Pastor Youcef could get a return of that sanctuary in his own land.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. FORBES), chairman of the Armed Services Subcommittee on Readiness.

Mr. FORBES. Mr. Speaker, I first want to compliment Congressman PITTS and Congressman ELLISON for their leadership in this matter and to recognize tonight, Mr. Speaker, as we go through our busy lives, we often take for granted the privilege of living in a Nation that's governed by Founders who realized there were a set of rights so fundamental, so much at the core of life itself that they could not come from any State or any government but had to come from the hands of the Creator of life himself.

At the center of these rights, some would say the foundation of them, is the freedom of religion. As we travel around the world and see other citizens who do not have these rights, we may be saddened or even angered, but when the government of any nation of the world is so dangerous to the lives of its citizens that it's willing to rob one of those citizens of life itself merely because he will not recant his faith, we not only feel sadness and anger, but also fear.

Tonight, the citizens of Iran should be afraid of such an oppressive and dangerous government. Tonight, the neighbors of Iran should be afraid of such an oppressive and dangerous government.

□ 2000

Tonight, the citizens of the world should be afraid of such an oppressive and dangerous government.

They should condemn this government for its actions. They should stand with this pastor, and they should join hearts with people of all faiths around the world to pray for his life and his safety.

Every Member of this body should adopt this resolution.

Mr. HIGGINS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding and my friends from Pennsylvania and Minnesota for sponsoring this bill.

Tonight, we stand united and strong for the release of Pastor Youcef. Although the legal case for his release is overwhelming, as Mr. PITTS has outlined, we do not rely on the law in our plea. Though our political convictions shared among everyone on both sides of the aisle I believe here are deep, our appeal is not based on politics. Instead, our appeal is based on the ineffable human quality of the loving bond between a parent and his children.

Whether one worships in a mosque, a temple, a church, a synagogue, or some

other forum not known to us, whether one chooses not to worship at all, whether one lives on any of the continents of the world, practices any of the political ideologies of the world, is there not a common bond among those who feel the overwhelming love when they first hold their daughter or their son?

Is there not a common bond among those who feel the anxiety of worrying whether a sick child will be healed?

Is there not a common bond of the immense pride that a mother or a father feels when their children achieve some hard-fought goal?

Is there not a common bond of the empty and hurtful feeling that people know that someday they will have to depart from the children they love so dearly?

That day is coming all too soon for Pastor Youcef if those who are mothers and fathers, who are his captors, do not consider that ineffable human bond.

This is a man who tonight sits in prison awaiting execution because he loved his children enough to insist that they be free to worship as he and his family thought they ought to worship. This is labeled as "apostasy." The act of his arrest and impending execution is a monstrous act of inhumanity.

We do not appeal to the law, though it is on our side. We do not deal from political consensus, although I believe it exists in and out of this country. Our appeal is based on the simple, ineffable quality that parents have an innate right to love their children. This man has been deprived of this right. That deprivation should not exist for another hour, another day, another moment.

We will stand strong and united in calling for the humane release of Pastor Youcef, and we pray tonight that that wish will be granted by his captors, who must understand that they have that same ineffable love.

Mr. PITTS. I would like to inquire of the gentleman if he is prepared to yield back. I am prepared to close.

Mr. HIGGINS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PITTS. I yield myself the balance of my time.

Tonight, as Pastor Youcef sits in prison, awaiting a hangman's noose, I want him to know and the people of Iran to know and the people of the world to know that we stand with him. Our thoughts and our prayers are with him.

I would say to those international guests who might watch this telecast that you will never understand America until you understand that, in our Constitution, the very First Amendment contains the freedom of religion, not the freedom from religion. It contains the freedom of religion. It is not our Second, our Sixth, our 16th, or our 26th Amendment. It is our First Amendment. It is the first thing mentioned in the First Amendment—the freedom of religion: Congress shall not

act to establish a religion and shall not prohibit the free exercise thereof. That comes before the freedom of the press or speech or assembly or petition of grievances.

If you want to understand America, you must understand this basic belief that the Americans have in the right of the freedom of religion.

So we ask, we implore, the authorities in Iran: free Pastor Youcef. Keep faith with the documents you've signed. Free him. Return him to his family.

I urge support, Mr. Speaker, of the Members for House Resolution 556.

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

Mr. SMITH of New Jersey. Mr. Speaker, a young Christian pastor sits today in prison in Iran—separated from his wife and young children, facing the death penalty—because he will not lie about his beliefs. He will not lie even to save himself.

He will not lie even to spare his family suffering. He is a man of extraordinary conviction. A man of decision. A man who knows what he believes. Youcef Nadarkhani will follow his conscience though it cost him everything.

Iranian courts have repeatedly asked him, on pain of death, to reject his Christian faith and say that he believes in Islam. He responds, "I cannot."

The resolution (H. Res. 556) on the floor this evening is not an attempt to say which religion is right. Rather, this is a resolution that affirms that Youcef Nadarkhani has the God-given right—even the responsibility—to believe as his conscience directs him.

No human government should interfere.

Iran is a member of the United Nations and signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Both documents affirm that that every individual has "the right to freedom of thought, conscience and religion," which includes the "freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance;"

Under international law voluntarily agreed to by Iran, Youcef Nadarkhani has the right to change his religion.

He was free to change from Islam to Christianity. He is free to change back.

But the government of Iran is NOT free to force him in either direction. Iran has made a commitment to leave men like Youcef Nadarkhani in peace. This resolution calls on Iran to follow international law.

Iran sets aside seats in its Parliament for Christians and permits hundreds of churches to function across the country. And yet it also cracks down on religious minorities, falsely seeing them as a security threat.

The most recent U.S. State Department Religious Freedom Report lists numerous cases of arrest and detention of Christians, both lay people and leaders. For instance:

On April 11, 2010, government agents arrested 19-year-old Daniel Shahri, a Christian, on the basis of insulting Islam. Shahri was able to contact his parents on April 14, 2010, while being held in a prison in Isfahan. He was released on April 24, 2010 on bail and awaits a trial date . . .

On January 8, 2010, the Fars Provincial Ministry of Intelligence detained an unknown number of persons who were reportedly Christians. Under interrogation the detainees gave the names of those leading Christian groups in the area leading to further arrest.

On December 24, 2009, Pakdasht security forces raided a home-church gathering and arrested the 15 members who were in attendance. All 15 were released in early January with orders to return to sign documents. Upon returning three were rearrested and held until March 17 when they were released . . .

The report of the U.S. Commission on International Religious Freedom underscores the danger to Muslim converts to Christianity in Iran and a recent increase in arrests. This report, issued in May 2011, indicates that:

Since June 2010, more than 250 Christians have been arbitrarily arrested throughout the country. . . . In December 2010 and January 2011 alone, approximately 120 Christians were arrested. . . . During the reporting period, the number of incidents of Iranian authorities raiding church services, harassing and threatening church members, and arresting, convicting, and imprisoning worshippers and church leaders *has increased significantly*. Christians, particularly Evangelical and other Protestants, are subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. (emphasis added)

Tragically, Youcef Nadarkhani is not the only believer in prison. He is just the only one we know of who is facing the death penalty for apostasy.

Whatever the political conflicts between the United States and Iran, whatever the tensions over weapons—human rights do not change. Iran's signature on the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights has not changed.

All nations, including Iran, must respect the consciences and religious freedom of their citizens—and not practice religious coercion.

Youcef Nadarkhani is not a political pawn. He is a person—a person being prayed for by citizens around the world.

Tonight, the U.S. Congress stands with him and with all people of conscience, calling on the Government of Iran to release him and ensure his safety.

Mr. FRANKS of Arizona. Mr. Speaker, at no other point in recent history has it been more crucial for Congress to take action on international religious freedom. I would like to deeply thank my colleagues, Congressmen JOE PITTS and KEITH ELLISON, for sponsoring H. Res. 556 that addresses religious freedom in Iran. These vital issues deserve our immediate attention as we see religious persecution escalate internationally: in Iraq, for instance, Assyrian Christians were brutally murdered in their church and continue to be directly targeted by terrorist organizations; some have even been attacked and murdered on their own front doorstep. In China, thousands of Christians and Falun Gong practitioners are forced into re-education through labor camps while the lawyers that try to defend them are often imprisoned. Uygur Muslims and Tibetan Buddhists are targeted as separatists because of their faith.

Mr. Speaker, commitment to religious freedom is not just for one faith community but for people of all confessions throughout the world and across political lines. Religious freedom is

not only for Americans or Christians or Republicans or Democrats, it is a sacred right for all humanity. The U.N. Declaration of Human Rights, of which Iran is a signatory, allows for the “right to freedom of thought, conscience and religion” and this right includes the freedom to change religion or belief. I would like to note that Pastor Yousef was imprisoned and charged with apostasy in direct violation with the international standards that Iran had accepted. The fundamental right of religious freedom, furthermore, is enshrined in Iran's Constitution in Articles 13, 14, and 23.

Mr. Speaker, the Pitts-Ellison resolution condemns the Iranian government, one of the most horrific perpetrators of religious freedom violations, for its repression of religious minorities. It focuses, in particular, on the case of Pastor Yousef Nadarkhani, a Christian with the Church of Iran denomination, who faces imminent execution for his faith. Pastor Yousef's arrest and imprisonment resulted from questioning the mandate from the government of Iran that all school children be taught Islamic teachings.

Mr. Speaker, one of the most precious rights parents can have is having the freedom to educate their own children and bring up their children the way they believe is best for their family. Pastor Yousef was not given this foundational right to instill in his children a respect for freedom of religion and conscience. As the author of *The Children's Hope Act*, I know how critical it is for parents to make their own independent decisions about the education of their children. No parent should have to face death, as is the situation for Pastor Yousef, just for asking his government to grant him freedom of religion, even if that freedom of religion was narrowly defined to the freedom to educate and practice his faith in his own home.

Mr. Speaker, the case of Pastor Yousef is only one of many other deplorable religious freedom cases in Iran. A close personal friend of Pastor Yousef and a member of the Council of Elders for the Church of Iran described the egregious situation for Christians in the Middle East as strikingly similar to “the final decision in Germany,” when the Nazis religiously and racially “cleansed” German society of the Jews. This elder ended by saying that the “international reaction [to the religious cleansing in the Middle East] is also like the time of Hitler. They waited and didn't react until it was too late.” In Iran, at least 285 Christians were arrested during the first half of 2011 without reaction.

Mr. Speaker, one such case of the silently persecuted is Masoud Delijani, a school teacher in Kermanshah, Iran, who was arrested by plain clothes intelligence officers in March 2011. He was arrested, together with his wife and nine other Christian converts, when they had gathered in a house church for a service. He was held in solitary confinement and was severely pressured both mentally and physically. The court eventually charged him with having faith in Christianity and for holding illegal house church gatherings.

Mr. Speaker, the Revolutionary Court of Kermanshah province recently sentenced Masoud Delijani to three years in prison. Sources report that his trial was anything but fair: he was denied the right to choose his own advocate or defend himself against the charges levied. Masoud Delijani is now being held in Deizal-Abad prison of Kermanshah to

serve his three-year prison sentence. The central prison of Kermanshah is described as horrendous and sickening by knowledgeable sources.

Mr. Speaker, the cases described above would largely go unnoticed and the persecuted would be forced to suffer if we are silent. Given our own freedoms in America and the responsibility to represent the concerns of our constituents who are concerned with the suffering of persons and families abroad, I believe we have a personal responsibility to stand up for justice and support those who are persecuted. I would also urge other world leaders to not wait to speak out on behalf of Pastor Yousef and his universal right of religious freedom until it is too late.

Mr. Speaker, Alexander Hamilton, one of the architects of our Republic, said, “The sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written, as with a sunbeam, in the whole volume of human nature, by the hand of the divinity itself; and can never be erased.”

Mr. Speaker, may the right of religious freedom touch those around the world and persons of all faiths, and may future generations walk in the sunlight of that most inalienable and universal freedom.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H. Res. 556, which condemns the Government of Iran for its persecution, imprisonment, and sentencing to death of Pastor Youcef Nadarkhani.

Pastor Youcef is a 34-year old father of two who was arrested over two years ago for the crime of converting from Islam to Christianity. In October 2009 he was tried and found guilty of apostasy—and sentenced to death-by-hanging. More recently, the Iranian Supreme Court upheld the sentence.

Iranian law requires that a man accused of apostasy be given three chances to recant his beliefs and return to Islam. Pastor Youcef was given his three chances. In every instance, Youcef refused. Nothing, not even the threat of death, would discourage him from remaining true to his faith. He proved himself as religiously committed as he is physically, and morally, courageous.

Mr. Speaker, last September President Obama said, Pastor Nadarkhani has done nothing more than maintain his devout faith, which is a universal right for all people. . . . A decision to impose the death penalty would further demonstrate the Iranian authorities' utter disregard for religious freedom, and highlight Iran's continuing violation of the universal rights of its citizens.

Mr. Speaker, the resolution before us condemns the Government of Iran for its state-sponsored persecution of religious minorities and for its repression of freedom of thought and of religion, and calls for the immediate release of Youcef Nadarkhani and of all other individuals held or charged on account of their religion.

The House of Representatives should stand in solidarity with Pastor Youcef. I encourage all of my colleagues to support this important resolution.

Mr. WOLF. Mr. Speaker, I rise in strong support of H. Res. 556, a resolution condemning the government of Iran for its ongoing repression of religious minorities, including 34-year-old Pastor Youcef Nadarkhani. I was an original cosponsor of this resolution, and

thank my friend Congressman PITTS for introducing this important legislation.

Just this past week, Iranian authorities renewed an order of execution for Christian Pastor Youcef Nadarkhani, a young father of two. Pastor Nadarkhani was originally arrested in 2009 for protesting the teaching of Islam at the public school that his children attended. He was later charged with apostasy which carried a much more severe penalty. Since 2009 he has been subjected to repeated attempts to coerce him to recant his faith—which he has courageously refused to do. Rather, Pastor Nadarkhani's perseverance in the face of this injustice is a source of great inspiration. In a 2010 letter from prison, he wrote that the true believer, "does not need to wonder for the fiery trial that has been set on for him as though it were something unusual, but it pleases him to participate in Christ's suffering. Because the believer knows he will rejoice in his glory."

Indeed, Pastor Youcef has faced a "fiery trial." And now, according to a February 22 Fox New story, the latest developments mean that Pastor Youcef may be "executed at any time without prior warning, as death sentences in Iran may be carried out immediately or dragged out for years."

Pastor Youcef's case is just the latest example of Iran's attacks on basic human rights, including freedom of religion. In recent years, there has been a significant increase in Iran in acts of repression and discrimination against religious minorities including Bahai's and Christians. These actions show a continuing disregard by Iranian authorities for the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights as well as its own constitution.

In addition to supporting this resolution condemning Iran for these shocking and flagrant violations of fundamental freedoms, I call on the government of Iran to immediately and unconditionally release Pastor Youcef Nadarkhani.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and agree to the resolution, H. Res. 556, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PITTS. 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.

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

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 4355(a), clause 10 of rule I, and the order of the House of January 5, 2011, of the following Members of the House to the Board of Visitors of the United States Military Academy:

Mr. HINCHEY, New York;

Ms. LORETTA SANCHEZ, California.

#### FREEDOM OF RELIGION

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

Mr. PEARCE. Less than 1 month ago, Kathleen Sebelius issued a finding that said that every insurance company in the country would have to offer insurance products, some of which would offend the faiths of many people. This is against our Constitution, and it is against the rights of conscience of a free people.

Mr. Speaker, across religious lines, the people of New Mexico and the people especially of southern New Mexico—Catholic, Protestants and people of no religion, people across cultural lines, and people across racial lines—are gathering this Saturday: this Saturday to protest, this Saturday to stand and say that the government needs to back up out of our church.

This is not a Republican issue. This is not a Democrat issue. This is an issue of the Constitution and of a freedom-loving people.

So I encourage all who are across this United States to begin to organize and stand in the streets to tell the government that enough is enough. We are meeting this Saturday, March 3, in Las Cruces, New Mexico, from 1:00 to 2:30. It will be a very large gathering. There will be speakers from both parties and from all faiths.

We think that it is time for Americans to be united together again, as one people, against a government that has become too strong.

□ 2010

#### HOUSE ENERGY ACTION TEAM HOUR

The SPEAKER pro tempore (Mr. GIBBS). Under the Speaker's announced policy of January 5, 2011, the gentleman from Colorado (Mr. GARDNER) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARDNER. Mr. Speaker, I'm here tonight for one reason: to stand up for hardworking Americans who are spending far too much when they fill up at the pump, and I'm here for that same American who turns on the TV or reads the newspaper after a long day at work to see that Iran is threatening to cut off our oil supply out of the Middle East and to see continued inaction by this administration to discourage energy projects, energy production that would lower the price of gas here at home. These are Americans that are scared. They simply don't have the money in their pocket, in their budget to pay for these high prices, \$60 to fill up a tank of gas, \$80 to fill up the tank of gas.

I find it increasingly more difficult to explain to my constituents from rural Colorado why this government isn't advancing policies that will bring

down the prices at the pump. It pains me the look on people's faces when they tell me that they're making \$10 an hour and are paying upwards of \$4 for a gallon of gas. What are they supposed to do, Mr. Speaker, stop going to work because gas is so expensive?

We are facing a significant crisis, and it's a travesty, it's a shame. My colleagues here tonight are here to say we will not stand for it.

How do I go back home this weekend to explain to my constituents why gas prices have risen \$1.80 per gallon since this President took office? How do I explain that this administration may be willing to tap the Strategic Petroleum Reserve, which is only to be used when there is a severe energy supply disruption, instead of opening up more land for exploration, which brings me to my next point.

Mr. Speaker, this administration alleges that it has opened up vast amounts of our lands for leasing. In fact, just a few days ago, on February 23, at the University of Miami, I quote:

Under my administration, America is producing more oil today than at any other time in the last 8 years.

This is simply false, a false telling of reality. While it may be true that new production is occurring on private lands where the President can't involve his anti-energy administration, Federal lands and offshore development is far below what it has been in previous years. Let me cite to you some very startling statistics.

According to an article on E&D on Monday, just a few days ago, production of natural gas on public lands and waters in fiscal year 2011 dropped 11 percent from 2010. That's a drop of 11 percent on public lands and waters in fiscal year 2011. Oil production on Federal lands dropped 14 percent since last year, and this reduction was most significant in the gulf, which declined by 17 percent since 2010.

According to a Wall Street Journal editorial from the other day, drilling plans have historically been approved 73 percent of the time. Since the beginning of 2012, the President has only approved 23 percent.

Approval of an offshore drilling plant typically takes about 92 days right now. That's 31 days over average.

In 2000, just 12 years ago, 32 percent of our oil was from Federal lands. Why? In 2010 that number shrank to 19 percent of total U.S. production. Let me say that again. In 2000, 32 percent of our oil was from Federal lands. In 2010 that number shrank to 19 percent of total U.S. production.

We aren't opening up our Federal lands for development, and that's the reason for the significant drop. The total onshore acreage leased under this administration in 2009 and 2010 is the lowest in over 20 years.

Mr. Speaker, the President has claimed that he is opening up new offshore areas for production and more land for leases. Again, this is false. Many of these lease sales were already

scheduled to take place before he even took office. One was even cancelled for a year by the administration and is now being reinstated. His plan even closes the majority of the OCS to new energy production through the year 2017.

In recent days and months, we have seen the President touting an all-of-the-above energy approach, but his actions speak louder than his words, and they do not promote an all-of-the-above energy strategy. This administration has blocked energy production on Federal lands and decreased overall domestic energy production across the board. And I want to share with you just a few of these examples.

Tonight we are joined by the House Energy Action Team, a group of Members from across the country who are dedicated to sharing with their constituents in this country the policies that we have passed in this House with bipartisan support to encourage energy production to make sure that we are increasing and encouraging natural gas development, oil developments, all of our natural resources in a true all-of-the-above energy strategy. The HEAT action team, the House Energy Action Team, is once again sharing that strategy and contrasting ourselves with the strategy that this President has presented over the past 3 years of his administration.

So the President can claim all he wants to be supportive of an all-of-the-above energy strategy—said it just a few months ago from this podium right behind me in the State of the Union address, supporting an all-of-the-above energy strategy—but let's actually talk, let's actually talk about what the President's policies have resulted in.

On oil and gas, he's withdrawn oil leases from Utah, costing 3,000 jobs; withdrew oil and gas leases from Montana; issued a moratorium on gulf drilling, costing 12,000 jobs; reinstated a ban on drilling off the entire Pacific coast; announced he would regulate hydraulic fracturing.

Again, the President claims to be a supporter of an all-of-the-above energy policy, but on coal he pulled a permit from a West Virginia mine, costing 250 jobs; announced the merger of BLM and OSM, which could move domestic coal one step closer to extinction in this country.

When it comes to nuclear energy, this President has blocked uranium mining in Arizona for 2 years. He has personally abandoned the Yucca Mountain waste site, jeopardizing the future of nuclear energy in this country; imposed a 20-year ban on uranium mining, increasing our 90 percent already, our 90 percent dependency on foreign sources.

Even on renewable energy and this President's green energy agenda, this President has closed all but 2 percent of Federal lands from renewable energy development. He's left open only 670,000 of 30 million acres of land for solar development.

Again, the President claims he is for an all-of-the-above energy strategy, when, in fact, what we have seen is this President is actually for none of the above. This chart—I know it's impossible to read—details the inaction of this administration, in fact, some very harmful actions to our energy policy where he has stopped, delayed, repealed energy production in this country.

Again, tonight, we are going to be hearing from many Members around the country to discuss how we can advance a strong energy policy, one that creates American jobs with American energy, building our energy security for future generations. There is one great way to power our economy, and that's to turn to our energy sector to create jobs and opportunity.

With that, I yield to another great leader on energy issues, the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Well, let me thank the gentleman from Colorado for his dedicated service to not only the State of Colorado but to our Nation.

We have been coming to the floor talking about the increasing prices of energy across America. Since we came back in January, we have taken to this floor to talk about the very poor policies coming out of the administration.

□ 2020

And just to give you an example of that, on Inauguration Day of President Obama, AAA said the gasoline prices in America averaged \$1.84 a gallon. Today, gasoline prices are averaging across this great land \$3.73 a gallon. That is a 102 percent increase during the Obama administration. But yet he will claim, the administration will claim, that they have increased domestic energy production. They've increased onshore and offshore drilling, and apparently oil and natural gas are just bubbling up out of the ground and providing this. But, America, that's not the case. That's not the case. Gas prices are going up simply due to two factors—supply and demand. Those are the things that contribute to the price of a barrel of oil in the world. Supply and demand.

Now, I admit that world demand is up even while United States demand is lower than it was in 2008. World demand is up. So that's one factor. But the supply factor. Americans know that we are tremendously dependent on Middle Eastern oil. We've got the resources here in this country. If this administration will just get out of the way and allow us to harvest our natural resources, we would be energy independent.

But let me tell you what the administration apparently has as a policy goal, and this comes from the White House statement on the Keystone pipeline. The gentleman from Colorado has heard me say this—I think this is the fourth time—but America needs to hear it again because President Obama said this. He said:

Decisions here in Congress to force the decision on Keystone pipeline do "not change my administration's commitment"—this is from the White House Web site, and I recommend you go look at it for yourself—"it does not change my administration's commitment to American-made energy that creates jobs"—and listen closely—"and reduces our dependence on oil."

Now, at one time he was talking about these abundant supplies, this increased onshore and offshore drilling and production in this country. But yet his own words say "commitment to American-made energy that creates jobs and reduces our dependence on oil."

Now, when you first heard that, you thought, I agree with that. He wants to lessen our dependence on foreign oil and Middle Eastern oil, but no, no, no. That's not what he said. He said lessen our dependence on oil, period. Not foreign oil, not Middle Eastern oil, lessen our dependence on oil.

So you take that with his Secretary of Energy, Steven Chu. Steven Chu, before he was appointed as Secretary of Energy in this country, said this: "Somehow we have to figure out how to boost the price of gasoline to the levels in Europe."

Now Europeans in England and Germany and France, they're paying \$7, \$8, \$9 a gallon for gasoline. America, under these policies, that's where we're headed. Under the words of Steven Chu, the Energy Secretary, he said: "Somehow we have to figure out how to boost the price of gasoline to the levels in Europe."

It shouldn't surprise you that's what they want to do—lessen our dependence on oil, period. And that's propagating policies and giving money away to companies that supported him in his election campaign, companies like Solyndra, \$535 million, gone, America, your tax dollars that I know you're working hard for every day.

In South Carolina, my constituents, they go to work every day. And they earn the hard-earned dollars. They go to work, and they're thinking when they're filling up their gas tank at \$3.75 a gallon, \$4 a gallon diesel fuel—I drive a diesel, so last week I couldn't fill my truck up, because I'm hurting just like other Americans, and how much I have to take out of my wallet to fill up my truck, and what I could use that money for in other ways, whether it's to take my family out to dinner or pay off some debt or do some things that we normally would do with that money, but now we're having to take more dollars out of our pockets to put fuel in our car to drive to work. And so Americans are thinking: How many hours of my workday on my job am I working just to pay for the gasoline I just paid to get to work and to get home?

Four dollars a gallon gasoline for diesel fuel, and America, think about this: Think about the farmers that are putting diesel fuel in their tractors to plant the food that you're going to buy

at the grocery store. Input cost. Input cost on the front end affects the price on the back end.

Mr. Chu, the Secretary of Energy, said this. He's calling for gradually ramping up gasoline taxes over the next 15 years to coax consumers into buying more-efficient cars and living in neighborhoods closer to work. This European model where we'll all live close in town and we can walk to work or bicycle. That's the optimal thing in their eyes. We don't live that way here in America. We like our freedom. We like to get in our cars and drive ourselves to work. The policy of this administration is affecting what you pay at the pumps, and it's very clear using the President's own words about gasoline and about oil.

So we are seeing rising gasoline prices, and we've got the power to do something about that here in America. We have the capacity, the resources in this country that far exceed what's found in Saudi Arabia. Far exceed by hundreds of billions of barrels of oil more than what exists in the Saudi oil reserves here in this country. We've got them. We're buying a lot of oil from Canada. We talked about the Keystone pipeline. The gentleman from Colorado and I have talked about this numerous times. But instead of pursuing American energy independence, beyond that why can't we pursue maybe North American energy independence and buy from our largest and best trading partner, Canada, if our policies are going to keep us from drilling off our coast in South Carolina, or off the coast of Louisiana, Mississippi, and Texas, places where there are proven reserves, and we've been pumping oil for a long time?

Or going onshore. North Dakota. North Dakota has an energy-driven economy. Their unemployment rate is 3 percent or less. They're pumping oil out of the Bakken oil fields there in North Dakota. President Obama is taking credit for increased oil production in North Dakota, but back up, because the oil that's being pumped out of the ground in North Dakota isn't on Federal land, and it isn't because of any policies of this administration. The permits were issued during the last administration and the one before that, and we're producing oil on State and private lands in North Dakota. It's not Federal lands; it's State lands. It's private lands. Unemployment is 3 percent. Good paying, long-term jobs, energy-driven economy in North Dakota.

But guess what? The Bakken oil field extends beyond the borders of North Dakota, and it goes into Montana and other States. Well, if you go across that artificial border between North Dakota and Montana into the same oil field known as Bakken, you're not going to find any energy production over in Montana. You know why? It's because it's on Federal land. And that Federal land has been off the table for energy production and energy exploration. But over where it's on State

and private land, it's gangbusters. It's going gangbusters, 3 percent unemployment in North Dakota. That's a telling sign, America, on what you do when you go after your own resources and you produce American resources to meet our American energy needs.

I heard the gentleman from Colorado talk about an all-of-the-above energy strategy, and I've heard the President here at the State of the Union say the same thing. But, you know, in my opinion an all-of-the-above energy strategy says (a) first, we're going to take care of a proven technology of oil and natural gas to meet our immediate energy needs. And then we're going to continue to expand nuclear power in this country because it's proven, it's tried, and we can expand that.

I applaud the new permit in Georgia for a new reactor. We're going to have one very soon in my home State. It'll be the second in about 30 years where we've permitted a nuclear power plant to provide electricity to this country. But the President, he likes this global warming cap-and-trade scheme. And he says that under his plan of a cap-and-trade system, "electricity rates would necessarily skyrocket." Electricity rates are going to skyrocket. Well, we've got the ability to build more nuclear power plants and permit those that are underway and provide good, stable electricity in this country. So all of the above includes oil and natural gas, energy exploration, offshore, onshore, where we have those resources, and expanding nuclear power plants in this country, looking at the things that are tried and true and allowing the free market, not your tax dollars, America, but the free market to determine the winners and losers with regard to green energy.

If it works, if it can be successful, I guarantee you, there are American investors and worldwide investors that would invest their own hard-earned dollars at their own personal choice to invest in that technology, and they will pick a winner because on the back side they're going to make a profit.

But that's not what's happening. This administration is taking your tax dollars, and they're making your investment decisions for you in companies like Solyndra. They're picking the winners. They're picking the losers. It's wrong. It's got to stop.

Mr. GARDNER. I thank the gentleman from South Carolina, and I know the gentleman from Arizona is going to be joining us in this debate, this conversation tonight.

You mentioned some quotes, some statements made by Secretary Chu. You talked about the statement where the President had said under my plan, electricity rates would necessarily skyrocket.

□ 2030

You talk about Secretary Chu talking about how he wants to boost the price of gasoline to the levels in Europe. Have you ever heard this Presi-

dent talk about expanding production in the United States or adding U.S. domestic capacity to actually decrease the cost of gasoline?

Mr. DUNCAN of South Carolina. Gentleman from Colorado, that's a great example. I've never heard him talk about that. The administration talks about the exact opposite. They want us to pay for what Europeans pay for oil and natural gas. They want to see us move toward a green energy economy, and they want to create policies, tax policy and regulatory policies, that are going to force you, as Americans, to buy what they want you to buy, and that is an electric car.

Mr. GARDNER. And I would point out to the gentleman, too, as he knows, we've seen gas prices increase dramatically around the country. In South Carolina, I think gas prices have increased 10 percent from just a year ago.

The gentleman from Arizona who joins us now in the conversation is—New Mexico—has seen tremendous price increases, as well.

With that, I yield to the gentleman from New Mexico, my neighbor to the south.

Mr. PEARCE. Thank you. I would gladly be from Arizona, except I'm representing New Mexico, and I'll stick there for awhile.

My father worked for the oil industry my entire life. We grew up in the oil industry in southeast New Mexico. Back in the late seventies and early eighties, the company that my dad worked for, Humble, and later Exxon, began to tell all the employees that oil would be out, that it would be finished in eastern New Mexico and that they would need to get their affairs ready to be transferred somewhere else.

Now, my dad retired in the late eighties, and the oil fields are still viable in Lea County, New Mexico, because of increasing technology. The ability to drill laterally has really revolutionized the ability to produce energy, and also the 3-D seismics have been very effective at finding new sources of oil. So basically what we're finding is that the old estimates of how much oil was left in the U.S. have been grossly inadequate. With the new finds all the way across the country, this Nation could be self-sufficient in oil, except there are people here in Washington who absolutely do not want us to be self-sufficient. They want the pressure on the economy. For some reason, they believe that we should have a level playing field with the European countries that have to import all of their energy.

I think that America should be allowed to develop its resources that it's blessed with. I believe that the American people should be allowed to work in careers and in jobs that pay good money. Other people in Washington think that we should shut down all of the timber production, all of the oil and gas production and all of the mines and convert over to hospitality jobs. The hospitality jobs do not pay

enough. They're fine jobs, but they don't pay enough to raise families. So we have these different visions of America where one says we're going to shut off the resources, we're not going to develop them, and the other group says, yes, we must have American energy, we must have American jobs, and we must improve the economy.

We're facing times when our budgets are completely unworkable. This coming year, we're looking at \$1 trillion in deficits. We're going to spend about \$3.9 trillion, and we're going to create revenues of about \$2.9 trillion. Now, people at home can do the math. That's a deficit of \$1 trillion, \$1.1 trillion.

Now, a magical thing happens when we start creating jobs in America. People are saying, Can you cut your way from 3.9 to 2.9? I don't think that we have to do that. Every time that you put someone to work, they come off of food stamps and they come off of unemployment, so the cost of government begins to decrease with every job you create. Additionally, those people will pay taxes. And so if we would allow the jobs to be created, they would be forming daily. If we would just open the doors to energy production in this country, then we would see our economy moving toward balance, and that's what we desperately need. We need our checkbook balanced, because that's the only way we're going to sustain the economic future of this country.

Now, people just can't believe that Washington would put oil and gas off-limits completely. They can't believe that the country's leaders would make life that much more difficult for them to pay their bills, to send their kids to school, and to feed and clothe their children. They can't imagine policymakers in Washington who would willingly do that. And yet you have repeatedly heard the President and his staff say that we need the price of gasoline to go up, we've got to figure out how to increase it. Well, they've figured out how to increase it, and that's simply to limit the drilling of it.

I think this year's elections will pin on the cost of gasoline and the functioning of this economy. People across America are desperate for job creation, not just any jobs, not just minimum wage jobs, but those jobs where you can get in it and make a career, like my father who worked his whole life in the oil and gas industry. It was a good living for his family. That's the sort of jobs that Americans are looking for, and that's the sort of jobs that we can create.

But how are American policymakers putting the oil and gas off-limits? For instance, shale. America is the Saudi Arabia of shale oil. And yet in 2007, the Pelosi House passed a bill that put all of the shale production in Colorado completely off-limits. That's just wrong. We should be exploring every opportunity for energy.

Another way that they're limiting the production is that they're just not processing the applications to drill. So

you have a lot of people who would invest a lot of money right now creating jobs, but the Federal Government will not process the application for permits to drill on Federal lands. Much of the West is Federal lands. New Mexico is about 33 percent Federal lands. Other States have as much as 80 percent Federal lands, and those are being completely eliminated from oil and gas production, from mining, from timber and from other jobs that could be created.

And so we find an administration and a mindset in Washington that says we're going to starve America for jobs, we're going to starve America for energy, and we're going to send those jobs overseas. I think that Americans are waking up and realizing that it does not have to be that way. We don't have to be paying \$4 for gasoline.

People here in Washington routinely say that we cannot drill our way out of the problem. I hear that a lot. But if you look at the cost of natural gas, the price of natural gas today, you'll see that it has diminished tremendously because we have drilled our way out of the shortage that existed just 4 or 5 years ago.

The price of natural gas spiked around \$10. Today it's less than 4. We have to understand that you can produce more energy, you can get the cost down, but a government has to stand aside and let the people work.

I just returned from Vietnam, a known communist country, and yet they're hungry for production of energy. The Communist Chinese are looking for new oil and gas supplies. They're drilling just 47 miles off the coast of Florida, and yet this country will not let American firms drill 45 miles off the coast of Florida. So we continue to see policies come out of Washington that are strangling the economy for oil and gas and driving the prices up.

It's just not the oil and gas, though. The sad thing is they're doing the same thing to electricity. Two electricity generating stations in New Mexico are being told to shut down energy production. We suffered rolling blackouts just a year and a half ago, and we're being told to shut down electrical generation? These are not generators that would not produce. These are generators that they're saying, well, they might be contributing to some pollution. They can't prove it.

The standards that they hold us to need to be measured by a computer, because the naked eye can't see the difference in the haze that they're trying to demand the improvement of. So, again, we see policymakers who are willingly making life more miserable and more difficult for the average American.

The Republicans in Congress today are speaking up for the average homeowner, the average person that goes to work every day, does their job, goes home and raises their family. We need to support those kind of people, and I

compliment the gentlemen, both of them, especially the gentleman from Colorado, for leading this fight for lower energy prices. It's a common-sense thing, and we need to back him up.

Mr. GARDNER. I thank the gentleman from New Mexico. Before he yields the floor, I wanted to ask him a quick question.

I know you've done tremendous work with the Western Caucus. You're a co-chair of the Western Caucus trying to make sure you are eliminating regulations to do what we can to improve the economy of the Western United States, and I just wanted to share with you a quote from our colleague in the Senate, Senator SCHUMER from New York. This was February 27, just 2 days ago, a quote from *The Hill* newspaper. He is talking about trying to find solutions to increasing gas prices. Here is what he had to say:

To address the situation, I urged the State Department to work with the Government of Saudi Arabia to increase its oil production, as they are currently producing well under their capacity.

So, apparently, many of our colleagues, some in the Senate, think that the solution to the way out that we have isn't here in the United States at all. In fact, it's creating more dependency on overseas oil instead of developing in areas like the Western United States.

I know you've done tremendous work to open up access to energy in the Western U.S., and I don't know if you had seen that comment or had time to reflect on it.

□ 2040

Mr. PEARCE. I have not seen the comment, but it's standard that comes from some here in Washington. You have people who are saying, They should develop their resources, but, oh, we should not develop ours. It's that mindset that is killing American jobs. It's that mindset that's killing American energy, driving prices up.

The American families are struggling. Hardworking families are struggling under the demands of just raising their families. And it is abysmal that Washington policymakers in either body are having that kind of mindset.

Across the West, we see a continuing failure to give access to public lands. That's one thing that we're fighting in the Western Caucus. I would refer any of the people in this body or any of the people watching this program to go online, take a look at the Western Caucus, the Jobs Frontier—over 40 pieces of legislation that would bring on jobs, each one of them designed to bring on jobs with no government investment. That would all be private money creating private jobs. Also, there are bills which are designed to stop the government from killing 3 million more jobs this year. So the Western Caucus is hard at work trying to preserve the economy of the United States. And I appreciate you bringing that up.

Mr. GARDNER. I thank the gentleman.

The gentleman from South Carolina, again, some of our colleagues would like to see energy production increase in Saudi Arabia. They'd, I guess, stand idly by while this administration nixes, vetoes, puts a fork in the Keystone XL pipeline; yet they'd rather see those jobs go overseas. They'd rather see that energy production occur overseas instead of doing it right here in our own backyard. I'm sure our colleagues mean well, I'm sure they're well-intentioned, but I certainly hope they would produce those jobs here, produce that energy here, develop an energy policy that is with American jobs for our security.

Mr. DUNCAN of South Carolina. If the gentleman will yield.

Mr. GARDNER. I yield to the gentleman.

Mr. DUNCAN of South Carolina. You're exactly right. These are about American jobs going overseas and American tax dollars going overseas, and American-earned income. Because, as I mentioned earlier, you're digging deeper into your wallet, taking out—instead of a \$20 bill to fill up a gas tank, taking out a \$100 bill. Americans know what they could do with the rest of that money, the difference there.

I get a little passionate about this issue, and I apologize to the ladies here in the Chamber that have to record what I say, but I'm not alone in this. America is passionate about this as well because they know we have the resources here and they know we can be energy independent and we wouldn't be giving money to Middle Eastern countries, who a lot of times don't like us maybe as well as the Canadians and other countries closer to home like us.

I spouted off some things about Federal land and State land and North Dakota and Montana a minute ago, so let me just tell you: in 2000, Federal oil production accounted for 32 percent of the total U.S. energy production. In 2010, after 2 years of the job-destroying Obama administration policies that I mentioned earlier, Federal production only accounts for 19 percent of the total U.S. oil production. That's an 11 percent decrease.

When I think about the year 2000, I think about some of our friends on the other side of the building, and JOHN KERRY and some of these guys that said, you know what, if we decided to drill today and open up new lease areas and do energy exploration, whether it's the Outer Continental Shelf, it won't have any effect on the price at the pump for Americans because it takes about 10 years for that to come online and start producing oil. But, hey guys, that was 10 years ago. What impact would those policies of drilling in ANWR or off the Outer Continental Shelf or more onshore production, what impact would that have had on the price you pay at the pump today?

I think we've got to get serious about American energy exploration and pro-

duction here. The journey of 1,000 miles begins with a single step. We need to take that step today. I'll tell you, the House Republicans have done that with numerous job-creating, energy-production bills that have passed out of this Chamber that are languishing in the abyss known as the United States Senate—that's failed to pass a budget for our country in 1,036 days, that's failed to take up American energy-independence bills, job-creating bills that we passed out of this Chamber.

So energy production is down on Federal lands, and the Obama administration is taking credit for increased production and saying we've opened up new offshore areas. But the data I have says there's less offshore acreage open for energy exploration and production now than when President Obama took office when nearly 100 percent of the Outer Continental Shelf was opened up under the Bush administration. They lifted the moratorium for energy exploration, let alone production.

Listen, I served for 18 months on what was known then, under the Mineral Mining Services of the Department of the Interior, the OCS, or Outer Continental Shelf, 5-year Planning Subcommittee where we looked at the next 5-year plan for this country on what areas we were going to open up offshore. What areas were available for us to even talk about were small grid squares in the western Gulf of Mexico, nothing in the eastern Gulf of Mexico, nothing in the Atlantic Ocean, nothing off the coast of California, nothing off the coast of Alaska except for another small square.

This was prior to the latter years of the Bush administration when he decided, you know what, American energy independence means we need to open up the Outer Continental Shelf and really see what's out there and begin energy production. But the 5-year plan we looked at looked at these grid squares, and we were going to recommend a lease/sell, where we were going to offer leases to those areas, to the energy companies so they could go out there and explore and produce those resources.

Well, the Obama administration has taken a lot of that off the table. They haven't created a new 5-year plan. They're going to say they just came out with a new one, but I believe it's just all for looks.

The total onshore acreage—I was talking about offshore—but the total onshore acreage leased under the Obama administration in 2009 and 2010 is the lowest in over two decades. We're not talking about ultra-Deep Horizon accident-type offshore production.

Mr. GARDNER. Will the gentleman yield on that point?

Mr. DUNCAN of South Carolina. I yield to the gentleman from Colorado.

Mr. GARDNER. Because, again, going back to a speech given recently by this administration, by this President, he said at the University of Miami that we have record oil produc-

tion, that he's actually leading us out of this energy crisis.

Mr. DUNCAN of South Carolina. Energy production might be up in this country, but it has nothing to do with the policies of this administration. It goes back to the previous administration that said, you know what, we're going to open up Bakken because the geological survey found a ton of oil reserves there. In your home State, the oil shale in the Rocky Mountains, Colorado, could be the next Saudi Arabia if we were to allow onshore production for oil shale in the Rocky Mountains. I know the gentleman from Colorado probably wants to talk about the oil shales of Colorado.

Mr. GARDNER. Well, I absolutely do. In fact, not only talk about the oil shales of Colorado, but this entire country where we actually are home—the United States is home to six times Saudi Arabia's proven resources because of the potential for oil shale in this country—1.5 trillion barrels of potential oil shale. That's six times Saudi Arabia's proven resources. That's enough energy to power the United States for the next 200 years.

The gentleman talked about legislation that we have passed to try to keep jobs. You talked about some of the comments that were made that, well, that won't impact our supply until sometime over the next 10 years. Let me just tell you about one bill that we passed last summer, H.R. 2021, passed with bipartisan support.

That bill was focused on a particular project in the Beaufort and Chukchi Sea north of Alaska. In the time that it has taken one company to get a permit for that energy development—an area that's already approved for energy development by this government—it's taken 6 years to get a permit. In the time that it's taken them to try to get that permit—they still don't have it completely done, by the way—but in the time that it took them to get this far, they've drilled over 400 wells around the world, creating jobs around the world, creating energy for other people, creating jobs and resources, economic development for other people, but certainly not in the United States.

Mr. DUNCAN of South Carolina. You're exactly right.

You know, we had a tragic accident. Nobody is running from the fact that Deepwater Horizon was very tragic in the Gulf of Mexico, and we'll learn from that. The oil companies, energy production companies will learn from that. But during that moratorium under the Obama administration—and then later he said he lifted the moratorium, but there was a de facto moratorium because they were failing to issue leases and permits for continued drilling out there.

For companies that already invested billions of dollars in purchasing the rights to those lease areas to explore for energy and produce energy, they were languishing out there, waiting on

the drilling permits to come back from Washington. The Department of Energy and the Department of the Interior were slow-walking these permits. And so at some point in time those energy companies said, you know what, we're going to drag those drilling platforms out of the Gulf of Mexico.

They towed them to the shore offshore of Brazil, to the seas offshore of Africa and the seas offshore of Africa. Today, they are drilling for energy in other countries. And we had them here in the Gulf of Mexico producing American energy to lower the price at the pump for American consumers. It's very expensive to get those drilling platforms back to the gulf.

And so, as tragic as Horizon was, we learned from it. The Obama administration issued a moratorium to stop that drilling. Then they said, well, we're going to end the moratorium. But then when they failed to issue the leases, it's really a moratorium, it's instituting their policies. And it's going to be very difficult for us to get that production level back in the Gulf of Mexico because it's expensive for those companies to bring those rigs back.

□ 2050

Mr. GARDNER. I think as those rigs have left, as we've seen production occur elsewhere because of the roadblocks to domestic energy production, we see other countries—us becoming even more reliant on overseas energy.

Just a couple of weeks ago, Federal Reserve Chairman Ben Bernanke warned that a major disruption in foreign oil supplies that sends prices skyward could thwart the economic recovery. So the Federal Reserve Chairman has recognized that the more dependent we become on somebody else, if there's a disruption in that supply, a disruption in that overseas energy source that we're relying on, it could thwart our economic recovery.

Let me just go to a chart next.

Mr. DUNCAN of South Carolina. Before do you that, can I just remind you that Admiral Mullen, Chairman of the Joint Chiefs of Staff, along that same line, said, there can be no national security without energy security. There can be no national security without energy security. That's a wake-up call, America.

Mr. GARDNER. That's a great point on national security, because not only do we have economic objectives that we need to achieve with a national energy policy where we're relying on our own production, but we've got national security implications. And if we don't rise to the challenge, we're going to be risking our security because of our reliance on other nations.

To go to the point of energy prices, this chart just illustrates how much gas prices have increased, how high they've increased. \$1.80 over the past several years. The average price of gasoline has increased 42 cents since February of 2011. That's just on average around the country.

The important thing to recognize is the impact that gas price increases have on the American consumer, on American families. All told, each penny increase in the cost of gasoline takes about \$1 billion out of the economy. So as gas prices hit \$3.17 in February, just a few weeks ago, \$3.18, every penny was a billion dollars taken out of the American consumers' pockets, sent overseas. If a 50-cent jump in gasoline prices is sustained over the next year, \$70 billion would be lost in the U.S. economy.

This chart says it all. Go back to January of 2009. The President takes office, \$1.84. If you went and you filled up your car, \$1.84 a gallon. As of February 23, just a few days ago, just a week ago, \$3.61. Billions of dollars taken away from the American consumer, sent overseas, when we could be using that money right here to create American jobs, reducing the price at the pump.

By spring, perhaps sometime this spring, according to Barron's, gasoline may even reach \$4.50 a gallon. These aren't scare tactics. This is reality that Americans are facing each and every day when they fill up at the pump. Trying to figure out how to make ends meet, trying to make sure they're able to meet their mortgages, pay their bills, put food on the table for their family, \$60 a tank, \$70 a tank to get to work.

What trade-offs are we forcing the American consumer to make, when we have the opportunity to create American energy right here, to build the Keystone XL pipeline, to develop our Federal resources and do it in a responsible manner, do it in a way that creates jobs, giving our own communities the benefit of that exploration, of that development of the tax revenue that they generate.

\$3.61 a gallon, it's unacceptable, and yet we hear talk of increasing production in Saudi Arabia, instead of doing it here? We hear an administration that says, you know, they were against the Keystone pipeline and then they were for it and then they're for part of it. I heard the gentleman from Nebraska (Mr. TERRY), who's been a leader on the XL pipeline, say that that's like a little bit like the rooster trying to take credit for the dawn.

We have an obligation to make sure we're developing our resources right here, right now. We hear others talk about tapping into the Strategic Petroleum Reserve. In fact, just a few headlines in recent days: Secretary Tim Geithner says tapping the Strategic Petroleum Reserve is an option that's on the table for the administration.

An article in Politico on February 25: House Democrat leaders are urging President Obama to open the Strategic Petroleum Reserve.

Another article, that same day: Washington liberals call on President Obama to tap Strategic Petroleum Reserve.

Mr. DUNCAN of South Carolina. Will the gentleman yield?

Mr. GARDNER. Absolutely.

Mr. DUNCAN of South Carolina. I've gotten Facebook posts. I've gotten phone calls in our office encouraging just that, for the President to tap the Strategic Petroleum Reserves to help lessen the price at the pump.

But let me just tell America that it was during the 1970s oil embargo that I remember, as a small child, that Congress created this huge 727 million-barrel reserve that was intended for national security emergencies.

Before President Obama tapped the SPR, the Strategic Petroleum Reserve, back in June of 2011, the reserve had previously only been tapped once for war, the other to combat a natural disaster, and the third time, quite similarly, for political opportunism. And the examples are this:

President Bush, George Herbert Walker Bush, the first Bush, used the SPR, the Strategic Petroleum Reserves, during Operation Desert Storm because we were going to war over there and he was afraid that would disrupt Middle Eastern supplies, and so he tapped those reserves just to make sure Americans didn't suffer because of our actions over there in Operation Desert Storm.

And then in 2005 we had, down along the gulf coast, which is a tremendous energy production area, in Alabama, Mississippi, Louisiana, Texas, we had a little thing called Hurricane Katrina that came through and really disrupted supplies in the Gulf States and did a lot of damage there. And President George W. Bush opened up the strategic reserves to lessen the price at the pump for Americans because we knew there was going to be some supply disruptions.

So we had a natural disaster, and we had a war.

But then in 2000, just another example, President Clinton opened up the supply under the Strategic Petroleum Reserve right before a campaign, right before the Bush-Gore campaign. There wasn't any natural disaster. There wasn't a hurricane bearing down on us. We were not going to war. He was trying to stabilize the market to help him in a political game.

And then we see President Obama, in June of 2011, do the same thing. Instead of focusing on American jobs and American energy production and a long-term energy policy, they're playing games with tapping the strategic reserves which have an intended purpose, and that intended purpose is not to bring the price down at the pump. It's to stabilize the American economy in case of war or in case of a natural disaster.

Now, we've got these reserves sitting there, and we've got a lot of middle eastern unrest with what's going on in Iran and Iran cutting England and Germany or England and France, one of the European countries, off from any oil. It's actually a reverse embargo, where Iran's not going to ship oil to some friendly countries in Europe. And

so we're seeing this volatility due to the unrest in Iran.

Shouldn't we, as America, keep that oil in reserve just in case there's a problem over there? Maybe—who knows, maybe there's further disruptions, Strait of Hormuz issue. Strategic reserves are there for a stated purpose, not for political gains.

Mr. GARDNER. I would just make the point that if this administration acknowledges that by tapping into the Strategic Petroleum Reserve they can increase supplies and, therefore, have an impact on price, isn't it obvious what we ought to be doing as the policy of this country?

Mr. DUNCAN of South Carolina. That's too much common sense.

Mr. GARDNER. If supply is the answer, tapping into the Strategic Petroleum Reserve, we should increase domestic production. We should increase opportunities in the Western United States, on our Outer Continental Shelf. We should utilize the energy that our neighbors to the north are willing to help us out with through the Keystone XL pipeline. Because if the Strategic Petroleum Reserve is, indeed, about supply, the political fix to a supply problem—

Mr. DUNCAN of South Carolina. A Band-Aid, so to speak.

Mr. GARDNER. Why isn't this administration willing to actually do the right thing, do what's necessary to keep our economy afloat, to keep it from running on fumes and make sure that we can produce that energy in our own backyard, increase our opportunities to produce domestic energy?

Mr. DUNCAN of South Carolina. The gentleman from Colorado has been a stalwart and a leader in energy, American energy independence, as a leader of the House Energy Action Team. We call it HEAT, H-E-A-T.

Let me just tell America, if you want to find out some of these details, some of the facts that we've laid out for you in black and white, you can go to the Web site for House Energy Action

Team, under the House GOP Web site, and find this data out. We're putting it out there for you. We're not shying away from it. We're not. We're providing this information for you Americans to make informed decisions to understand that these energy bills we pass through the House, they have merit and they would have results if we could get the Senate to take them up, and let's have a true comprehensive energy policy for this country that focuses on American energy independence, that does things right for you Americans to lessen the price that you're paying at the pump, to lessen the price that you're paying on your electricity bill every month.

House Energy Action Team is focused on this. The gentleman from Colorado is a leader on that. Our caucus and our conference is a leader on that.

□ 2100

Mr. GARDNER. Mr. Speaker, I thank the gentleman from South Carolina for his leadership, and this is the third time that we've done that this year already, come down and talk as a group about what we can do to get our energy prices down to relieve the pain at the pump, to make sure that we're restoring our energy independence. So we'll continue this effort.

Last week, I had the opportunity to visit the western slope of Colorado. The vast majority of the land there is owned by the Federal Government. They've seen rigs being sent away, shutdowns, and opportunities, though, of great success where there is a glimmer of hope for increasing development in the western slope of Colorado.

In my district on the eastern plains of Colorado, one county has drilled over 2,100 wells just last year, putting thousands of their people to work, helping create economic opportunity, creating jobs, bringing opportunities to the county that they never would have had otherwise.

So when I talk to people of western Colorado, eastern Colorado, they sim-

ply want to do what they do best. That's to run their businesses, to do it in a responsible manner, to do what's right for their children and their grandchildren, and to stop sending the hundreds and hundreds of billions of dollars that we send each and every year overseas to get energy from them instead of using that money right here on our own families. Every year we send \$331 billion to foreign nations. We can start using that money in our own backyard.

The House Energy Action Team is committed to leading this country to a future of economic growth, economic opportunity, energy security, and energy independence.

I thank my colleagues from South Carolina and New Mexico for joining me tonight.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NADLER (at the request of Ms. PELOSI) for today.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the speaker:

H.R. 347. An act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

ADJOURNMENT

Mr. GARDNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 1, 2012, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2012 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BRAZIL, COLOMBIA, AND MEXICO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 8 AND JAN. 15, 2012

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. John Boehner	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. Dan Boren	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. Greg Walden	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. Dave Camp	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. Doc Hastings	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. John Kline	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. Devin Nunes	1/8	1/10	Brazil	904.00			(3)				904.00
Barry Jackson	1/8	1/10	Brazil	904.00			(3)				904.00
Dave Schnitzger	1/8	1/10	Brazil	904.00			(3)				904.00
Jennifer Stewart	1/8	1/10	Brazil	904.00			(3)				904.00
Janice Robinson	1/8	1/10	Brazil	904.00			(3)				904.00
Hon. John Boehner	1/10	1/13	Colombia	1,095.00			(3)				1,095.00
Hon. Dan Boren	1/10	1/13	Colombia	1,095.00			(3)				1,095.00
Hon. Greg Walden	1/10	1/13	Colombia	1,095.00			(3)				1,095.00
Hon. Dave Camp	1/10	1/13	Colombia	1,095.00			(3)				1,095.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BRAZIL, COLOMBIA, AND MEXICO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 8 AND JAN. 15, 2012—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Doc Hastings	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Hon. John Kline	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Hon. Devin Nunes	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Barry Jackson	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Dave Schnitger	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Jennifer Stewart	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Janice Robinson	1/10	1/13	Colombia		1,095.00		( <sup>3</sup> )				1,095.00
Hon. John Boehner	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Hon. Dan Boren	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Hon. Greg Walden	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Hon. Dave Camp	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Hon. Doc Hastings	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Hon. John Kline	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Hon. Devin Nunes	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Barry Jackson	1/13	1/15	Mexico		610.00		( <sup>3</sup> )		726.00		1,336.00
Dave Schnitger	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Jennifer Stewart	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Janice Robinson	1/13	1/15	Mexico		610.00		( <sup>3</sup> )				610.00
Committee total											29,425

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

HON. JOHN A. BOEHNER, Feb. 10, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO TURKEY, QATAR, SAUDI ARABIA, UNITED ARAB EMIRATES, AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 7 AND JAN. 14, 2012

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>
Hon. Eric Cantor	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Peter Welch	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Ileana Ros-Lehtinen	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Kay Granger	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Michael Conaway	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Shelley Moore Capito	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Todd Young	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Mike Kelly	1/7	1/8	Turkey		512.00		( <sup>3</sup> )				512.00
Hon. Diane Black	1/7	1/8	Turkey		512.00		( <sup>3</sup> )				512.00
Steve Stombres	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Kyle Nevins	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Brad Dayspring	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Valerie Nelson	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Robert Kareem	1/7	1/8	Turkey		643.00		( <sup>3</sup> )				643.00
Hon. Eric Cantor	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Peter Welch	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Ileana Ros-Lehtinen	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Kay Granger	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Michael Conaway	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Shelley Moore Capito	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Todd Young	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Mike Kelly	1/8	1/10	Qatar		452.00		( <sup>3</sup> )				452.00
Hon. Diane Black	1/8	1/10	Qatar		452.00		( <sup>3</sup> )				452.00
Steve Stombres	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Kyle Nevins	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Brad Dayspring	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Valerie Nelson	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Robert Kareem	1/8	1/10	Qatar		680.00		( <sup>3</sup> )				680.00
Hon. Eric Cantor	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Peter Welch	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Ileana Ros-Lehtinen	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Kay Granger	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Michael Conaway	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Shelley Moore Capito	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Todd Young	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Mike Kelly	1/10	1/11	Saudi Arabia		284.00		( <sup>3</sup> )				284.00
Hon. Diane Black	1/10	1/11	Saudi Arabia		284.00		( <sup>3</sup> )				284.00
Steve Stombres	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Kyle Nevins	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Brad Dayspring	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Valerie Nelson	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Robert Kareem	1/10	1/11	Saudi Arabia		397.00		( <sup>3</sup> )				397.00
Hon. Eric Cantor	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Peter Welch	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Ileana Ros-Lehtinen	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Kay Granger	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Michael Conaway	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Shelley Moore Capito	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Todd Young	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Mike Kelly	1/11	1/13	United Arab Emirates		680.00		( <sup>3</sup> )				680.00
Hon. Diane Black	1/11	1/13	United Arab Emirates		680.00		( <sup>3</sup> )				680.00
Steve Stombres	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Kyle Nevins	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Brad Dayspring	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Valerie Nelson	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Robert Kareem	1/11	1/13	United Arab Emirates		1,052.00		( <sup>3</sup> )				1,052.00
Hon. Eric Cantor	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Peter Welch	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Ileana Ros-Lehtinen	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Kay Granger	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Michael Conaway	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Shelley Moore Capito	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Todd Young	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Hon. Mike Kelly	1/13	1/14	France		367.00		( <sup>3</sup> )				367.00
Hon. Diane Black	1/13	1/14	France		367.00		( <sup>3</sup> )				367.00
Steve Stombres	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Kyle Nevins	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Brad Dayspring	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00
Valerie Nelson	1/13	1/14	France		545.00		( <sup>3</sup> )				545.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO TURKEY, QATAR, SAUDI ARABIA, UNITED ARAB EMIRATES, AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 7 AND JAN. 14, 2012—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. equivalent or U.S. currency <sup>2</sup>
Robert Karem .....	1/13	1/14	France .....		545.00		( <sup>3</sup> )				545.00
Committee total .....											44,394

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

HON. ERIC CANTOR, Feb. 13, 2012.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5131. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Award Fee Reduction or Denial for Health or Safety Issues (DFARS Case 2011-D033) (RIN: 0750-AH37) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5132. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of five officers to wear the authorized insignia of the grade rear admiral; to the Committee on Armed Services.

5133. A letter from the Under Secretary, Department of Defense, transmitting request of an extension to deliver the report on the current and future military strategy of Iran; to the Committee on Armed Services.

5134. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8215] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5135. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5136. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2011 annual performance report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA), as amended, pursuant to 21 U.S.C. 379g note; to the Committee on Energy and Commerce.

5137. A letter from the Secretary, Department of Energy, transmitting uncosted obligation balances of the Department, pursuant to 42 U.S.C. 13526; to the Committee on Energy and Commerce.

5138. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Appliance Labeling Rule (RIN: 3084-AB03) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5139. A letter from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5140. A letter from the Secretary of the Board of Governors, Postal Service, transmitting the Service's report, as required by Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

5141. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30823; Amdt. No. 498] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5142. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2012-7) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5143. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application for Recognition as a 501(c)(29) Organization [TD 9574] (RIN: 1545-BK64) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5144. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Application of survivor annuity requirements to deferred annuity contracts under a defined contribution plan (Rev. Rul. 2012-3) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5145. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the progress on implementing the goals and responsibilities of the Medicare-Medicaid Coordination Office; jointly to the Committees on Energy and Commerce and Ways and Means.

**PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CAMP (for himself, Mr. LEVIN, Mr. BRADY of Texas, Mr. MCDERMOTT, Mr. HERGER, Mr. NUNES, Mr. DAVIS of Kentucky, Mr. REICHERT, Mr. BOUSTANY, Mr. ROSKAM, Mr. GERLACH, Mr. BUCHANAN, Mr. SCHOCK, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr. REED, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Mr. SESSIONS, Ms. SLAUGHTER, Ms. BALDWIN, Mr. MICHAUD, Mr. HIGGINS, Mr. WALBERG, Mr. CRITZ, Mr. JOHNSON of Ohio, Mr. KELLY, Mr. MCKINLEY, Mr. RENACCI, Mr. RIBBLE, Mr. STIVERS, Mr. RICHMOND, Mr. DOGGETT, Mr. STARK, Mr. GENE GREEN of Texas, Mr. DONNELLY of Indiana, Mr. OWENS, Mr. CICILLINE, Mr. LIPINSKI, Mr. LOEBSACK, Ms. BERKLEY, Ms. SCHWARTZ, Mr. LATOURETTE, Mr. DINGELL, Mr. CRAWFORD, Mr. CRAVAACK, Mr. ROE of Tennessee, Mr. CONYERS, Mr. PETERSON, Mr. MCCOTTER, Mr. GIBBS, Mr. TURNER of Ohio, Mrs.

ELLMERS, Mr. HASTINGS of Florida, Mr. SCHILLING, Mr. JOHNSON of Georgia, Mr. HULTGREN, Mr. SHERMAN, Mr. COOPER, Mr. LONG, Mr. MCGOVERN, Mr. MCINTYRE, Mr. NEAL, Mr. CROWLEY, Mr. LARSON of Connecticut, Ms. SUTTON, Ms. SCHAKOWSKY, Mr. VIS-CLOSKY, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. DEFAZIO, Ms. NORTON, Mr. ALTMIRE, Mr. CLAY, Mr. DOYLE, Mr. HOLDEN, Ms. LINDA T. SANCHEZ of California, Mr. RUSH, Mr. ROSS of Arkansas, Ms. MOORE, Mr. PETERS, Ms. KAPTUR, Mr. MORAN, Mr. SHULER, Ms. BASS of California, Mr. KISSELL, Mr. CARSON of Indiana, Mr. MEEKS, Ms. DELAURO, Mr. TONKO, Mr. BRADY of Pennsylvania, Mr. ELLISON, Mr. KILDEE, Mr. CLARKE of Michigan, Mr. YARMUTH, Mr. PALLONE, and Mr. RAHALL);

H.R. 4105. A bill to apply the counter-vailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, and Mr. SERRANO):

H.R. 4106. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN (for himself, Mr. CLEAVER, Ms. BORDALLO, Mr. AUSTRIA, Ms. NORTON, and Mr. LATTA):

H.R. 4107. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I; to the Committee on Financial Services.

By Ms. BERKLEY:

H.R. 4108. A bill to amend the Internal Revenue Code of 1986 to increase and extend the credit for qualifying advanced energy projects, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY:

H.R. 4109. A bill to designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a

land exchange with the United Water Conservation District of California, and for other purposes; to the Committee on Natural Resources.

By Mr. MCCAUL (for himself and Ms. ROS-LEHTINEN):

H.R. 4110. A bill to restrict assistance to Pakistan unless the Secretary of State certifies to Congress that the Government of Pakistan is not aiding, assisting, advising, or informing the Haqqani network in any capacity, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GENE GREEN of Texas:

H.R. 4111. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain State foster care program payments made to the biological parents of disabled children; to the Committee on Ways and Means.

By Mr. MARINO (for himself and Mr. MEEHAN):

H.R. 4112. A bill to allow screening entities to submit, receive, and screen criminal history record information for purposes of criminal history record information searches on private security officers under the Private Security Officer Employment Authorization Act of 2004; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE:

H.R. 4113. A bill to amend title II of the Elementary and Secondary Education Act of 1965 to help close the gaps in principal preparation and provide new principals with the support and tools they need to meet the complex challenges of school leadership; to the Committee on Education and the Workforce.

By Mr. RUNYAN:

H.R. 4114. A bill to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. STIVERS (for himself and Mr. WALZ of Minnesota):

H.R. 4115. A bill to amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans employment and training, that the State ensures that training received by a veteran while on active duty is taken into consideration in granting certain State certifications or licenses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RIBBLE (for himself and Mr. RIGELL):

H.J. Res. 105. A joint resolution proposing an amendment to the Constitution of the United States limiting the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

By Mr. HOYER (for himself, Mr. CONNOLLY of Virginia, Ms. EDWARDS, Mr. MORAN, Ms. NORTON, Mr. VAN HOLLEN, and Mr. WOLF):

H. Con. Res. 106. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. AL GREEN of Texas (for himself, Mr. BUTTERFIELD, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Ms. BORDALLO, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. NORTON, Mr. JACKSON of Illinois, Ms. JACKSON

LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. MEEKS, Mr. RANGEL, Ms. RICHARDSON, Mr. RUSH, Ms. SEWELL, Mr. WATT, Ms. WILSON of Florida, Mr. CARNAHAN, Ms. BASS of California, Mr. RICHMOND, Mr. CLYBURN, Mr. COHEN, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. PAYNE, Ms. WATERS, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Mr. CUELLAR, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Ms. MOORE, Mr. ELLISON, Mr. CARSON of Indiana, Ms. EDWARDS, Ms. FUDGE, and Mr. WEST):

H. Res. 567. A resolution recognizing the significance of Black History Month; to the Committee on Education and the Workforce.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CAMP:

H.R. 4105.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the U.S. Constitution.

By Mrs. MALONEY:

H.R. 4106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LAMBORN:

H.R. 4107.

Congress has the power to enact this legislation pursuant to the following:

Clause 6, Section 8, Article 1, which states "The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Ms. BERKLEY:

H.R. 4108.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. GALLEGLY:

H.R. 4109.

Congress has the power to enact this legislation pursuant to the following:

Under Article IV, Section 3, Clause 2 of the United States Constitution, the power of Congress to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. As well as Article I, Section 8, Clause 18, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. MCCAUL:

H.R. 4110.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. GENE GREEN of Texas:

H.R. 4111.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MARINO:

H.R. 4112.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

By Mr. PAYNE:

H.R. 4113.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. RUNYAN:

H.R. 4114.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. STIVERS:

H.R. 4115.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. RIBBLE:

H.J. Res. 105.

Congress has the power to enact this legislation pursuant to the following:

The constitutional amendment authority and process set forth in Article V of the U.S. Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 115: Ms. CHU.

H.R. 140: Mr. UPTON.

H.R. 273: Mr. GOSAR, Mr. COURTNEY, and Mr. HINOJOSA.

H.R. 303: Mr. ROONEY, Mr. SCHRADER, and Mr. TIERNEY.

H.R. 324: Mr. ROTHMAN of New Jersey, Ms. SUTTON, Mr. SIRES, and Mr. HOLDEN.

H.R. 327: Mr. ROTHMAN of New Jersey, Mr. HOLT, Mr. GENE GREEN of Texas, and Mr. COSTELLO.

H.R. 329: Mr. LARSON of Connecticut and Mr. SCHRADER.

H.R. 370: Mr. HONDA.

H.R. 396: Mr. THOMPSON of California.

H.R. 452: Mr. GRAVES of Georgia.

H.R. 458: Mrs. DAVIS of California and Mr. GARAMENDI.

H.R. 511: Mr. POLIS.

H.R. 555: Ms. ZOE LOFGREN of California.

H.R. 576: Ms. BROWN of Florida.

H.R. 664: Mr. DOGGETT.

H.R. 692: Mr. LAMBORN.

H.R. 719: Mr. CUELLAR and Mr. MCINTYRE.

H.R. 745: Mrs. HARTZLER.

H.R. 777: Ms. BONAMICI.

H.R. 785: Mr. LANDRY.

H.R. 807: Mr. CLARKE of Michigan.

H.R. 860: Mr. MARINO, Mr. DESJARLAIS, Mr. ROSS of Arkansas, Mr. REHBERG, Ms. CASTOR of Florida, and Mr. SCHIFF.

H.R. 892: Mr. ELLISON.

H.R. 964: Mrs. MALONEY.

H.R. 1041: Mr. DAVID SCOTT of Georgia and Mr. FORBES.

H.R. 1167: Mr. QUAYLE.

H.R. 1172: Mr. PAYNE.

H.R. 1175: Mr. SCHOCK.

H.R. 1179: Mr. HURT, Mr. GIBSON, Mr. ISSA, Mr. DESJARLAIS, and Mr. SIMPSON.

H.R. 1182: Mr. ROSS of Florida and Mr. QUAYLE.

H.R. 1206: Mr. GRIFFITH of Virginia, Mr. BONNER, and Mrs. HARTZLER.

H.R. 1259: Mr. AMODEI, Mr. HENSARLING, Ms. BUERKLE, and Mr. CRAVAACK.

- H.R. 1332: Mr. COSTA and Mr. HIMES.  
H.R. 1342: Mr. ROTHMAN of New Jersey.  
H.R. 1375: Mr. ANDREWS, Mr. DEFazio, Mr. FITZPATRICK, Mrs. CHRISTENSEN, and Ms. MATSUI.  
H.R. 1412: Mr. DOLD.  
H.R. 1418: Mr. MARCHANT.  
H.R. 1451: Ms. BONAMICI and Ms. DELAURO.  
H.R. 1498: Mr. HONDA and Ms. HAHN.  
H.R. 1505: Mr. COBLE.  
H.R. 1561: Mr. RANGEL and Ms. WOOLSEY.  
H.R. 1639: Mr. UPTON.  
H.R. 1738: Mr. GARAMENDI.  
H.R. 1756: Mr. BENISHEK.  
H.R. 1781: Mr. AL GREEN of Texas and Mr. COHEN.  
H.R. 1842: Mr. FILNER.  
H.R. 1919: Mr. CLAY.  
H.R. 1936: Ms. CASTOR of Florida.  
H.R. 1946: Mr. KISSELL.  
H.R. 2077: Mr. DUFFY, Mr. HECK, Mrs. BACHMANN, and Mr. BROUN of Georgia.  
H.R. 2104: Mr. BARTLETT, Mr. MCGOVERN, Mr. GARAMENDI, Mr. BLUMENAUER, Mr. RANGEL, Mr. MCKINLEY, Ms. SPEIER, and Mr. BERMAN.  
H.R. 2124: Mr. HARRIS.  
H.R. 2139: Mr. SARBANES and Ms. WILSON of Florida.  
H.R. 2145: Mr. MARCHANT and Mr. NUNNELEE.  
H.R. 2179: Mr. GRIFFITH of Virginia and Mrs. BLACK.  
H.R. 2182: Ms. MATSUI.  
H.R. 2187: Mr. FARR.  
H.R. 2242: Mr. KISSELL.  
H.R. 2245: Mr. CRITZ and Ms. RICHARDSON.  
H.R. 2268: Mr. PENCE.  
H.R. 2288: Mr. RUNYAN.  
H.R. 2299: Mr. GRIFFITH of Virginia.  
H.R. 2364: Mr. HIMES.  
H.R. 2381: Mr. PETRI.  
H.R. 2563: Mr. ROYCE.  
H.R. 2595: Mr. PAYNE.  
H.R. 2600: Ms. WOOLSEY.  
H.R. 2689: Ms. WATERS, Ms. KAPTUR, Ms. CHU, Mr. TOWNS, Ms. RICHARDSON, Ms. JACKSON LEE of Texas, Mr. CUMMINGS, Mrs. CHRISTENSEN, and Mr. PAYNE.  
H.R. 2697: Mr. BUCSHON, Ms. BONAMICI, Mr. HULTGREN, and Mr. MARINO.  
H.R. 2698: Mr. REHBERG.  
H.R. 2718: Mr. WELCH.  
H.R. 2787: Mr. BARROW and Mr. CONNOLLY of Virginia.  
H.R. 2941: Mr. KING of New York.  
H.R. 3001: Mr. VAN HOLLEN.  
H.R. 3015: Mr. BARROW and Mr. MCGOVERN.  
H.R. 3039: Mr. MURPHY of Connecticut.  
H.R. 3066: Mr. PALAZZO.  
H.R. 3130: Mr. SCHWEIKERT.  
H.R. 3132: Ms. ROYBAL-ALLARD.  
H.R. 3134: Mr. NADLER.  
H.R. 3143: Mr. DANIEL E. LUNGREN of California.  
H.R. 3145: Mr. LARSON of Connecticut.  
H.R. 3164: Ms. HAHN and Mr. SHERMAN.  
H.R. 3179: Mr. MARCHANT, Mr. YOUNG of Indiana, Ms. NORTON, and Mr. AUSTIN SCOTT of Georgia.  
H.R. 3187: Mr. PAYNE and Ms. HAYWORTH.  
H.R. 3192: Mr. CONNOLLY of Virginia.  
H.R. 3200: Mr. SARBANES, Ms. HANABUSA, and Mr. BARLETTA.  
H.R. 3252: Mr. WEST.  
H.R. 3264: Mrs. ADAMS, Mrs. BACHMANN, and Mr. FLEMING.  
H.R. 3269: Mr. FLEISCHMANN.  
H.R. 3307: Ms. BONAMICI.  
H.R. 3324: Ms. WASSERMAN SCHULTZ.  
H.R. 3368: Mr. CONYERS, Mr. PASTOR of Arizona, and Mr. GUTIERREZ.  
H.R. 3423: Mr. MICA, Mrs. BLACKBURN, Mr. HINCHEY, Mr. ENGEL, Mrs. MALONEY, and Mr. KISSELL.  
H.R. 3458: Mr. INSLER.  
H.R. 3481: Mr. MURPHY of Pennsylvania.  
H.R. 3525: Mr. CLEAVER.  
H.R. 3541: Mr. WEST, Mr. STIVERS, Mr. OLSON, Mr. SCHWEIKERT, and Mr. GINGREY of Georgia.  
H.R. 3573: Mr. BRADY of Pennsylvania.  
H.R. 3591: Ms. BONAMICI.  
H.R. 3596: Mr. BOSWELL.  
H.R. 3634: Mrs. MYRICK.  
H.R. 3643: Mr. LANCE.  
H.R. 3646: Mr. ELLISON.  
H.R. 3710: Mr. RICHMOND, Mr. AL GREEN of Texas, Mr. DAVIS of Illinois, Ms. SEWELL, Mr. TOWNS, and Mr. THOMPSON of Mississippi.  
H.R. 3720: Mr. LAMBORN.  
H.R. 3728: Mr. BARTLETT and Mr. HARRIS.  
H.R. 3773: Mr. CUELLAR.  
H.R. 3783: Mrs. ADAMS, Mr. HARRIS, and Mr. MARINO.  
H.R. 3798: Mr. ROTHMAN of New Jersey, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. RANGEL, Mr. OLVER, Mr. WELCH, Mr. FITZPATRICK, Mr. SMITH of New Jersey, and Mr. GARY G. MILLER of California.  
H.R. 3803: Mr. LUCAS, Mr. FLAKE, Mr. KINZINGER of Illinois, Mr. COSTELLO, Mr. RYAN of Wisconsin, Mr. OLSON, Mr. RIVERA, and Mr. RYAN of Ohio.  
H.R. 3805: Mr. SCHWEIKERT.  
H.R. 3806: Mr. HARRIS.  
H.R. 3826: Ms. DELAURO and Mr. SIRES.  
H.R. 3842: Mr. NUNNELEE.  
H.R. 3847: Ms. SLAUGHTER.  
H.R. 3849: Mr. COLE, Mr. SULLIVAN, and Mr. JONES.  
H.R. 3855: Mr. HUNTER, Mr. FILNER, and Mr. PASCARELL.  
H.R. 3863: Mr. SENSENBRENNER.  
H.R. 3881: Ms. NORTON and Mr. MORAN.  
H.R. 3895: Mr. ROE of Tennessee.  
H.R. 3911: Mr. HOLDEN.  
H.R. 3981: Mr. AUSTIN SCOTT of Georgia.  
H.R. 3984: Mr. GUTIERREZ and Mr. NADLER.  
H.R. 3992: Mr. ACKERMAN.  
H.R. 4010: Mr. ENGEL, Mr. RICHMOND, Mr. CLARKE of Michigan, Ms. MOORE, Mr. HASTINGS of Florida, Mrs. MCCARTHY of New York, Mr. GRIJALVA, Mrs. LOWEY, Mr. KILDEE, and Mr. CARSON of Indiana.  
H.R. 4017: Mr. ROTHMAN of New Jersey.  
H.R. 4038: Mr. GUTIERREZ.  
H.R. 4040: Mr. ALEXANDER, Mr. BARROW, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BISHOP of Georgia, Mr. BOREN, Mr. BOUTSTANY, Mr. CALVERT, Mr. CAMPBELL, Mr. CANSECO, Mr. CARNEY, Mr. CARTER, Mr. CHANDLER, Mr. CLARKE of Michigan, Mr. CLYBURN, Mr. COOPER, Mr. COSTA, Mr. CRENSHAW, Mr. CROWLEY, Mr. GALLEGLY, Mr. GOHMERT, Mr. KING of Iowa, Mr. KLINE, Mr. LEWIS of California, Mr. MACK, Mrs. MALONEY, Mr. MCKEON, Mr. MICA, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Mr. RAHALL, Mr. REHBERG, Mr. ROSS of Arkansas, Ms. ROYBAL-ALLARD, Mr. SCHRADER, Mr. SHULER, Mr. TOWNS, Mr. VAN HOLLEN, Mr. YOUNG of Florida, Mr. KUCINICH, and Mr. FALEMOVAEAGA.  
H.R. 4046: Mr. WALBERG, Mr. BARTON of Texas, and Mr. HUELSKAMP.  
H.R. 4069: Mr. PITTS, Mr. BILBRAY, Mr. HUNTER, Mr. HERGER, Mr. FRANKS of Arizona, Mr. JONES, Mr. KINGSTON, Mr. WOLF, and Mr. WEST.  
H.R. 4070: Mr. JONES and Mr. DENT.  
H.R. 4087: Ms. ROS-LEHTINEN and Mr. MORAN.  
H.R. 4089: Mr. DUNCAN of South Carolina.  
H.R. 4095: Mr. ROGERS of Kentucky.  
H.J. Res. 78: Mr. ENGEL.  
H.J. Res. 88: Mr. ENGEL.  
H.J. Res. 103: Mr. PALAZZO and Mr. ROKITA.  
H.J. Res. 104: Mr. YODER.  
H. Res. 25: Mr. PASCARELL.  
H. Res. 271: Mr. BARTON of Texas and Mrs. HARTZLER.  
H. Res. 341: Mrs. CAPPS, Mr. MCGOVERN, Mr. GRIJALVA, and Mr. DOYLE.  
H. Res. 413: Ms. HOCHUL.  
H. Res. 485: Mr. RANGEL, Mr. WOLF, and Mr. LIPINSKI.  
H. Res. 526: Mr. RIVERA.  
H. Res. 546: Mrs. MYRICK.  
H. Res. 552: Ms. MCCOLLUM.  
H. Res. 556: Mr. MARCHANT, Mr. AKIN, Mr. CAPUANO, Mr. WALBERG, Mr. DEUTCH, Mr. WOMACK, Mr. GARDNER, Mr. RIVERA, Mr. VAN HOLLEN, Mr. FILNER, Mrs. BLACK, Mr. GOODLATTE, Mr. NUNES, Mr. SCHOCK, Mr. GOSAR, Mr. TURNER of New York, Mr. WESTMORELAND, Ms. BUERKLE, Mr. WEBSTER, Mr. GRIFFITH of Virginia, Mr. PASCARELL, Mr. SIRES, Mr. SCHWEIKERT, Mr. COSTA, Mr. LUETKEMEYER, Mr. ROTHMAN of New Jersey, Mr. SCALISE, Mr. CICILLINE, Mr. LIPINSKI, Mr. JOHNSON of Georgia, Mrs. LOWEY, Mr. HUNTER, Mr. KING of New York, Mr. MCCAUL, Mr. YOUNG of Florida, Ms. BASS of California, Mr. PETERS, Mr. COURTNEY, Mr. CONNOLLY of Virginia, Ms. KAPTUR, and Mr. ANDREWS.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

##### OFFERED BY MR. HASTINGS OF WASHINGTON

Senate bill 1134 is aimed at ensuring the federal Wild and Scenic Act is not used to block the states of Wisconsin and Minnesota from replacing an 80-year-old bridge over the St. Croix River.

This Senate bill is similar to H.R. 850, which the House Natural Resources Committee favorably reported in October of last year, and, like H.R. 850, it is in compliance with House Rule XXI, clause 9. S. 1134 does not contain congressional earmarks, limited tax benefits, or limited tariff benefits.

Senate bill 1134 affects multiple states and removes a prohibition from federal law that is being used as a barrier to two states replacing a bridge.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1912: Mr. ROYCE.