United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, APRIL 18, 2012 No. 56

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 18, 2012.

I hereby appoint the Honorable DANIEL WEBSTER 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.

CONGRATULATING THE UNIVERSITY OF KENTUCKY MEN'S BASKETBALL TEAM FOR WINNING THE 2012 NCAA CHAMPIONSHIP

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

Mr. CHANDLER. Mr. Speaker, I am the proud sponsor of a resolution congratulating the University of Kentucky Men's Basketball team for winning the 2012 NCAA championship.

Since the days of Adolph Rupp, the University of Kentucky Wildcats have been a part of the fabric of our Commonwealth, and the success of this year's team will be remembered for generations to come.

The University of Kentucky boasts one of the proudest and most celebrated basketball programs in the whole country. As an alumnus, I may be biased on this point, but I also believe that the statistics speak for themselves.

The UK Wildcats are the winningest team in the history of college basketball and have won the second most national championships. They've appeared in more NCAA tournaments and won more games in the tournament than any other team.

Even in the great tradition of Kentucky basketball, this year's team was special. They shattered the NCAA record for shots blocked and set a new record for single season wins with 38 victories. The Wildcats dominated the NCAA tournament with a combination of explosive offense, suffocating defense, and team chemistry.

This season wouldn't have been possible without Head Coach John Calipari, known far and wide as Coach Cal. Although known as a skilled tactician and recruiter, the key to Coach Cal's success has always been how much he cares about his players.

He mentors these young men so they are primed to succeed, both on and off the court, and I think I can speak for all Wildcat fans when I say that we hope to see him on the sidelines at Rupp Arena for many years to come.

From top to bottom, every member of this team played an important role in their drive to the championship, but there are three players in particular that deserve special recognition.

Anthony Davis had one of the most remarkable college basketball seasons in recent memory, winning eight National Player of the Year awards and setting an NCAA record for most blocks in a season by a freshman.

Michael Kidd-Gilchrist was unquestionably the heart and soul of the team.

And Darius Miller, a native of Mason County and former Mr. Kentucky Basketball, ended his stellar career on a high note by setting a school record for most appearances in a Kentucky uniform and joining the prestigious 1,000-point club.

Finally, this team was supported every step of the way by its fans, the Big Blue Nation, who made Rupp Arena one of the toughest places to play in the country. They prove time and time again why Kentucky is the best State for college basketball.

This year was an especially proud year for the Commonwealth of Kentucky, as we sent two teams to the Final Four. I want to congratulate the University of Louisville Cardinals and Head Coach Rick Pitino on an outstanding season and a hard-fought rivalry game that lived up to its immense hype.

I also commend the University of Kansas and The Ohio State University on their terrific years and for making it all the way to New Orleans.

As the Member privileged to represent the University of Kentucky, I am honored to introduce this resolution today, and I look forward to welcoming the Wildcats to Washington next month.

CONGRATULATING THE BAYLOR UNIVERSITY LADY BEARS FOR WINNING THE 2012 WOMEN'S NCAA CHAMPIONSHIP

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

Mr. FLORES. Mr. Speaker, I rise today to congratulate Coach Kim Mulkey and her Baylor University Lady Bears for winning the 2012 women's NCAA college basketball national championship. The Lady Bears were

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ranked number one in the country all season long, going undefeated and becoming the first NCAA basketball team, men's or women's, to ever win 40 games in a season.

The Lady Bears recorded some impressive team and individual accomplishments on their way to their second Final Four in 3 years and winning their second national championship in 7 years.

The Lady Bear senior class, Terran Condrey, Ashley Field, and Lindsay Palmer, finished their 4-year careers with a record of 131 wins and 19 losses, one national championship, two Final Four appearances, four NCAA tournament trips, two regular season Big 12 titles, and three Big 12 tournament titles.

Ashley Field, Lindsay Palmer, and Makenzie Robertson were all chosen as first team 2012 Academic All-Big 12 honorees. Odyssey Sims, Destiny Williams, and Brittney Griner were named to the 2011–2012 All-American team.

After dominating opponents on both ends of the court all season long, Griner was chosen as the NCAA tournament MVP, and became the third women's basketball player to ever win all four National Player of the Year awards.

The Lady Bears are led by the remarkable Head Coach Kim Mulkey, whose resume and accomplishments have already cemented her place among the best women's basketball coaches of all time. As a player, Coach Mulkey was a member of the 1984 gold medal winning U.S. women's basketball team. She was inducted into the Women's Basketball Hall of Fame in 2000 and has been named Big 12 Coach of the Year three times. This year Kim was named National Coach of the Year.

Coach Mulkey is the fastest women's basketball coach to ever reach 300 wins and is the fifth coach in the NCAA to win multiple national championships. She has led the Lady Bears to the NCAA tournament in 11 of her last 12 seasons at Baylor.

The Lady Bears return their top six scorers and rebounders next season, so there is more to come from this outstanding group of young women.

I am privileged to represent the city of Waco, McLennan County, and Baylor University in my district, and I wish best wishes to Baylor President Ken Starr, Athletic Director Ian McCaw, and everyone else at the Baylor Nation as they continue to show that a Christian institution of higher learning can, indeed, compete and win in college athletics as well.

2011–2012 has truly been the year of the Bear. Sic 'em, Bears.

THE ARMENIAN GENOCIDE

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

Mr. SARBANES. Mr. Speaker, the genocide of more than 1½ million Armenians by Ottoman-era Turkish authorities is an undeniable fact of history. In 1915, the Armenian nation which had resided in Anatolia for thousands of years was subjected to an organized barbarity that included death marches, drowning, and executions.

Those who managed to survive these horrors scattered to the four corners of the Earth. Today, survivors of the Armenian genocide and their children and grandchildren bear witness to this massacre. Each year, Armenian Americans, supported by others who readily accept the teachings of history, renew their plea that the United States Government formally recognize the Armenian genocide, and every year that responsibility of recognition remains unfulfilled.

□ 1010

When faced with the deeply compelling research and scholarship surrounding the Armenian genocide, it is wholly untenable to assert that the genocide did not occur. Instead, many in Congress offer the protest that recognition would harm our relationship with Turkey and undermine our broader geostrategic interests. Others suggest weakly that it is just not the right time to push the issue of recognition. The result is the same—the continued failure on the part of the United States to do the right thing. This failure puts salt on the wounds of the Armenian people. But it does more than that. It corrodes the moral standing of our Nation as a whole.

I join those who once again, at this time of annual remembrance, implore my fellow Members of Congress and President Obama to formally recognize the Armenian genocide.

GUN VIOLENCE

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

Mr. QUIGLEY. Mr. Speaker, the number one fear of Chicago elementary schoolchildren is not braces or book reports or the dentist. It is getting shot. More than 500 Chicago students were involved in gun violence in the last 2 years, and 34 were killed by guns last year. In a single week in June, there were 60 shootings in Chicago.

The Chicago police traced many of the guns used in these types of shootings to gun shows in neighboring States. You can go to a gun show in neighboring State Indiana and buy any weapon you want without a single background check. You can be a convicted felon or a domestic abuser who is under a restraining order or a suspected terrorist, and you can walk right in to a gun show and walk out with an assault weapon.

A member of Hezbollah purchased weapons at an American gun show the day before 9/11. Is this what the American people want? Do the American people approve of a situation in which terrorists can buy guns without even the level of tracking we use for airplane tickets or cold medicine?

The American people want our law enforcement officers to have the tools they need to catch the bad guys. Eighty-one percent of gun owners support requiring a background check on all firearm purchases. Ninety percent of all Americans favor strengthening databases to prevent the mentally ill from buying guns. Sixty-nine percent of NRA members—that's NRA members—support closing the gun show loophole.

So why aren't we acting on these areas where there is such overwhelming public support? Well, the majority has to rally its base, and the NRA has to send more urgent appeals for support based on imagined threats. So, this week, we're courageously protecting bullets from harmful regulation by the EPA, because a little lead in the water never hurt anyone, right?

The bill also gives sportsmen the right to stand their ground against polar bears. Anyone who opposes vigilante justice against this arctic menace is clearly a gun-grabbing Communist. All of this would be funny if the same mentality weren't being used by the NRA against our Nation's youth. Twenty-five States have passed Stand Your Ground laws, declaring open season on anyone considered threatening to anyone at any time.

These laws were not passed because of a public demand for them. They were passed because the NRA teamed up with some of the largest soft drink manufacturing and retailing corporations to push for these laws. Why soda companies would support the efforts to pass these laws is beyond me; but the impact is that a 17-year-old who is buying one of their sodas is now under a much greater threat. Let's have a reality check. Let's take action on one of these areas where there is clear, overwhelming support.

I sat in this Chamber and listened to Mexican President Felipe Calderon plead with Congress to close this loophole that fuels violence between the cartels in his country; but as the NRA president, himself, has pointed out, Congress has done nothing. We hold hearings to point out that the ATF lacks leadership but continue to block the appointment of a director. We talk about the need to enforce the laws on the books but look the other way as those laws are ignored at gun shows. We stop suspected terrorists from boarding airplanes but not from buying 30-round clips. All of this is based on the fantasy that denying terrorists assault rifles is the first step to national gun confiscation.

The Supreme Court answered that in the D.C. and Chicago handgun cases. The Court found that there is an individual right to bear arms. It is a limited right, subject to local control, but it is a right. That is now settled law, so the people who make their livings scaring gun owners have to resort to conspiracy theories to keep the donations

coming. Now is the time to move past the beltway extremists and listen to the American people. Are these tough votes? Maybe, but that's what we were sent here to do.

I want to mention Blair Holt, a Chicago high school student, son of two lifelong public servants. Blair was riding a bus, while on his way home from school, when a gun was pulled on his friend. He stepped in front of the gun and was shot to death while protecting his friend.

I ask my colleagues to think of that the next time they want to claim they can't do anything about gun violence. Blair Holt was willing to take a bullet for a friend. Shouldn't we be willing to take a tough vote for our children?

THE NATURALIZATION OF THE HASAN FAMILY OF MILLTOWN, NEW JERSEY

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

Mr. HOLT. Mr. Speaker, my colleagues who were Members of this body some 10 years ago may recall my coming to the floor on behalf of my constituents, the Hasan family of Milltown, New Jersey—Durre, Nida, Asna, Anum, and Iqra Hasan. They lost their husband and father, Waqar Hasan, on September 15, 2001, 4 days after the tragic events of September 11. That night, an angry man walked into Waqar's convenience store in Dallas, Texas. He ordered two hamburgers and shot the 46-year-old husband and father in the face.

This was not a robbery gone awry. It was a deliberate act of hate based on Waqar's heritage and physical appearance. When asked by police why he shot Waqar, the shooter expressed no remorse. He said, ''I did what every American wanted to but didn't.''

When Waqar Hasan came to the United States from Pakistan in 1993, he did so in search of a better life for his family. After working in New Jersey, he took an opportunity to run a store in Texas and was going to bring his family to join him after he was established. The Hasans epitomized the hardworking, optimistic spirit that immigrants always brought to this country. They were on the path to permanent residency and, eventually, American citizenship when Waqar lost his life for no other reason than that he was a Muslim and that the murderer thought Waqar had a Middle Eastern face.

It looked at that time as if Waqar's death ended the family's path to citizenship. The widow and four school-aged girls were subject to immediate deportation. After exhausting all legal and administrative options to allow Durre, Nida, Asna, Anum, and Iqra to remain in the United States, I determined that a private bill was the only possible course of action. Finally, in 2004, Congress passed and President Bush signed this private bill into law, giving the family a path to their dream. A few weeks ago, the Hasans took the oath of U.S. citizenship in our New Jersey congressional office. These five remarkable women had endured a long, arduous pathway from tragedy to citizenship. They formally tied their futures to the United States of America.

In a real sense, though, this naturalization ceremony was about the United States of America as much as it was about these five women. These five women were tied to America long before they took their oaths. They considered themselves Americans, and the United States of America had an obligation to them for many years.

At the ceremony, we saw hope coming out of tragedy—a fair result out of an insane injustice—and compassionate concern out of impersonal laws and regulations. The United States intends to provide and strives to give hope, fairness, and compassion, but these are not automatic. Cruel fate or happenstance often threatens to crush hope and opportunity. Irrational human passions and prejudices can thwart justice and fairness. The demands of life in a busy, complicated society and the exigencies of a complicated legal code can crowd out compassion.

In 2001, all across America, Americans reacted in dismay when they heard the news of the hate crime.

□ 1020

When they learned that the murderer committed his brutality in retaliation for the September 11 attacks in an act of twisted patriotism, they knew it was a blot on our country. Americans felt the pangs even more deeply when they learned that Waqar Hasan left behind a struggling widow and four little girls.

For most Americans, that was the end of the story as they went back to their busy lives. They thought the wheels of justice will turn and take care of this. They didn't think about the United States' obligation to this family, nor did they consider how impersonal the law can be. On March 16, finally, hope, fairness, and compassion prevailed. It was wonderful and heartwarming.

The people of America and our government have an odd attitude toward immigration and immigrants. Often forgetting our own origins and even our own best interests, we resist diversity and even lash out at others, like ourselves, because we mistakenly think they are not like ourselves. Our country has a founding commitment and a history of openness, punctuated, I must say, with instances of rejection, bias, and hatred. The historical record is very clear that openness towards immigrants and policies of inclusion have greatly benefited us. Human prejudices sometimes break through. We see it even today. But with this oath of citizenship, the aspirations of Waqar Hasan for his family were realized.

We mustn't forget that year by year over the centuries, the United States of America has moved by means of laws to overcome these prejudices of humans and the impersonal forces of society to create an opportunity and to create fairness.

We must lift our lamp by the golden door, but also keep the door and our hearts open.

WHAT KIND OF COUNTRY ARE WE BECOMING

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

Mr. AL GREEN of Texas. Mr. Speaker, the Houston Chronicle reports today that a proud father announced over his Facebook page that his baby was born. The baby was born on April 14, 2012. The baby weighed 6 pounds, 15 ounces, and was 20 inches long. He was a proud father announcing the arrival of his baby.

I regret to say, Mr. Speaker, that the Chronicle goes on to report that yesterday the mother of this child, while taking the child in to receive medical attention, was killed. A proud father announces the arrival of his baby, and the mother is killed days later.

What kind of country are we becoming? I don't know what the motive is for this, but I do know the results. I know that a baby will not have its natural mother there to care and to nurture. I know that the mother won't be there on the first day of school, won't be there to see the first step that the child will take. The mother won't be there to turn on the light and protect the child from the creatures of the night, to pitch the ball and catch the child after a fall. I don't know what the motive was, but I know that a mother won't be there when the child walks across the stage to graduate from high school, when the child is married, and the first child is born to the next generation. The mother won't be there.

Regardless as to what the motive is, we must stop this senseless violence. I don't know what the race of the perpetrator was, but I do know that people of goodwill want to see this person prosecuted, and I want to see this person prosecuted to the fullest extent that the law permits. This senseless violence has to stop.

Prosecution alone won't do it. I think we do have to say more and do more, and let the country know that this is not the America that we see in our future. We have got to condemn all of this senseless violence. This senseless violence goes beyond race. It goes beyond status. This senseless violence has to be denounced by every one of us, and every one of us tries to do it as regularly as we can. I just want to join the choir of people who are saying that we will not tolerate it, we demand prosecution, and we understand that we must end this foolishness. Because if we don't end it, it will be our end.

HENNEPIN HEALTH

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

Mr. ELLISON. Mr. Speaker, the rising cost of health care is one of the most difficult policy decisions and budget challenges that we face as a Nation. The problem will continue to grow unless we act.

Rather than cutting care for the most vulnerable, however, we must develop smart ways to contain costs. A great example of this type of innovative approach is something that I'm proud to describe for you, and it is happening in my district. The program is called Hennepin Health program, and it is in Hennepin County, Minnesota. It is run by Hennepin County, and it integrates care for individuals with the highest need. Low-income, poor individuals needing health care can be very expensive to treat because they end up going to the emergency room, as they don't have a regular care provider, and yet the Hennepin Health adjusts to this situation and treats them on a cost-effective basis.

These individuals often face many challenges such as chemical dependency, chronic illnesses like diabetes and others, and unstable housing. Hennepin Health tries to identify the holistic needs of the individual, whether those needs happen to be medical care, housing, mental health treatment, or finding a job.

Here are a couple of individuals who this innovative program has already helped. A 50-year-old Native American man from my district is chronically homeless and suffers from hepatitis C. He used the emergency room as his primary medical care, but this was only because he didn't have transportation to a clinic. He was entitled to a free bus pass, but didn't have an address to receive it. Hennepin Health connected him with a social worker to pick up his bus tickets, and now he is able to see a clinic for his health care, keeping him out of the emergency room, which is, of course, the most expensive type of care and which you can't be rejected from for good reason, because it would be inhumane to do so.

The program has also helped an African American man in my district who has had a history of heart disease, kidney disease, and homelessness. Hennepin Health was able to connect him to housing providers, which helped him to stay out of the emergency room as well. He is now able to get all of his medical and mental health needs addressed at a health care home.

These are great success stories, people who are low income, who have serious health challenges, who don't have any health care, and so they seek the health care of last resort, the emergency room, which happens to be very expensive to treat them at. This is not the most effective way nor the most compassionate way to treat them. Ongoing regular treatment from a provider is what is needed. Hennepin Health has saved money, and more importantly has helped people, members of our society, Americans, get their health care needs met.

As some cities have found, 1 percent of the individuals in a safety net program can often account for up to a third of the cost because of this problem of ending up at the emergency room. By coordinating care for high-need individuals, health care programs can greatly reduce costs while also providing better care.

While Hennepin Health program is new, it is extremely promising and has already demonstrated it can be a model for the Nation. I might add, Mr. Speaker, this is government, yes, government, delivering good service by being affordable, low cost, and smart. Chalk one up for the American taxpayer and people who are in chronic need of health care.

Mr. Speaker, Hennepin Health is a good idea. I'm proud of it.

□ 1030

SMART SECURITY: BETTER INVESTMENTS AND GREATER RETURNS

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

Ms. WOOLSEY. Mr. Speaker, yesterday Americans filed their tax returns, sending the Federal Treasury funds for the government to perform vital functions. Unfortunately, much of that money, way too much of that money, continues to be wasted on a policy that has failed miserably.

I'm talking about a policy that has lost the confidence of the American people whose taxes support it, a policy that has cost nearly 2,000 American lives, a policy that has done more to undermine our national security goals than is done to make our Nation safer. Of course, I'm talking about the war in Afghanistan.

This past weekend brought yet more evidence that our continued military presence in Afghanistan, carrying a price tag of roughly $10 billion a month, is stirring up unrest and emboldening insurgents rather than providing security and stability. Beginning this last Sunday, the Taliban launched a series of bold, coordinated, and simultaneous attacks throughout Afghanistan, hitting the parliament building and diplomatic sites throughout the country.

Thankfully, there were limited casualties. By many accounts, the Afghan security forces handled themselves with skill in response to the violence, which is very good news, because as the Afghans are better able to police and protect themselves, that's all the more reason to hasten our military withdrawal from Afghanistan. Every day that we continue our military occupation, Mr. Speaker, is another day that we breed resentment, that we inflame tensions and create more impassioned enemies.

Mr. Speaker, the American people are writing the check for this war. In fact, they just sent in their annual check this week. They deserve a better return on that investment. They deserve a set of policies that are more humane, more consistent with our best values as a Nation, and more likely to advance our national security objectives.

They deserve the kind of SMART Security approach I have been talking about for many years now. Instead of invasions and warfare, we need diplomacy, we need multilateral cooperation. Instead of military surges, we need civilian surges. Instead of troops with guns, we need to send humanitarian experts, experts that can help Afghanistan and other developing countries fight poverty, rebuild their infrastructure, educate their people and so much more.

Listen to this quote, Mr. Speaker:

> In today's ever-complex world, we must use all the tools of national security to achieve our objectives, including a strong State Department and other civilian-led agencies. Development and diplomacy keep us safe by addressing threats in the most dangerous corners of the world and by preventing conflicts before they occur.

That's an excellent explanation of SMART Security, but that's not LYNN WOOLSEY, and it's not the Out of Afghanistan Caucus talking. It's from a letter to Congress signed by 80 retired military leaders making the case not to cut USAID and arguing for a strong, international affairs budget.

The time is now, not in 2014, Mr. Speaker. The time is now to bring our brave troops home to implement the compassionate and cost-effective SMART Security agenda that can keep our Nation safe, and it can keep peace in the world.

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

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

Mr. JOHNSON of Georgia. Mr. Speaker, yesterday I spoke about a secret organization called ALEC, also known as the American Legislative Exchange Council.

I talked yesterday about how ALEC promotes model legislation written by its corporate members and disseminated to conservative State lawmakers around the country. The public, whose votes elect these lawmakers to represent them, are kept in the dark about the fact that their Representative member is a member of ALEC. The legislative member goes on various retreats and junkets. The ALEC corporate members paid tens of thousands of dollars a year to be members, whereas the legislators pay $50 a year.

You can see the imbalance there. This is something that is funded by the corporations' special interests. The

lawmakers, just to make it look good, have to pay $50 annually to join.

We don't know who those lawmakers are, although we do know that 60 percent of the lawmakers in the entire United States of America are members of ALEC. The taxpayers are probably the ones who pay the annual membership fee with which the members are then connected to corporate interests by way of ALEC committees, and these committees produce the model legislation that is then introduced by these same member legislators in their respective legislatures.

That was the way that the so-called Stand Your Ground law—but it's really a ''shoot first, ask questions later'' bill—began. That's how it started in Florida. It was an ALEC-produced bill. It has now spread to one-half of the States in the United States of America. Twenty-five States have adopted similar laws despite the fact that self-defense has always been a defense available to people who find themselves in that situation.

But the reason why they did this is because they wanted to produce more handgun sales. It's nothing but about money. The NRA and the corporations that sell firearms through the retail outlets across the Nation are benefiting, but we have people dying in the streets because of these weapons.

Now that is one question. There is another committee that has been set up by ALEC, and it deals with the private prison industry. Mr. Speaker, the United States imprisons more than any other nation in the world. We currently incarcerate approximately 2.3 million people.

America's high incarceration rate is not fitting for a Nation which is routinely touted as the greatest in the world. Although high incarceration rates hurt the United States as a whole, it definitely benefits the private prison industry. In 2010, the two largest private prison companies, CCA and the GEO Group, received nearly $3 billion in revenue that's taxpayer money.

The for-profit prison industry is driven by the corporate members of the American Legislative Exchange Council, ALEC. ALEC is a secretive organization that has advocated for harsh sentencing and detention laws that lead to mass incarceration. It provides State legislators with model legislation, and each year ALEC members introduce these bills in State houses across the country. This gives unparalleled access and authority to ALEC's corporate and legislative members, undermining the will of the people and the power of the ballot box. Private prisons have vested interests in maintaining and maximizing their profits.

□ 1040

They are not concerned about public safety or rehabilitation or reducing recidivism. Those principles directly conflict with their bottom line and mantra, which is more prisoners and more money.

Mr. Speaker, I will again be back to continue to discuss this issue. I discussed it yesterday. Today is another day. I think the American people need to know what is going on in the politics of America. If we don't do something, we are all at risk for losing the rights that we as citizens are supposed to possess: government of, by, and for the people—not for special interests.

ADDRESSING FAILED ADMINISTRATION POLICIES

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

Mr. KINGSTON. Mr. Speaker, the failed policies of the Obama administration continue to drag down the economy. The policies of stimulus programs, bailouts, crony capitalism, the Department of Justice investigating only what they choose worthy to be enforced, bowing to Saudi kings, going to China hat in hand asking for more money have brought down the economy.

Indeed, the unemployment rate, which the administration says is 8.2 percent, that's not accurate at all. They simply got it down that low by omitting a whole lot of unemployed people from the unemployment category. There's about 4 million people who have given up looking for a job, and the Obama administration doesn't even consider them as being unemployed.

In my opinion, there are four things we can do to address this, and we need to do it on a bipartisan basis. I have reached out to the White House. I will continue to. And even in an election year, it's far more important to put America first and party second.

The first thing we need to do is pass a budget. Right now, the national debt is over 100 percent of the gross domestic product, a $15 trillion national debt and a $15 trillion economy. Indeed, we are on the road to Greece. For every dollar we spend, 40 cents is borrowed.

The United States Senate, under HARRY REID, has not passed a budget in 3 years. That is the constitutional duty of the legislative branch of government. The House has done so. The House passes a budget. We had a great debate 2 weeks ago. We had a budget offered by the Democrats, one offered by the Progressive Caucus, one offered by the Congressional Black Caucus, one offered by the most conservative caucus, one offered by the Ryan Budget Committee. We had a great debate, and we passed a budget.

Now, the Senate doesn't like that. I understand that. Footnote: we even offered the President's budget, which increases the debt $1.2 trillion—another $1.2 trillion—and not a single vote from NANCY PELOSI to JOHN BOEHNER, not one vote for the President's budget. The same thing happened in the Senate last year.

But I understand the Senate doesn't like our budget. They don't like the President's budget. But where is your budget? You have got to pass it. And if you would pass a budget in the U.S. Senate, we can hammer out our differences between the House and Senate. Indeed, both parties will have to give; both bodies will compromise. That's always been the case. But it would send a huge international signal that America, the economic leader of the world, is serious about getting our hands on our debt. We are leading the way instead of falling to the demise of Greece, Spain, Portugal, and so many of the other troubled countries.

So the first thing we need to do to change our economy around is to pass a budget.

The second thing to do is to look at regulatory burden, which is stifling new jobs, and instead of government bureaucracies going to the small businesses with this ''I gotcha'' attitude—we know you hate people; we know you hate consumers; we know you want to pollute the air; we know you want to poison the food—maybe the Federal Government regulatory agencies should go into the small businesses and say: We recognize what you're doing right; we want to encourage it. And where you're doing wrong, we're going to discourage it; and if you don't address it, we will fine you. But don't go to every business in America assuming they're guilty of something besides creating jobs and delivering goods and services to people.

So we need to ease up and find the balance in the regulatory burden.

Thirdly, we need to drill our own oil, and we need to encourage the new technologies of horizontal drilling, fracking, and all the great promises that are out there. We need to look at the example of Williston, North Dakota, which has brought its oil production from 200,000 barrels to 600,000 barrels in less than a year's period of time. Indeed, America could perhaps become an energy exporter. Not only would that be an economic boon, but the national security advantage of it would be an unbelievable sea change in the world stability today.

Fourth and final, we need to have tax simplification. How many Americans within the sound of my voice fill out their own tax return? More and more people are turning to accountants and lawyers to figure out what the heck we owe Uncle Sam every April 15. And when you pay an accountant $300 or $400 or $500 or $1,000 to figure out what you owe Uncle Sam, that's a tax in itself. Businesses spend lots of time avoiding taxes. We need a tax system that's certain, that's clear, that's concise and fair so that everybody understands it and everybody pays their fair share. Indeed, tax simplification would help turn the economy around.

So, Mr. Speaker, in my opinion, Democrats and Republicans have the moment right now to change the economic direction of America by passing a good, solid budget; by having balanced regulatory reform; drilling our

own oil and having a good energy policy; and, finally, tax simplification.

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 10 o'clock and 46 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

Bless abundantly the Members of this people's House. During this season of new growth, may Your redemptive power help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

May they, and may we all, be transformed by Your grace, and better reflect the sense of wonder, even joy, at the opportunities to serve that are ever before us.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. 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. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Oklahoma (Mr. LANKFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. LANKFORD 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.

ANNOUNCEMENT BY THE SPEAKER

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

REMEMBERING THE VICTIMS OF THE OKLAHOMA CITY BOMBING

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

Mr. LANKFORD. On April 19, 9:02 a.m. central time, my city will stop for a moment of silence. We'll stop and we'll reflect for 168 seconds. Family and friends will stand on the green grass in the shade of the Survivor Tree and will read the names of all 168 victims of the April 19, 1995, bombing at the Murrah Building in Oklahoma City.

While the State of Oklahoma remembers, I would like to ask the Nation to also pause for a moment and to remember the service, the lives, and the families of those that we will never forget, to thank again the rescue workers that rushed into a building that they had no idea how stable it really was, and to remember again the survivors of that day.

In the days ahead, our community will visit the 3-acre memorial site. Tens of thousands will participate in a memorial marathon. Oklahoma families will again stop, discuss, and remember with their children April 19, 1995. I would like to encourage the Nation to do the same.

REPUBLICAN BUDGET BREAKS PROMISE TO AMERICA'S SENIORS

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

Mr. CARNAHAN. When I entered public service, I promised I would never forget those Americans who built this Nation. They educated my generation, passing on a better, stronger country than they inherited.

Nearly 50 years ago, Congress passed Medicare, and President Lyndon Johnson signed it, with former President Harry Truman and Bess Truman sitting at his side. America promised that if you worked hard, we would not forget you in your golden years. We promised that health care bills would not drag seniors into financial ruin.

The Republican budget breaks that promise. It tells our parents and grandparents to fend for themselves, and it ends the Medicare guarantee. The promise that I made, that this country made, and that I demand this Congress uphold, is that we treat seniors like national treasures and not national burdens. The Republican budget fails that promise to America's seniors.

NEW IRS AGENTS

(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, last week, the President announced plans to divert $500 million to the IRS for the purpose of hiring new IRS agents to promote the President's health care government takeover bill. This fact reveals that ObamaCare is not a bill designed to improve the quality of health care but instead raises taxes and creates more burdens for individuals and small businesses, destroying jobs. House Republicans remain committed to fighting for the total repeal of ObamaCare, then to promote commonsense free market health reforms preserving the doctor-patient relationship.

Additionally, I am grateful for the efforts of Tom Von Kaenel, who is in Washington today. Tom is the founder of the Sea2Sea, an organization providing assistance to our military personnel, veterans, and their families by helping them transition back to civilian life. In order to raise awareness for the cause, Tom will spend the next several weeks biking across the United States, duplicating his biking this spring across the United Kingdom.

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

THE FUTURE OF MEDICARE

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

Mr. HIGGINS. Mr. Speaker, on Monday I met in western New York at the Cheektowaga Senior Center, where the discussion centered around the future of Medicare. Prior to the creation of Medicare in 1965, only 50 percent of seniors had health insurance because they were seen by insurance companies as too risky. Today, Medicare is a lifeline to affordable prescription medications and accessible preventative care for seniors across the Nation, including over 100,000 beneficiaries in my district alone.

Now some want to change the program to instead give our seniors a voucher that forces them to go out into the market on their own to try to obtain insurance. Our parents and grandparents deserve better. Medicare provides one of the most important guarantees in our society: the guarantee that if you are an older American and you get sick, you will get the care that you need without going broke. This is an American promise worth fighting to protect.

□ 1210

SUPPORT THE RESTORE ACT

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

Mr. PALAZZO. Mr. Speaker, 2 years ago this Friday, the Deepwater Horizon explosion took the lives of 11 Americans, including four Mississippians, and caused an oil spill of epic proportions. For 86 days, millions of barrels of oil gushed into the waters of the Gulf of Mexico, washed up on gulf coast beaches, and threatened the ecosystems and the economic stability of an entire region of the country.

The images of oil gushing into the Gulf of Mexico, wildlife coated in crude, and tar balls washing up on beaches have long vanished from the national media spotlight, but the spill left lasting effects on the lives of gulf coast residents and businesses.

I ask my colleagues to take a moment this week to pause to remember the lives lost and the millions affected by this tragedy. I urge them to show their support once more to all those affected by the single largest manmade disaster in our history by voting ''yes'' for today's bill.

Restoring and replenishing the gulf coast is more than just a responsible decision; it's the right thing to do.

HONORING SERGEANT DENNIS WEICHEL

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

Mr. CICILLINE. Mr. Speaker, I rise today to honor the life of Sergeant Dennis Weichel, Jr., of the Rhode Island National Guard. Last month, while serving our country in Afghanistan, Sergeant Weichel saved a young Afghan child who had crawled underneath a moving armored vehicle in order to collect a brass shell casing. Responding quickly, Sergeant Weichel moved the child to safety, even though doing so placed him in the path of the same armored vehicle and took his life. Sergeant Weichel is an American hero who gave his life to protect a child he did not even know.

Rhode Islanders are often reminded that we come from the smallest State in the Union, but today, Sergeant Dennis Weichel's actions have touched our entire Nation and are an example of the sacrifices made every day by our brave men and women in uniform.

My thoughts and prayers go out to his mother, Linda; his father Dennis, Sr.; his fiancee, Ashley; and his three children.

THE SMALL BUSINESS TAX CUT ACT

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

Mr. BROUN of Georgia. I rise today in strong support of H.R. 9, the Small Business Tax Cut Act.

In my home State of Georgia, there are more than 150,000 small businesses which employ over 1.5 million people. These are the folks that tell me every day when I come home that a tax break would allow them to hire more employees. Consider this: between 2005 and 2008, more than 130,000 new jobs were created by small businesses in Georgia. But under the current administration, in just 1 short year, Georgia's small businesses have had to let go nearly all of those jobs. That's a crushing 120,000 people out of work because of the Obama administration's policies.

Democrats somehow think that they can solve our unemployment crisis by raising taxes. But job creators know that the only way that they can put people back to work is if they have more money to hire folks. That's why I support H.R. 9 and also why I introduced my JOBS Act, H.R. 660, which would lower taxes for everybody. I urge my colleagues to support both bills.

REMOVING THE PEOPLE'S MUJAHEDIN ORGANIZATION OF IRAN FROM THE FOREIGN TERRORIST ORGANIZATION LIST

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

Mr. SIRES. Mr. Speaker, I rise today to urge that the MEK be removed from the U.S. Department of State's list of Foreign Terrorist Organizations. Since its listing in 1997, the MEK has denounced violence and provided valuable intelligence on the Iranian regime, yet they remain on our terrorist list.

Even important allies acknowledge that the MEK no longer poses a terrorist threat. In 2009, the United Kingdom and the European Union removed the group from their lists. The unjust listing has been considered by the U.S. courts, but the Department of State continues to drag its feet regarding the delisting.

In July 2010, the U.S. Court of Appeals for the District of Columbia Circuit criticized the Department of State's designation of the MEK as a terrorist organization since the group's due process rights had been violated, and the Department of State has yet to provide specific information demonstrating why the group is a terrorist threat today.

The battle over delisting the MEK has gone on far too long with far too little evidence. I urge my colleagues to follow me in calling for the immediate delisting of the MEK by the Department of State.

STUDENT LOAN DEBT

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

Ms. EDWARDS. Mr. Speaker, last week, one of our colleagues who represents a portion of my alma mater, Wake Forest University, stated that she has ''little tolerance'' for those who graduate with high student loan debt, based on her personal experience of working her way through school.

I want to share my personal experience. I come from a military family of six children. My father served nearly 30 years. My parents, like many across this country, couldn't afford to pay for all of my college education. But they knew that a college education was our way to achieve the American Dream. And so I had to take out student loans in addition to scholarships and work. I took out nearly $100,000 in student loans from undergraduate school to graduate school, and I borrowed that. I only paid off my last student loan payment 1 month before my primary election in 2008. I was struggling as a single mother and meeting my other responsibilities, but I was thrilled when I made that last payment.

Contrary to what's been said about those who take out student loans to finance their education, I'm glad the Federal Government now directly issues all student loans rather than through private banks.

Comments that disparage college students and would deprive middle class families like mine to live their American Dream are just out of touch with what's happening across this country and minimize the lengths to which Americans seek higher education to better themselves and their families.

The rungs of the ladders of opportunity must be stable and available to all of us—the Federal student loan program, Pell Grants, work study, private scholarships, and, yes, work all provide the package that so many of our students need for college success.

THE REPUBLICAN BUDGET AND WOMEN'S HEALTH

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

Ms. SCHAKOWSKY. Let's talk about who wins and loses in the Ryan Republican budget. If you're a millionaire hedge fund manager, this budget is made for you. You get an average tax cut—cut—of $394,000. If you're a senior citizen woman living on a median income of $22,000, sorry, you're out of luck.

The Republican budget repeals ObamaCare so you pay more for prescription drugs and preventive services. It takes away your Medicare guarantee and increases your costs. It changes Medicaid to a block grant, meaning you may be on your own if you need long-term care services. And the Republican budget even cuts the Older Americans Act services like Meals on Wheels.

Older women and men shouldn't have to sacrifice so that millionaire hedge fund managers can become even richer. Under the Democratic budget, they don't have to.

THE REPUBLICAN BUDGET

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

Mr. CONNOLLY of Virginia. Mr. Speaker, budgets are about values and require elected decisionmakers to balance the needs of our constituents with fiscal responsibility.

The Republican Ryan budget this Chamber deemed adopted yesterday is in no way a reflection of the American values that have shaped this Nation. The Republican budget would turn back the clock more than a century to a time when social Darwinism—survival of the fittest—was, in fact, the norm.

Through the leadership of people like Republican Teddy Roosevelt, our Nation began to realize the value in tending to the needs of the poor, the sick, the working poor, the elderly, our children and women. The Republican budget would again put us at risk by making seniors experience a slashing of Medicare and increasing their out-of-pocket costs, and it would further line the pockets of the rich at the expense of the downtrodden among us.

The cuts in discretionary spending put forth by the Republican budget would further set our students behind and create a drag on the economy by disinvesting in research and infrastructure. Mr. Speaker, these are not American values.

BIRTH CONTROL AND MINORITY COMMUNITIES

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

Ms. CHU. For women of color, access to birth control can mean the difference between life or death. Without birth control, they face more reproductive cancers, more unintended pregnancies, and more sexually transmitted infections. And because many times they can't afford to pay for health care, such diseases have a more disproportionate effect.

Without affordable health care—and birth control being part of that health care—women's health is at risk. In fact, birth control pills prevent 200,000 ovarian deaths and 100,000 deaths overall for women. Without birth control being covered, out-of-pocket costs for women and their health care needs can be up to $600 per year. It's like a tax on women. That's not fair.

That's why I support President Obama's decision that birth control should be part of all health care plans. Women do not have to be second-class citizens.

□ 1220

STOP STUDENT LOAN INTEREST RATES FROM DOUBLING

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

Mr. TONKO. Mr. Speaker, I rise today to sound a warning: college could become even more expensive.

While it's true that a recent report from the College Savings Plan Network put the value of a 4-year degree at $570,000 more than a high school education would provide over a lifetime of work, paying for loans to go to school is a ticking timebomb.

On July 1, federally subsidized student loan interest rates will double for low- and middle-income families from 3.4 percent to, yes, 6.8 percent. About 8 million students nationwide will be affected by this change. For a student that takes out $23,000 in loans over the course of a 4-year degree, this would mean paying back an additional $11,000 over a 20-year payback period.

But it doesn't have to be this way. This body can act. It can act before July 1 to stop interest rates from doubling.

I stand here today to urge action to stop student loan interest rates from doubling overnight. Our Nation's young people face enough hurdles that range from student debt to finding a job to starting a career. They shouldn't have to worry about this body adding to the list.

JOBS AND THE ECONOMY

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, roughly 120,000 jobs were added to the economy in March, marking the 25th consecutive month of increased private sector employment.

In 2 years, American businesses have created 4.1 million jobs. Just last month, the unemployment rate was down to 8.2 percent. While the stimulus bill enacted in 2009 aided in the recovery, there is still much more that this Congress can do to close the employment gap. Instead, Republicans in Congress have insisted on either blocking Democratic job creation proposals entirely or aggressively pursuing legislation that concentrates on special interests and the superwealthy.

Mr. Speaker, as long as millions of Americans continue to struggle, we have the responsibility to engage in a meaningful way that will get our economy back on track.

WOMEN'S HEALTH WEDNESDAY

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

Ms. LEE of California. Mr. Speaker, first let me just thank Congresswoman CHU and our colleagues for standing up for women's health today.

Between 2009 and 2010, the United States teen birthrate saw a record 9 percent decrease to 34 births per 1,000. This decrease is due in large part to increased contraceptives use in addition to sex education. Yet even as African American and Latina teens saw large birthrate decreases of 9 and 12 percent, respectively—and we know it's also true for Asian and Pacific American women—all three communities still experience much higher rates of pregnancy and sexually transmitted diseases and infections than white teens.

The reality is not much better for African American women, who, like teens, experience more than double the unintended pregnancy rate of white women. This is unacceptable.

Unintended pregnancy has a very real public health impact, not to mention the increased economic burden on families who are not able to adequately plan for their children. That is why access to affordable birth control is so very important for minority women.

HEALTH CARE DISCRIMINATION

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

Ms. SPEIER. Mr. Speaker, I'm sick of women getting the short end of the stick. On the whole, women earn less than men for the exact same jobs. In fact, compared to men, women basically work for free 3.5 months of the year since we only make 77 cents for every dollar earned by a man.

But here's something that's not free—health care for women. We pay $1 billion more a year in health insurance premiums than men. That's astounding. And it's not because ''the fairer sex'' is less healthy than men. In the individual market, a woman, 40 years old, nonsmoking, in Kentucky, actually pays more for her health insurance than a 40-year-old man who does smoke. Even among 30-year-olds in Chicago, women are paying over 30 percent more for health insurance than men of the same age. In South Dakota, a 40-year-old woman pays $1,200 more than a 40-year-old man for the exact same coverage.

The fact is, women are at the mercy of the vast majority of insurance companies which charge us significantly more than men, even with maternity coverage excluded.

Gender Rating in the individual market is wrong and must end.

And if you want maternity coverage? Forget it.

How's this for family values?

For women who do want maternity coverage in the individual market it's an uphill battle to find it and an even greater challenge to pay for it.

Maternity coverage is only covered by 6 percent of insurance companies unless it is mandated by the state. And the cost can be astronomical. Deductibles could be as high as $10,000.

Some companies offer special maternity coverage riders. In Kansas a rider could cost over $1600 a month—well over the cost of a normal health insurance premium.

And some of the riders require long waiting periods before the coverage goes into effect.

Insurance companies call being a woman a pre-existing condition.

And they get away with charging women more for the same coverage as men unless there are laws in place to prevent Gender Rating.

Thirteen states, including California, ban gender discrimination in insurance coverage. Fortunately, in 2014 when the Affordable Care Act goes into effect, the same will be true for the whole country.

This is a long overdue step for women's equality and a key moment for health care.

GENDER DISPARITIES IN COMPENSATION

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

Mr. POLIS. Mr. Speaker, I rise today in observation of Equal Pay Day, a day that signifies, to a degree, how far we've come with regard to breaking the glass ceiling and providing opportunities for all Americans, regardless of gender, but it also reminds us how far we have to go, how far we have to go before parity is reached.

For every dollar earned by a man, for the same job, women continue to earn only 77 cents. That extra difference—thousands of dollars a year of income for working families—constitutes a lot of groceries or a lot of gas money that men can buy for the same work that women are undercompensated for.

I was proud that one of my first votes in the United States Congress in the 111th Congress was to pass the Lilly Ledbetter Fair Pay Act.

But we are not yet there in reaching gender parity in this country and ensuring that every American, regardless of their gender, has access to the same opportunity and the same compensation. That's why I introduced the Women WIN Jobs Act, along with ROSA DELAURO, which helps train women for high-paying jobs.

I ask my colleagues to continue to address the disparities in compensation among the genders.

PROVIDING FOR CONSIDERATION OF H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 619 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 619

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. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, 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 Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. CHAFFETZ). The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose 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.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 619 provides for a structured rule providing for consideration of H.R. 4348, a bill which extends the Federal highway, transit, and highway safety programs through the end of fiscal year 2012 and establishes program funding levels consistent with the fiscal year 2012 appropriated levels. The highway trust fund taxes and expenditure authority are also extended through fiscal year 2012. The Federal surface transportation programs and highway trust fund taxes and expenditure authority are currently authorized through June 30, 2012.

Mr. Speaker, the underlying bill today extends the authority of the government to fund highway programs through the end of this fiscal year.

□ 1230

In addition, the bill provides for the approval of the Keystone XL pipeline by giving the Federal Energy Regulatory Commission 30 days to approve the Keystone XL pipeline expansion, and also includes language contained in H.R. 3096, the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States, or RESTORE, Act which would establish the Gulf Coast Restoration Trust Fund and dedicate 80 percent of penalties paid by the responsible parties in connection with the Deepwater Horizon oil spill to the restoration of the gulf coast ecosystem and economy.

Mr. Speaker, our constituents are feeling great real pains at the pump, and their pains are being ignored by the President and his liberal extremist enablers in Congress.

Recent polls indicate that 63 percent of Americans say increases in gas prices have caused financial hardship for their families. My Democratic colleagues may be well served to ignore their Occupy Wall Street handlers for a moment and recognize that, as gas prices increase, it costs more to transport food and other essential goods and services, which lowers the standard of living for all Americans.

The simple truth is that when President Obama was sworn into office in January 2009, the price of a gallon of gasoline was $1.84. Today, in many parts of our country, it's over $5 a gallon. My guess is this is not the kind of change that most Americans were expecting or wanted when President Obama promised change.

Maybe since the President doesn't fill up his own gas tank, he does not fully appreciate this reality.

These steeply rising gas prices have major ripple effects. Higher energy costs destroy jobs and leave families with less money to meet their basic needs.

One of the most well-known precepts of economics is the principle of supply and demand, and the price of gasoline is not immune to this basic principle. That's why we need to increase the supply of all American energy sources to get us to American energy independence.

Republicans have crafted and passed legislation that would not only lower the price of gas, but create jobs at the same time. Unfortunately, the liberal Democrat-controlled Senate stubbornly refuses to move these bills through the process.

It's better to produce our own American energy and create American jobs rather than rely on unstable, hostile foreign regimes for critical energy resources.

It seems that Democrats subscribe to the wisdom of President Obama's Energy Secretary who proclaimed that ''we somehow have to figure out how to boost the price of gasoline to the levels in Europe.''

Mr. Speaker, in Italy gas prices exceed $9 per gallon. The Obama energy policy consists of ignoring the needs of Americans and pleasing his liberal base, rather than working for all Americans.

Congressional Democrats persist in their claim that increasing domestic oil and natural gas production will not immediately decrease the price of gasoline. For decades, this argument has been used as an excuse to continue stalling. We can no longer delay and

deny access to our own American resources.

Another false claim of congressional liberals is that the oil producers are somehow responsible for the high price of gasoline, even though official government investigations have shown time and again no wrongdoing. But they insist on tying their fundamental disdain for capitalism into the claim that denying fair tax treatment to domestic energy producers that is provided to every other industry will somehow lower gas prices.

Well, Mr. Speaker, increasing taxes on American energy producers will only make the price of gasoline higher for families and job creators because affected companies simply pass their increased costs on to customers in order to stay in business.

In what universe does making something more expensive to produce make it cheaper to sell?

The simple truth is that domestic energy producers are essential to the U.S. economy, job creation, energy security, and deficit reduction. It supports more than 9 million jobs and adds more than $1 trillion to the U.S. economy each year.

Today, the energy industry pays over $86 million a day in income taxes, royalties, bonuses, and rents to the Federal Government. Between 1996 and 2007, the industry invested more than $1.2 trillion in a range of long-term energy initiatives, compared to net income or earnings of $974 billion.

The reality is that failure to produce domestic energy supplies, along with global turmoil and competition for supplies with developing nations, has driven up energy prices and boosted foreign energy companies that do not pay American taxes, nor comply with American environmental standards.

House Republicans are now bringing forward yet another bill that will have the dual impact of lowering gas prices while supporting job creation. Republicans remain committed to solutions that promote America's energy independence, lower gas prices, and help create American jobs.

With that, Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to the rule and the underlying bill, H.R. 4348, the Surface Transportation Extension Act of 2012, Part II.

Transportation policy has been and should be bipartisan. In fact, it's largely considered nonpartisan across our country, where mayors and county commissioners rely on and expect certainty from Washington with regard to necessary investments in infrastructure and mass transit.

Yet, instead, here again, with this bill, politics has been injected into a process that has long been both bipartisan and an engine of our economic dynamo that ties our country together through our transportation infrastructure. Instead of creating jobs and advancing our economy, here we are with a bill that offers further delays, crippling States' and localities' ability to plan and fund projects and put Americans back to work.

The bill before us provides yet another short-term extension, the 10th extension since the last highway law expired in 2009. The facts on the ground aren't changing. Whether we extend this for 2 months or 3 months or 1 month, we'll be back here again with the same facts on the ground, the same looming fiscal crisis at the Federal level, the same need for infrastructure at the State and local levels.

So what facts are new? And what's the justification for such a short-term extension?

As we stand here today to vote on another transportation extension, 50 percent of our roads have been identified as in disrepair; 70,000 bridges are structurally deficient and potentially dangerous.

We need to make investments in our Nation's highways and transit projects—that much Republicans and Democrats can agree on—to bring our infrastructure into the 21st century. Yet, instead, this short-term bill before us represents another missed opportunity to make these critical investments for our country's future.

The impact of voting on another short-term extension is not insignificant. As a former small business owner myself, I know very well the importance of certainty in business planning. Rather than providing States with the confidence they need to pass long-term projects planned for them and plan their highways, and for construction companies to gear up, this bill prolongs the uncertainty, which only increases costs, contributing to the deficit and contributing to taxpayers getting a worse deal for their investment at the State and local levels.

The underlying bill only allows States and localities to plan for one short construction season. What guidance do they have for the next construction season? How can bidders and contractors offer their best pricing when they don't even know if there will be a paycheck after this building season?

As the bipartisan National Governors Association has said, a string of short-term extensions will only increase uncertainty for State and local governments and the private sector. Yes, this approach will actually increase costs, rather than decrease costs.

We should be voting, instead, on the bipartisan comprehensive transportation bill that the Senate has already passed that, if this House brought to the floor, I'm confident would pass and that President Obama would sign. It passed the Senate by an overwhelming bipartisan majority of 74–22.

The Senate bill maintains critical investments in our highways and public transportation, improves accountability through asset-management plans, and establishes performance measures so States are accountable for using their funds efficiently.

□ 1240

Extremely disappointing is the transportation policy, an issue that has long been bipartisan in its support, which has turned into a political football in this Congress. The House majority has continued to offer partisan bills that would weaken our economy and create uncertainty. This time, the majority has crafted a transportation bill by linking it to unnecessary and unrelated politically motivated riders. It is a completely unrelated Christmas tree of a bill that we see before us with elements that have nothing to do with our transportation and infrastructure.

Almost as appalling as the riders in the bill are the restrictive rules before us. This rule only made in order three Republican amendments, completely shutting out all Democratic, and even some Republican, ideas. When it comes to transportation policy, this body should be considering amendments under an open process that allows Members of both parties to bring forward their ideas to save taxpayer money and to invest in infrastructure. Unfortunately, thoughtful amendments were not made in order in this process, including some that I will discuss later in the debate.

Because this rule and the underlying bill represent some of the worst partisanship that I've seen in the 3 years I've been here, I strongly oppose them both. I urge my colleagues in the House to reject this approach, to reject this rule, to reject this bill, and to bring up the Senate bill and to bring it quickly to passage in the House so that we can send it to President Obama in order to reauthorize transportation in a bipartisan way, one that reflects our values as Americans.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I think I should remind my colleague from Colorado that the Democrats were in charge of both Houses of the Congress and had the Presidency when the authorization for this bill first expired, and I believe they reauthorized it several times and weren't able to get a bill passed.

I would now like to yield 4 minutes to my distinguished colleague from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I want to thank my colleague and friend from North Carolina for yielding time to me.

I rise in support of the rule and of the underlying bill. I am very pleased that the rule has allowed one of my amendments to go forward, a very important amendment, I should add.

Our country depends on its maritime commerce. Without the use of our maritime transportation routes, we're not really talking about transportation. We cannot expand exports and we cannot move our agricultural commodities or our manufactured goods to other

destinations around the world if we do not have waterways that have been maintained.

The Army Corps of Engineers has said to me on multiple occasions, if you take the top 60 ports and harbors in this country, fewer than 35 percent of those waterways are dredged adequately to the authorized depth and width authorized by Congress. My bill, which is now an amendment to this transportation bill, H.R. 104, is the RAMP Act. It is the Realize America's Maritime Promise Act. It has bipartisan support with 190 Members in the House and with over 30 Senators over on the Senate side.

What has happened, Mr. Speaker, is this: in 1986, Congress created the harbor maintenance tax and the Harbor Maintenance Trust Fund. This was a user fee on the owners of the cargo—a user fee, an ad valorem tax. The revenue was supposed to be dedicated solely to operations in maintenance dredging by the Army Corps of Engineers where they have Federal authorization.

What has happened over time is that these funds have been diverted to other uses. In 2011, the Harbor Maintenance Trust Fund collected more than $1.4 billion in revenue, but only slightly over half of it was used for the intended purpose. The rest was diverted off to all kinds of other sources. Frankly, Mr. Speaker, as chairman of the Oversight Subcommittee on Ways and Means, I find this to be an egregious abuse and diversion of taxpayer dollars.

My amendment is very simple. It ties the Harbor Maintenance Trust Fund receipts to the expenditures so that these funds will be used for their intended purpose, and that is to dredge, to maintain, these very important waterways. Now, why is all that important? Well, the years of neglect of these waterways is hurting American competitiveness, and it is hurting our ability to export.

The bottom line is this: for every foot that we lose in shoaling on the Mississippi River, we're losing $1 million per day per ship because of the short loading or the light loading of these vessels or of their operating under restricted schedules. In January of 2012 alone, we had five vessels that ran ashoal on the Mississippi River—five vessels that ran ashoal. It is a safety issue as well as an economic issue. Not only that, many of our Great Lake ports are closing. They're closing because of shoaling.

How can we be a competitive Nation that is engaged in international trade if we don't take care of these waterways? This funding is critical to preventing these draft restrictions. In fact, the Army Corps of Engineers has said if they could have access to the incoming receipts, they could maintain all these waterways to the specified depth and width.

What is really good about this amendment is that it also adds nothing to the deficit. According to the CBO, it doesn't score. It's not an earmark. It's programmatic spending. It's basically restoring the original intent of the use of these funds. So I urge the support of the rule and, certainly, of my amendment and of the underlying bill.

Mr. POLIS. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Vermont, my former colleague from the Rules Committee, Mr. WELCH.

Mr. WELCH. I thank the gentleman.

Unfortunately, this is another example of Congress failing the American people. It's failing our States. It's failing our communities.

First of all, how in the world can we expect transportation projects to be done on a short-term basis—90-day extensions? 4-month extensions? That just isn't possible to get from planning, to execution, to construction. It won't happen. Number two, how can we have a transportation bill where we don't fund mass transit? alternative transportation? That makes no sense whatsoever.

What has happened here is that the need to have a transportation bill for this whole country has been hijacked for political purposes. The Keystone pipeline is an example. Take whatever position you want on Keystone, but will the implementation of Keystone bring down gas prices, as is asserted? Will allowing drilling everywhere that the ''drill, baby, drill'' folks want to drill even lower gas prices?

A study of the Energy Information Administration said if we opened up all of the coastal waters—off Florida, off the east coast, off the west coast—and if we drilled on all of the public lands, that might add over time, which is about 10 years, 1 million barrels a day to the supply. That's in a world demand of 100 million barrels a day.

So the question is: What impact is that going to have on price? The best estimate they came up with was about 3 cents per gallon. That suggests when there is so much effort and so much political rhetoric about something that is so profoundly ineffective in giving relief at the pump to folks who need it, that it has a political agenda. Let's, instead, do things that would make a difference at the pump.

One, let's fully fund the Commodity Futures Trading Commission. Turn that into what it has historically been, which is a safeguard for consumers and a safeguard for businesses that need stable pricing in the commodities market. Instead, we are allowing it to become a casino for Wall Street speculation, which is probably adding about $20 on the price of a $100-barrel of oil, or 50 cents on a gallon of gas when you go to fill up. That doesn't need to be. Squeeze out the Wall Street speculation, and give a break to our consumers and businesses.

Two, allow the President in fighting this speculation to deploy the Strategic Petroleum Reserve, 800 million barrels of oil owned by the taxpayers. When that has been deployed by Presidents—two Republicans, two Democrats—it has been a shot across the bow to the speculators, and it has brought down prices by 8 percent to 33 percent.

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

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

Mr. WELCH. Three, let's commit ourselves to using American oil that is produced on American soil to be used in America. So, if there is going to be Keystone oil that is flowing through our States, why do we just want that to go to the export market when it will provide no benefit whatsoever to the American consumer?

Let's do the things we can to bring down the price. Let's tap the SPR. Let's strengthen the Commodity Futures Trading Commission, and let's use American oil on American soil.

□ 1250

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

Again, I want to point out to my colleague from Vermont that it was under Democrats that this authorization expired. They renewed the authorization six times while they were in control of both Houses of Congress and had the Presidency, so they haven't done the job they should have done.

I also want to point out that the President has the tools he needs through agencies already to do the investigations that need to be done; they have done them over and over again and they've found no fault on the part of ''speculators'' or the oil companies.

All the President and his allies on the other side of the aisle are doing, Mr. Speaker, is trying to distract people from their failed economic policies. Every policy that they have instituted has failed miserably, brought us record unemployment, and brought record gas prices. He blames, blames, blames other people, takes no responsibility, refuses to be held accountable for anything that this administration has done, that the Democrats, when they were in charge of the Congress for 4 years, did which created this situation.

I think it's time that they quit casting blame and look for ways to solve problems, like encouraging the President to approve the Keystone pipeline and increasing the real supply, not 17 hours' worth of fuel from the strategic oil reserve.

With that, Mr. Speaker, 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 ensure that the House votes on H.R. 14, a bill brought forth by Representative TIM BISHOP and Representative CORRINE BROWN containing the text of the Senate transportation bill, S. 1813, which passed the Senate by an overwhelming bipartisan vote of 74–22.

To discuss our amendment to the rule, I am proud to yield 3 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I would encourage every Member to defeat the previous question so we can end this legislative circus and bring the bipartisan Senate transportation bill to the floor.

Our Nation's infrastructure is at a critical juncture, and the traveling public and men and women who build our roads and rails don't have time for the games that the Republicans are playing with this bill.

The Republican ''my way or the highway'' attitude is not how we should legislate. Transportation has always been a nonpartisan issue, but that has changed since the new Republican leadership took control of the House. In just 2 years, the Republican leadership has ruined a process that used to be bipartisan from a committee that used to be bipartisan. I think Secretary LaHood said it best when he said that this bill that the Republicans are bringing to the floor is the worst bill he has seen in 35 years.

We are in danger of letting our transportation system fall into total despair, slowing the economy even further and putting the traveling public in harm's way.

The American Society for Civil Engineers give America a D grade in infrastructure quality and has estimated $2.2 trillion is needed to bring our Nation's infrastructure to good repair. Transportation for America reports that there are 69,000 structurally deficient bridges nationwide. The U.S. Chamber of Commerce said the Nation will lose $336 billion in economic growth over the next 5 years due to inadequate infrastructure. The World Economic Forum ranks the United States of America 24th in infrastructure quality. We are the world's largest superpower and we should never be ranked 24th in anything.

The Senate amendment that was offered by the Democratic leadership on the committee would fund 2 million jobs every year, provide continued dedicated funding for public transit, streamline project permitting in a responsible way, strengthen Buy America requirements, increase funding for safety programs, and—let me emphasize—is fully paid for.

Transportation and infrastructure funding is absolutely critical to this Nation and, if properly funded, serves as a tremendous economic engine to job creation. The Department of Transportation statistics show that for every $1 billion we invest in transportation, it generates 44,000 permanent jobs.

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

Mr. POLIS. I yield an additional 1 minute to the gentlewoman from Florida.

Ms. BROWN of Florida. Again, I would encourage every Member to vote ''no'' on the previous question. All we're asking for is an up-or-down vote on the Senate bill.

When I was a kid, we used to say, ''I dare you.'' I double dare you, my Republicans. Bring the bill to the floor for an up-or-down vote.

I heard someone on the floor yesterday talking about the Senate, that we need to do away with the Senate. I now thank God for the United States Senate, because they are behaving very responsibly. They passed a bill with over 80 percent of the Members voting for a bipartisan transportation bill. That's what we've always had in the 20 years I've been on the committee.

Let's pick up that Senate bill. Let's pass it, send it on to the President to create jobs, and let's see what happens at the next election.

Ms. FOXX. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 5 minutes to my colleague on the Rules Committee, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentleman for yielding to me.

Mr. Speaker, yesterday at the Rules Committee, Chairman DREIER said this: ''There's no way we're going to have a transportation bill unless it is bipartisan.'' Mr. Speaker, it was music to my ears. I thought the chairman had a revelation, because that's exactly the tune the Democrats have been singing for weeks, that we need a bipartisan transportation bill. We've been saying this month after month after month.

Transportation bills have always been bipartisan. Our colleagues like to criticize the Senate for inaction, but even they passed an overwhelmingly bipartisan bill this year.

Mr. Speaker, actions speak louder than words. Instead of taking the bipartisan path, my Republican friends have tried one partisan approach after another, and they have failed every time. And the partisan march continues today.

Last night, nine Members of the House submitted amendments to this bill, five Democrats and four Republicans. Then, not 2 minutes after the chairman said what he said, my Republican friends approved a rule on a straight party-line vote to block every single Democratic amendment.

Let me review this for my colleagues because I think it is important.

First, the underlying bill was written by Republicans in a back room without any Democratic input, none. Now Republicans are only allowing themselves to amend the bill they wrote.

This chart produced by the majority says it all: four Republican amendments submitted, three made in order for debate on the House floor; five Democratic amendments in order, not a single one allowed.

Maybe some of the people in the back room can't see this number because it's so small. Mr. Speaker, I'm going to make it a little bit easier for those who need a little help here. Here we go. Zero Democratic amendments allowed.

This is a bill written only by Republicans which only Republicans can amend. Apparently, this is what a bipartisan process means in the Republican House. This is the new and improved open House that they promised.

Open House my foot, Mr. Speaker.

Mr. Speaker, there are real consequences to this approach. I had a very important amendment blocked yesterday in the Rules Committee, an amendment to end the subsidies to the oil companies that are gouging Americans at the pump, an amendment that will cut the deficit by $40 billion. I don't care what my Republican friends say, that is a lot of money.

□ 1300

The taxpayers' money that's going right into the pockets of the same oil companies that are driving up gas prices just as summer approaches, why in the world are American taxpayers being asked to subsidize Big Oil? These are the same oil companies that recorded tens of billions of dollars in profits in the first 3 months of 2012. These companies took in tens of billions of dollars in profits in 3 months while raising gas prices to more than $4 a gallon and we reward them with $40 billion worth of tax breaks and giveaways? Come on, what is wrong with the leadership of this House of Representatives?

Look, there is nothing wrong with corporations making profits. That's what they're in business to do. What is wrong is for American taxpayers to be subsidizing wildly profitable companies at a time when too many Americans are still unemployed and struggling to pay their bills. With their tax dollars funding corporate welfare for Big Oil and then still paying astronomical prices at the pump, it's a double whammy for American families.

With all the talk about cutting spending and reducing subsidies here in Washington, I would have thought that the Rules Committee would have made in order my amendment, an amendment, by the way, just so there's no confusion here, that I have offered repeatedly. I have offered it over six times, and all six times it has been blocked by the Rules Committee.

But the Rules Committee decided not to make it in order. And to say that this is somehow a bipartisan process and then immediately deny any Democrat amendments, including my amendment to end tax breaks for Big Oil companies, tells you everything you need to know about the Republican leadership in this House. This is a lousy process, and the American people are paying the price.

I would just close by saying the fact that we can't vote up or down on the Senate bill to extend the highway bill for at least 2 years means that our cities and our towns and our States can't plan ahead. What an awful thing for us to do during this difficult economic time.

I urge my colleagues to reject this very partisan rule. Let's get back to working on a transportation bill in a bipartisan way that will actually help the American people.

Enough of these games.

Ms. FOXX. Mr. Speaker, I want to point out to my colleague from Massachusetts that if we raise taxes on the oil companies, surely that will be passed along to consumers.

Mr. MCGOVERN. Will the gentlelady yield?

Ms. FOXX. When I'm finished. I believe the gentleman from Colorado probably has adequate time.

Mr. MCGOVERN. I thought since you referred to me we would have a dialogue, but I guess not. Okay.

Ms. FOXX. As my colleague knows, yesterday, in the Rules Committee, people on his side of the aisle talked about tax breaks and giveaways, and that, again, implies that all the money that hardworking taxpayers earn is government money, and that is not the way it is. That attitude about giving away money from the Federal Government implies that the money belongs to the government.

I would also like to point out to my colleague that the subsidies he talks about are not subsidies. They are the tax deductions, tax ''breaks'' that every manufacturer gets, not just the oil companies. To talk about corporate welfare is a bit disingenuous.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. I yield 30 seconds to the gentleman from Massachusetts (Mr. MCGOVERN) to respond to the gentlelady.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, give me a break. I mean, oil companies are making record profits. We are producing more oil in this country than ever before. They are producing so much they are exporting oil, and at the same time they are raising gas prices at the pump for average, ordinary citizens.

The fact that taxpayers are subsidizing Big Oil when they're making record profits and sticking it to the American people, I think is unconscionable. That's what I tried to get rid of, and we should at least have a vote up or down on that on the floor.

Mr. POLIS. I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I would just add one more thing: the amount of subsidies that we are giving to multinational corporations who are taking their jobs overseas, let's stop that. Let's stop the subsidies that are going to Big Agriculture all over this country, not small mom-and-pop farms, people who are taking care of themselves. But Big Agriculture, let's stop that.

Let's also stop $147 million going to Brazilian cotton farmers as a subsidy every year. They will not tell you. They will not tell you about these subsidies. American taxpayers are footing the bill for that and paying high prices at the gas pump to get their gas, and the oil companies are rolling around in that money.

I rise in opposition to this rule.

Yesterday I submitted an amendment to this bill that would have provided the Commodity Futures Trading Commission, or the CFTC, with a steady, sustainable source of funding so that it could do the job that it has been assigned to do—that's oversee the futures markets and curb rampant speculation in the oil market that is causing families pain at the pump.

Again, this House majority has put the profit margins of Wall Street and oil speculators over the needs of American families and the American economy. They refuse to allow an up-or-down vote on this amendment. Specifically, the amendment would authorize the collection of user fees to offset the cost of the Commission's operation. It would simply bring the CFTC into line with all other Federal financial regulators, such as the Securities and Exchange Commission, the Federal Deposit Insurance Corporation.

This is in keeping with a pattern by this majority to hamstring this Commission at every turn. Last year, their agricultural appropriations provided only $172 million in funding, 44 percent below the request, meaning that we have less cops on the beat to stop speculation. We fought back. We got that up to $205 million in the final 2012 budget, but it's not enough for the Commission to do its job.

Meanwhile, high oil prices affect every aspect of Americans' lives, not just the cost of traveling but of heating homes, food, other purchases. The cost of gas is irrefutably affected by rampant speculation in the oil market. Goldman Sachs has estimated that speculators increased crude prices by about 20 percent and the price of gas by 56 cents a gallon. The chairman of ExxonMobil talked about speculation going on on Wall Street.

We're here to represent the American consumer, not oil speculators.

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

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

Ms. DELAURO. I am going to repeat it, our job, the job that all of our constituents gave to us—they gave us this job—we are here to represent their interests and the consumers, not the oil speculators.

We need to ensure that the Commodity Futures Trading Commission is the agency to regulate the oil industry, that it has the resources that it needs to do the job and is doing it.

The amendment that I proposed is a commonsense solution to this problem. It should have had an airing, and it should have been passed by this Congress because that is in the best interests of American taxpayers. That's our job. And if we're not prepared to do our job, the American people should turn their backs on us and shut the place down.

I urge my colleagues to oppose this rule.

Ms. FOXX. Mr. Speaker, I want to point out that our colleagues across the aisle, as well as President Obama, the answer to everything is to raise taxes, but they never can explain how raising taxes would lower costs, especially on gasoline. To me, that shows how disconnected they are from economic reality.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. May I inquire of the gentlelady if she has any remaining speakers?

Ms. FOXX. We have no remaining speakers, and I am prepared to close if the gentleman is prepared to close.

Mr. POLIS. I yield myself the balance of my time.

Again, there were several amendments offered in Rules Committee to make this bill better. To help reduce the budget deficit, my colleague, Mr. MCGOVERN, introduced an amendment ending $40 billion in subsidies to the oil and gas industry. As the gentlelady said, that has nothing to do with the price of gas. Getting rid of subsidies to oil companies doesn't make gas more affordable. But the question is: Why are we giving money to oil and gas companies at a time when we have a national deficit? Why don't they pay taxes like every other company?

□ 1310

I was a small businessman before I got here, and the companies that I was involved with had to pay taxes. What I don't understand is why economically a tax subsidy is any different than an expenditure subsidy. And economists across the ideological spectrum would agree corporate welfare is a government giveaway, whether it appears on the tax line or the expenditure line.

Specifically, with regard to any tax breaks to the oil and gas industry, Mr. MCGOVERN's amendment, which is, unfortunately, ruled out of order for this bill, would end the section 451 credit for producing oil and gas from marginal wells, the section 43 credit for enhanced oil recovery, the section 263 provision allowing the existing expansion of intangible drilling costs, and a number of other provisions that in effect give oil and gas companies a lower tax rate than other companies in this country.

Why don't we use that money to reduce the deficit? Why don't we use that money to bring down the corporate tax rate overall, as is a key component of corporate tax reform, which I strongly support and discussed with Mr. BRADY in our Rules Committee yesterday with regard to the other bill which moves in the wrong direction with regard to bringing down our tax rates and having a simpler Tax Code?

Mr. MCGOVERN has offered a similar amendment to save the U.S. Government $40 billion to reduce our deficit to several different bills in the past, including through an appropriations bill, an energy bill, a tax bill. Every single time the Republicans have said, Oh, it's not germane to this bill. Every single time they voted the McGovern amendment down.

Clearly, this is a proposal that's worthy of discussion. If it's not a tax discussion and not an energy discussion, not an expenditure discussion, what kind of discussion is it? And why can't we be talking about reducing the deficit here on the floor of the House instead of continuing to spend unnecessary money on subsidies? It's funny how the majority party waives rules when it's convenient for their agenda but refuses to apply a consistent standard to an amendment that is worthy of consideration by this House.

At the same time oil companies have record profits, we're continuing to subsidize oil injection, extraction, exploration, drilling, manufacturing, pricing, and inventory valuing by creating price floors, offsetting taxes, providing generous credits and deductions, providing tax shelters, and allowing the valuation of inventories at deeply discounted prices. If we are serious about deficit reduction, let us take this opportunity to vote down this rule and allow for the discussion of the McGovern amendment. We need to close these loopholes and allow for real deficit reduction.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment to the rule 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. This amendment is the Bishop bill and the Corrine Brown bill, which would simply allow the House the opportunity to vote on the Senate bill, which, given the strong bipartisan majority in the Senate, I believe would pass the House of Representatives. At least let's give it a chance. Let's give the House a chance to work its will, Democrats and Republicans, and see where we really are with regard to this Congress' commitment to critical infrastructure needs in this country. Voting down this rule would be the first step in allowing Mr. BISHOP and Ms. BROWN to come forward with the Senate bill for consideration in this House, which would provide some certainty to State and local planners, allowing them to reduce costs and get better value for the taxpayer dollar.

I also strongly encourage the majority to consider allowing amendments and good ideas from both sides of the aisle in bills like the transportation bill, and let us work to find an appropriate time and an appropriate place for the consideration of Mr. MCGOVERN's bill and Mr. MCGOVERN's amendment. And whether the proceeds are used to reduce the deficit or bring down corporate taxes or some split thereof, or other worthy public purposes, surely we can at this juncture, when we cannot afford the government we have, help reduce the size and the scope of government by ending subsidies and giveaways to big multinational oil companies.

Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I strongly urge a ''no'' vote on the rule, and I yield back the balance of time.

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

AN AMENDMENT TO H. RES. 619 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(1) 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. 14) to reauthorize Federal-aid highway and highway safety construction programs, 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 Transportation and Infrastructure. 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 implications. 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.

Ms. FOXX. Mr. Speaker, I urge my colleagues to support this rule. I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. 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.

The vote was taken by electronic device, and there were—yeas 243, nays 180, not voting 8, as follows:

[Roll No. 165]

YEAS—243

Adams	Amodei	Bartlett
Aderholt	Austria	Barton (TX)
Akin	Bachmann	Bass (NH)
Alexander	Bachus	Benishek
Amash	Barletta	Berg

Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
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)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
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
Palazzo
Paulsen
Pearce
Pence
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 (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
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
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—180

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
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

NOT VOTING—8

Andrews
Filner
Kaptur
Marino
Napolitano
Paul
Rangel
Slaughter

□ 1339

Ms. CLARKE of New York, Ms. PELOSI and Mr. HONDA changed their vote from ''yea'' to ''nay.''

Messrs. YOUNG of Indiana, SMITH of Nebraska and Mrs. BLACK changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 165, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 165 due to a family medical emergency. Had I been present, I would have voted "nay" On Ordering the Previous Question on H. Res. 619 Providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of multiyear law reauthorizing such programs, and for other purposes.

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. POLIS. 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 177, not voting 8, as follows:

[Roll No. 166]

AYES—246

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
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
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
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
Pence
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 (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
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
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—177

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
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
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
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

NOT VOTING—8

Andrews
Filner
Kaptur
Marino
Napolitano
Paul
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1346

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. FILNER. Mr. Speaker, on rollcall 166, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 166 due to a family medical emergency. Had I been present, I would have voted "no" on agreeing to H. Res. 619 Providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of multiyear law reauthorizing such programs, and for other purposes.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 295, nays 118, answered "present" 2, not voting 16, as follows:

[Roll No. 167]

YEAS—295

Ackerman
Aderholt
Akin
Alexander
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Cicilline
Clarke (MI)
Clay
Cleaver
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Harper
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Long
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Mack
Marchant
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Pelosi
Pence
Perlmutter
Petri
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tierney
Tonko
Tsongas
Turner (NY)
Upton
Van Hollen
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wolf
Womack
Woolsey
Yarmuth
Young (FL)
Young (IN)

NAYS—118

Adams
Altmire
Baldwin
Bass (CA)
Benishek
Biggert
Boren
Boswell
Brady (PA)
Burgess
Capuano
Cardoza
Castor (FL)
Chandler
Chu
Clarke (NY)
Clyburn
Coffman (CO)
Conaway
Costa
Costello
Courtney
Cravaack
Critz
DeFazio
Dent
DesJarlais
Dold
Donnelly (IN)
Duffy
Fitzpatrick
Forbes
Foxx
Gardner
Gerlach
Gibson
Graves (MO)
Green, Gene
Griffin (AR)
Grijalva
Hall
Hanna
Harris
Hartzler
Hastings (FL)
Heck
Herrera Beutler
Himes
Holden
Hoyer
Huelskamp
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (OH)
Jones
Keating
Kind
Kinzinger (IL)
Kucinich
Langevin
Latham
Lee (CA)
Lewis (GA)
LoBiondo
Luetkemeyer
Lynch
Maloney
Manzullo
Matheson
McCotter
McDermott
McGovern
Meehan
Miller (FL)
Miller, George
Mulvaney
Neal
Nugent
Olver
Pallone
Pastor (AZ)
Paulsen
Pearce
Peters
Peterson
Poe (TX)
Quayle
Reed
Reichert
Renacci
Ribble
Rigell
Roe (TN)
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schilling
Shuler
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tipton
Towns
Turner (OH)
Velázquez
Visclosky
Walden
Walsh (IL)
Wittman
Woodall
Yoder
Young (AK)

ANSWERED "PRESENT"—2

Amash
Owens

NOT VOTING—16

Andrews
Eshoo
Filner
Gohmert
Kaptur
Labrador
Lofgren, Zoe
Marino
Napolitano
Paul
Pingree (ME)
Rangel
Rivera
Slaughter
Walberg
Waters

□ 1352

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. RIVERA. Mr. Speaker, on rollcall No. 167, I was unavoidably delayed. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 167, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4348.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 619 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. 4348.

The Chair appoints the gentleman from Georgia (Mr. WESTMORELAND) to preside over the Committee of the Whole.

□ 1355

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. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the House, today we bring up the Surface Transportation Extension Act of 2012. This is the second part of an extension that we passed previously. Just before the Congress recessed and went into the Easter work period and holiday, the House did pass a 90-day extension, and that extension expires on June 30, 2012. The extension before us today is an additional 90-day extension. The purpose of this extension is so that we can hopefully bring about resolution and conference legislation to complete our transportation bill.

Now, the previous extension was the ninth extension, and the Democrats—the other side of the aisle—were forced to pass a sixth extension, so I'm hoping that this will be our last extension and that it will also provide us a vehicle to conclude this important work that so many jobs across this country are relying on. The building of our Nation's infrastructure is tied to this work and to the completion of this important task.

This is a fairly clean extension. There are a couple of provisions in here, I think, that will provide increased energy for the country; and if anyone has not felt the pain at the pump, all they need to do is go to a local gas station. I saw today that the lowest-cost gas in a local station not a couple blocks from here was $4.45 a gallon. This particularly hurts the working men and women of America and those on fixed or limited incomes. I think the provision that we have here is an excellent provision, and I'll talk a little bit more about this.

This again is a vehicle that can deliver us to the completion of the important work. This extension has levels of funding that are consistent with the transportation appropriations bill which was signed by the President in November. Then we'll consider, I believe, three amendments that have been made in order by the Rules Committee. Let me talk about them again very briefly.

First, the Keystone pipeline provision. This administration is still meandering not only on transportation legislation but also on energy legislation, and it has not found its way, unfortunately, for the American people.

□ 1400

But this bill can provide us reliable sources of energy. We're talking about a pipeline and a source from a good ally and neighbor in the North American continent. We're not talking about relying on Venezuela, the Middle East, or Nigeria, where we get a lot of our supplies for energy today. So it can provide again some stability, some reduction in price for the consumer, particularly when they're so hard hit at this time. We will have more to talk about with it.

In regard to the Keystone pipeline, this pipeline has been studied to death. This administration, for over 3 years, has delayed approval. The President has approved a small part in one section of the country—or at least he says he would. You can't build a pipeline that can actually deliver energy at a lower cost in reliable fuel in a piecemeal fashion. The Keystone pipeline has been studied for about 3½ years now, while they built the entire Alaska pipeline in that period of time. So the time for studying, for delay, and for not acting on reducing energy costs and increasing supply has ended.

Additionally, we have a couple of other provisions in here which I'm supportive of. One is the RESTORE Act, which creates the Gulf Restoration Trust Fund, and that provides for a fair and equitable manner for division of the penalties collected by those responsible for the Deepwater Horizon oil spill. I think that that is a provision that can also help a lot of our Gulf States that were hard hit and impacted by that disaster.

Finally, I think another amendment that I think is very laudatory is one by Mr. RIBBLE that has been made in order, and that carries, from H.R. 7, a lot of the streamlining provisions that we think are so important to getting projects done.

President Obama promised us infrastructure when they sold a $787 billion so-called stimulus package. Mr. Oberstar and I came back here. At the time, they were looking at a $250 to $300 billion stimulus bill, of which 50 percent would be, in fact, infrastructure. As it turned out, it was 6 or 7 percent. That's some $63 billion.

Last October, there was still 35 percent of the $63 billion for infrastructure stuck in the Treasury in Washington, D.C., 2½ years after we passed the stimulus. So you can pass all the transportation bills you want, and if you can't deliver the project and cut the red tape and paperwork that Washington thrives on, then you can't get anything done. That provision is so important in moving transportation legislation forward that can make a difference in getting projects done.

In the hearings that we did across the country, starting in Mr. RAHALL's district—the Democrat leader of the committee—in Beckley, West Virginia, we heard at every single hearing all the way to the west coast when we did a bipartisan, unprecedented bicameral with Senator BOXER hearing on that coast, every single hearing, almost without question, most of the witnesses all said that we needed to speed up the projects.

''Shovel ready'' has become a national joke, and we've got to end that sad joke that doesn't allow us to go forward. I think the Ribble amendment will do that.

With that, I think we have a vehicle that we can get to conference and work in a bipartisan and bicameral manner to get the job done.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 17, 2012.

Hon. JOHN MICA,
Chairman, Committee on Transportation and Infrastrcture, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA, I am writing concerning H.R. 4348, the ''Surface Transportation Extension Act of 2012, Part II,'' which is scheduled for floor consideration this week.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Subtitle D of Title I of this bill amends the Internal Revenue Code of 1986 by extending the current Highway Trust Fund expenditure authority and the associated Federal excise taxes to September 30, 2012. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4348, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, April 17, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4348, the ''Surface Transportation Extension Act of 2012, Part II.'' The Committee on Transportation and

Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 4348, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 4348 in the Congressional Record during floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,
Chairman.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the last long-term surface transportation authorization expired on September 30, '09. We continue to limp along, patching together our Nation's transportation system through short-term extensions that cause uncertainty and create chaos for construction crews and local communities across the country and our State transportation departments.

The Committee on Transportation and Infrastructure reported the House Republican leadership's misguided, 5-year surface transportation bill on February 13 of this year. The Rules Committee approved a rule governing its consideration on the floor on February 15. That was 9 weeks ago this day. During that time, the Republican leadership has failed to find the votes among its Members to pass that bill.

Yet, instead of working across party lines as we have traditionally done for decades on transportation policy, the extreme right wing of their party continues to hold the process hostage to their ideological tirade that the Federal Government has no business in supporting a national transportation system.

Three weeks ago, I rose to oppose another extension, the ninth extension since these critical job-creating transportation programs expired in '09, because Republicans refused to move the process forward by bringing up the bipartisan Senate-passed bill but, instead, merely wanted to kick the can down the road once again. Mr. Chairman, we are running out of road.

I oppose the short-term extension because I cannot, for the life of me, figure out what difference the Republican leadership hopes to achieve over the next 12 weeks that they were unable to achieve over the previous 6 weeks. I fail to understand the perverse notion that if we simply fed their dangerous addiction to serial addictions one more time, the skies would magically part and the Republican leadership would miraculously garner enough votes on their side of the aisle to pass H.R. 7. That was the 5-year bill reported by the T&I Committee, something they have failed to do for months.

Last week, we heard the Republican leadership again would be bringing up a short-term extension as a ticket to conference with the Senate. That's the bill that is before us today.

When compared with H.R. 7, which is a fatally flawed bill that would mortgage America's future at subprime rates, a clean extension is a vehicle to keep the ball rolling, provided that the Republican leadership will truly allow us to go to conference with the other body. Unlike H.R. 7, a clean extension does not make shortsighted cuts to surface transportation investments that would destroy jobs and economic growth. These cuts are out. We're talking about funding at current levels.

Under the scheme advanced by the majority, public transit revenue would have been shifted to highways. Transit would have been bailed out with a one-time transfer of $40 billion from the general fund, robbing middle class Americans to pay for the shuffle. Under the clean extension that we're considering today, this misguided shell game is gone, fortunately.

The majority's proposal fails to close all the existing loopholes and Buy America laws. These gaping loopholes are being exploited by foreign competitors, like China, who are stealing American jobs and undermining our ability to create more American jobs and to revive American manufacturing. Under today's bill, locking in these loopholes is out and these provisions can be revisited in a long-term bill.

Under a clean extension, the majority's poison pill to needlessly eliminate Occupational Safety and Health Administration protections for hazmat workers, as was originally in H.R. 7, thankfully, is gone today.

The majority's efforts to subsidize private transit companies and mandate the use of private engineering firms on Federal-aid highway projects is gone in today's bill.

Instead of turning back the clock nearly half a century on America's greatness and the incredible work we have done to grow our Nation, to build a thriving economy, and to lead the global market, we should be working together to develop a bipartisan bill that can pass both bodies and be signed into law.

Taking the other side at their word, that they are serious about moving the process forward—I'm beginning to think that may be a likely scenario—passage of this extension of current law through the end of the fiscal year will allow us to go to conference with the other body on their bipartisan multiyear bill which passed with the support of three-quarters of the Senate. That is 74 votes in that other body.

□ 1410

How many pieces of legislation do you get that many votes on in the other body? A long-term bill will provide the certainty that States need to invest and proceed with their plans that have been long on the books. It will provide the certainty that highway and transit contractors desperately need to give them the confidence to hire that one more worker.

Mr. Chairman, I reserve the balance of my time.

Mr. MICA. Mr. Chairman, I yield 4 minutes to the chair of the Highway Subcommittee, the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. I thank the gentleman for yielding me this time.

Mr. Chairman, H.R. 4348 extends the surface transportation programs through September 30, 2012, at funding levels consistent with the fiscal year 2012 transportation appropriations bill, which we passed in November. Under the current extension, the highway, transit, and highway safety programs are set to expire on June 30. This legislation will allow these programs to continue through the fiscal year and to provide predictability during the summer construction season.

This bill also includes provisions related to the approval of the Keystone pipeline. With the rising gas prices and uncertainty in the Middle East, it is vital that we complete construction of this crucial pipeline in order to help secure our Nation's energy resources. If we don't do this, Mr. Chairman, all we will be doing is helping foreign energy producers.

I had originally hoped that the House would be able to move H.R. 7, the 5-year surface transportation reauthorization bill that was passed by our committee in February. Unfortunately, we were not able to bring H.R. 7 to the House floor at this time. Instead, we will use this bill as a vehicle to conference with the Senate-passed surface transportation reauthorization bill.

There were three amendments that were made in order by the Rules Committee, and I would like to express my support for all three. Mr. BOUSTANY's amendment would require that we spend the revenue we are collecting for the Harbor Maintenance Trust Fund on Army Corps of Engineers projects, as opposed to using this revenue to offset spending elsewhere in the Federal budget. This is a commonsense solution to help upgrade our Nation's ports and maintain our global economic competitiveness. Just this morning, we held a hearing on the importance to our entire economy of our inland waterway system, and Mr. BOUSTANY's amendment will certainly help in that regard.

Mr. RIBBLE's amendment is based on the environmental streamlining provisions that were included in H.R. 7. This amendment would eliminate duplication by providing a single system to review decisions. It reduces bureaucratic delay by requiring concurrent, instead of consecutive, project reviews and setting deadlines for the completion of environmental reviews. These changes could cut the delivery process in half and could save taxpayers many, many billions over the next several years.

The last two studies by the Federal Highway Administration said the average highway project takes 13 years, one study said 15 years. That is far too long. Other developed nations are doing these projects in half the time or less than we are.

Mr. MCKINLEY's amendment includes the text of H.R. 2273, the Coal Residuals Reuse and Management Act. This amendment would prohibit the United States Environmental Protection Agency from driving coal-powered plants out of existence and doubling and tripling our utility bills.

The U.S. has been called the Saudi Arabia of coal, Mr. Chairman. If we do not use our coal in a clean and safe way, we will hurt millions of poor, lower-income, and working people all across this Nation.

I salute Chairman MICA for his hard work on this bill for the last several months, and I urge my colleagues to support H.R. 4348 and the subsequent amendments.

Mr. RAHALL. Mr. Chairman, I yield 4 minutes to the ranking member on our Transit and Highways Subcommittee, the distinguished gentleman from the State of Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

Well, it appears that the House has finally found the path out of dysfunction junction. We have been there for too long. We need a long-term, as long a term as possible, transportation bill as soon as possible.

Now, this extension is for 180 days. We can't wait for 180 days to come to agreement with the Senate. We need to go to an expedited conference as soon as possible. We have been gathering data from the individual States since the last 90-day extension 3 weeks ago. The State of North Carolina has canceled $1.2 billion worth of projects, 40,000 jobs, this year.

Other States are reporting in, none quite so drastic, but the grand total is going to be probably close to 100,000 jobs foregone because of the uncertainty created by these 90-day extensions. It's time to put an end to 90-day extensions. This should be the last one, and we should proceed immediately to conference and begin to work through our differences with the Senate.

Even H.R. 7, which the Republicans couldn't get out of their own conference, they could not get agreement between those 50 or 60 who believe their national transportation policy should be set individually by the 50 States. Wow, what does that mean? And/or transit should be thrown under the bus, or out of the bus, with the other members of the conference saying, wait a minute, that's totally unacceptable to us. They couldn't get the bill out.

But even the fact that they couldn't get the bill out, there's much overlap and agreement between many provisions in H.R. 7 and what the Senate has done. I believe we could conference those areas in disagreement quite promptly.

As the ranking member said, this no longer ends Safe Routes to Schools, something which I opposed in H.R. 7, and other cycling and alternate modes of transportation. It doesn't throw transit out the window or off the bridge, but transit would be in play between the House and the Senate.

During the last stage or authorization of SAFETEA-LU, we had an incredible fight in conference. It wasn't between Democrats and Republicans; it was between the House and the Senate. We fought for a number of weeks over the split between transit and highways and came to a good accommodation, I believe. And hopefully we'll end up close to that in this.

But the Senate bill, which we tried to force a vote on, and had we put that in place 3 weeks ago, instead of the 90-day extension, we wouldn't have lost or been in the process of losing all those contracts and jobs now at the beginning of the construction season. That's about 100,000 jobs potentially lost with more temporary extensions. But we would, instead, have seen another 500,000 jobs, which is the predicted result of the stability of 2 years of funding with the Senate bill.

So, you know, I will support this iteration because I am anxious to get to conference, I am anxious to get agreement. I believe we should get it done before the middle of May so that States can capture this construction season, and we can put a few hundred thousand people who desperately want jobs back to work and those who supply them back to work.

Finally, on the issue of excessive fuel prices, there is only one thing we can do immediately. I mean, the XL pipeline, first off, they say they are going to export it after they refine it. We are exporting gasoline from the United States of America today.

We have prices being set in a world market, and it's being set by speculators on Wall Street. If we just clamp down on the speculation on Wall Street, the head of ExxonMobil, Goldman Sachs, the St. Louis Federal Reserve, and prominent economists say we could save consumers 60 to 70 cents a gallon tomorrow if we stopped the rip-offs by the people on Wall Street, and the excessive speculation by the people on Wall Street, something that's only been allowed for about a decade.

It didn't used to be allowed for them to control our energy future. So if you want to do something real, that should be part of this bill. XL pipeline can do nothing to help people get lower gas prices.

Mr. MICA. Mr. Chairman, I yield 2 minutes to the distinguished chair of the House Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. I thank the chairman for yielding.

Mr. Chairman, this is a highway and infrastructure bill. That means it is a jobs bill. Now, I would remind my colleagues and those watching that the President said back in January, as part of his weekly address, that he would do whatever it takes, whatever it takes, to create jobs. There is not a more shovel-ready project than the Keystone XL pipeline, period.

Secretary Clinton said in October of 2010, I am inclined to support this project. In August of 2011, she indicated that there was no reason why they couldn't give an approval or a denial by the end of last year.

□ 1420

This is 20,000 direct jobs, more than 100,000 indirect jobs, a $7 billion privately funded pipeline that will subscribe to the pipeline safety bill that this committee as well as the Energy and Commerce Committee worked on, that the President signed this last year, raising the standards, raising the fines for those that violate those standards. It is a better pipeline safety route than ever before. I have to say for those detractors, the route has been changed through Nebraska. It will no longer go through that aquifer.

We will bring as much as 800,000 barrels of oil from the oil sands in Canada. As these gas prices continue to go up, Americans understand supply and demand; 800,000 barrels a day that we can get from our friends, the Canadians. If we don't do so, where is it going to go? China. China is already preparing to spend billions of dollars to instead build that pipeline to Vancouver, send it to China to be refined and, guess what, we will get none of that refined oil back.

Some detractors of this project say why don't we just build a refinery in North Dakota. Well, let's say we did. Are you not going to still then build a pipeline to connect it with the supply routes across the country?

The CHAIR. The time of the gentleman has expired.

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

Mr. UPTON. Mr. Speaker, we haven't built a new refinery since 1976. EPA will not allow new refineries to be built. We have spent instead billions of dollars to expand the refineries that we have.

Under regular order we moved this Keystone pipeline last summer. It passed on the House floor two-to-one. There is no reason why a construction project like this shouldn't be in this bill. I look forward to the passage of this bill later this afternoon with the inclusion of the Keystone XL pipeline.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Florida, the ranking member on our Subcommittee on Railroads, Ms. CORRINE BROWN.

Ms. BROWN of Florida. Thank you, Chairman MICA and Mr. RAHALL.

I will vote for this 3-month extension. But I have got to tell you, the Republican leadership has turned the House floor into Frankenstein's laboratory. Instead of bringing up a transportation bill that could get the support

from both sides, they brought a bill to the floor that couldn't get support from either side. Now, after they couldn't convince the Tea Party Members that transportation is actually very important to our economy, they're taking parts from different bills and creating the monster that they call ''transportation.''

It's a very sad time for transportation in the House of Representatives. The Republican leadership has ruined a process that used to be bipartisan, from a committee that used to be bipartisan. This is not the way to run the U.S. House of Representatives, and it is clearly not the way the American people want it to be run.

I've been on the Transportation Committee for 20 years, and it has never been partisan. We were the committee that moved people, goods, and services, and put millions of people to work. Now we gut funding, abandon core programs like transit and hazmat safety, and argue about issues that aren't even germane to transportation.

The Republican leadership has had a war on our Transportation Committee from the very beginning. First, they removed the firewalls from the trust fund and would no doubt be raiding it if we had any money in it. They cut the size of our committee in half. Then they gave us all freshmen Members, many who don't know how to say anything but no, no, no, no, no, no, no. And then for 2 straight years they've gutted transportation funding in the Ryan budget.

You can fool some of the people some of the time, but you can't fool all of the people all of the time.

President Barack Obama said recently that Republicans used to like to build roads. All of our stakeholders support a comprehensive transportation bill, and I am hoping that we can pass—I hate to say it—the Senate bill—we used to do the work—but I hope we can pass the Senate bill. I really want to say thank God for the United States Senate because finally we have some people that are pulling together a transportation bill that really will put the American people to work.

Mr. MICA. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from Nebraska, who's the leader and one of the authors of the Keystone provisions of this legislation, Mr. TERRY.

Mr. TERRY. Thank you, Mr. Chairman.

Certainly, the President of the United States knows how to say ''no.'' He says ''no'' to the Keystone pipeline, turning down its application just 3 months ago. This gives the United States access to probably the largest known oil reserve sitting there in a pool in North America, but the President won't allow us to have access to it. Yet during this administration, gas prices at the pump have gone up 120 percent.

People in my district keep asking me, What's the energy policy? I have to tell them I don't know. He kills the pipeline giving us access to oil which would increase supply in the United States, yet sends billions of dollars to Solyndra and solar panel companies to further flood the market with more solar panels. So I don't know what the plan is to lower gas prices because he's not giving us access.

Now, let's look at this $7 billion privately funded—that's right, maybe that's the problem: it's privately funded—infrastructure project to bring us more gasoline. It's denied. A $7 billion project to bring 20,000 new jobs. The President says he'll do anything to create new jobs, but kills the pipeline that would get union workers off the benches and into the fields working.

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 15 seconds.

Mr. TERRY. He kills those 20,000 direct jobs. There's millions of jobs, if we just used our own resources. Do you know that we can be completely energy secure using our own resources? But this administration lacks the will to be able to do that.

Mr. RAHALL. May I inquire of the time remaining, Mr. Chairman.

The CHAIR. The gentleman from West Virginia has 18 minutes remaining, and the gentleman from Florida has 15¼ minutes remaining.

Mr. RAHALL. I yield 3 minutes to the distinguished gentleman from New York, a valued member of our Committee on Transformation and Infrastructure, Mr. JERRY NADLER.

Mr. NADLER. Mr. Chairman, I rise in opposition to H.R. 4348, the second Surface Transportation Extension Act that we have considered this year.

It has become eminently clear that the Republicans in the House cannot get consensus among themselves on a long-term transportation bill. They can't get consensus on a short-term transportation bill. They can barely pass this 90-day extension. The only way to get it through is to yet again add the Keystone pipeline and other anti-environmental measures. The Republican leadership keeps playing the same cards over and over, but nobody is playing this game anymore. The Senate has moved on. The Senate passed a bipartisan bill. We should do the same.

The purpose of this extension is to serve as a vehicle to formally go to conference with the Senate. I must confess that I might be inclined to vote for it on that basis. If it passes, the House position in conference will essentially be an extension of current law, putting the policy reforms in the Senate bill on a stronger footing; but I fear that this is really just a delaying tactic and a smokescreen.

For a year and a half, the House Republicans have stubbornly refused to work with Democrats to develop a bipartisan bill, completely upending the historical traditions of our committee. This is despite the fact that there are plenty of individual Republican Members who are willing to work with us on certain issues.

When H.R. 7, the original Republican long-term reauthorization bill, was introduced, several Republican Members joined me on an amendment to preserve the transit funding that would have been gutted in H.R. 7.

□ 1430

That was probably one of the reasons that H.R. 7 was ultimately pulled before it could get to the floor. So there are clearly Members on the other side of the aisle who would work with us to develop a bipartisan bill, but the Republican leadership stubbornly refuses to let that happen. Why should we expect anything different in conference?

The Republican leadership could also just bring up the Senate bill, but they won't even allow a vote. Why? What are they afraid of? Because they know it would pass. And what would be wrong with that? The Senate bill isn't perfect, but it's a bipartisan compromise measure that would put people to work right away and provide more certainty to the transportation agencies than a stream of short-term extensions. We could resolve this situation right now, but they continue to block legislation that would likely pass both Chambers, on a bipartisan basis, and be signed into law by the President.

I hope that my concerns about the intent of the other side turn out to be unwarranted. I hope that if this extension passes, that it will ultimately move the process along in a positive manner and that we will have a meaningful conference that produces a good, bipartisan bill. Passing an extension is certainly better than passing H.R. 7, but given what has transpired so far, and given the addition of the Keystone pipeline and other anti-environmental measures, I must reluctantly vote ''no.''

The Keystone pipeline would cut through the United States to allow Canada to deliver up to 900,000 barrels per day of tar sand oil to gulf coast refineries. Tar sand oil extraction is destructive and dangerous. Producing one barrel of tar sand oil releases at least three times more global warming pollutants than conventional oil. If we allow this expansion to occur, it will be virtually impossible to reduce global warming. That's why the Keystone pipeline has rightfully been called a ''game-changer.'' And there is no guarantee that any of the oil extracted would be delivered to U.S. consumers. We cannot allow such a gigantic and irreversible step backward in the fight against global warming. But these objections are not the administration's. The administration simply wants to be able to complete the normal environmental review of the Keystone pipeline provided by law to decide whether to approve it or not. But this legislation mandates approval regardless of the law. It supersedes the normal process. This makes it impossible to vote for this legislation.

Mr. MICA. Mr. Chairman, at this time, I'd like to yield 2 minutes to the distinguished Representative, the former chair of the Government Reform and Oversight Committee, Mr. BURTON from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I want to thank the gentleman for yielding.

A question: Does the President prevaricate? Does he mislead? I've been watching him on television the last couple of days, and he says that we only have 2 percent of the oil reserves, and we've been doing more drilling over the past couple, 3 years than we've ever done before. So let's look at the facts, and I hope somebody at the White House may be paying attention.

According to the American Petroleum Institute, the number of new permits to drill issued by the Bureau of Land Management is down 40 percent from an average of 6,444 permits in 2007–2008 to an average of 3,962 in 2009–2010. The administration is stopping drilling on public lands. During this same time period, the number of new wells drilled on Federal land has declined by 40 percent. And yet he keeps telling us the reason gas prices are going up is for a number of other reasons. The fact is, we're not drilling here. We've got more oil in oil shale in public lands than they have in Saudi Arabia, and we're not exploring for it.

President Obama cites that oil production is at an all-time high during his administration. However, oil production on Federal land fell by 11 percent last year. Oil production on private and State-owned land—land beyond the Federal Government's grip—grew by 14 percent. So what he's talking about is where he can't touch it, on private land, the drilling is up a little bit. But that's only a small portion of the oil that's available.

Federal lands hold an estimated—get this—116.4 billion barrels of recoverable oil, enough to produce gasoline for—get this—65 million cars and fuel oil for 3.2 million households for 60 years. And, yet, the administration keeps saying, oh, we can't do it; we're doing everything we can.

The American people need to know the truth. The truth is, if we use our own natural resources, in 5, 10, 15 years we could be energy independent. But this administration wants to put more control in the Federal administration.

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman 15 additional seconds.

Mr. BURTON of Indiana. This administration wants to put more and more control in the Federal Government, in health care, in energy, in every other area, because he believes in a European-style, socialistic approach to government. And the American people need to know that. He isn't giving us the facts.

Mr. RAHALL. Mr. Chairman, I yield 2½ minutes to a distinguished member of our committee, the gentleman from Tennessee, Mr. STEVE COHEN.

Mr. COHEN. Mr. Chairman, last week in Memphis, I met with dozens of transportation, business, and civic officials involved in transportation. Every one of them said, stop the partisan politics and pass a transportation bill.

Secretary Ray LaHood, a Republican who served 12 years in this House and 17 years as the chief of staff to Bob Michel, one of the great Members of this group, came to Memphis. He said, Pass the transportation bill. And he said the reason they don't want to do it is they don't want to give President Obama any jobs because they want to beat President Obama, and the American people don't matter. That's the fact. The Secretary said this is the worst transportation bill he's ever seen, and he said it shouldn't be politicized.

Transportation leaders across the country and our Republican Transportation Secretary are begging us to take up the Senate bill, get it passed, put Americans back to work, and improve our infrastructure.

What's going on here is political. Gas prices are soaring, yes, but that's because of trouble in the Middle East, and that's because of oil speculators. It's not because of the Keystone XL pipeline. That is hooey. Domestic oil prices are set by the international market, and more and more emerging economies are wanting and needing oil. That causes the price to go up.

This assertion, the assertion that gas will go down because of the pipeline, is false. In fact, if the pipeline is completed, gas prices will go up in this country, and TransCanada said that in their papers when they tried to get the pipeline approved.

This will not mean more energy security. It will simply mean more money for international oil companies whose purpose is to raise money for themselves, and they're going to ship that oil overseas. It's not for American consumption.

Yeah, they're not Middle Eastern, yeah, they're not Venezuelan, but they're making profit, and they're going to send that oil overseas. It won't help America at all. And then they threw in something about coal ash, coal ash rules that the EPA had that would have prevented a disaster like what happened in Tennessee. It has nothing to do with transportation. Put America back to work. Pass the Senate bill.

Mr. MICA. Mr. Chairman, I yield myself 1½ minutes.

Let me just say I heard repeated here some things about what the Secretary said, and he did not have favorable comments about H.R. 7. So we've tried to bring something forward that would bring us to passing a bill and get people to work and get this resolved. And then today the Secretary said that the Congress would not pass a multiyear bill, instead of saying he'd work with us and be a leader to do that.

Then the Secretary went on to say, look what they've loaded it up with—speaking about this bill today—Keystone, coal ash, none of it has anything to do with transportation.

Well, first of all, I guess it's difficult for the Secretary to understand that energy costs and the pain at the pump are killing the consumer and impacting dramatically the American people. Keystone does have something to do with that. I guess if you have a chauffeur pick you up in the morning and you're not pumping the gas yourself and taking the money out of your pocket, you wouldn't understand the relevance of Keystone.

And then coal ash, which was just referred to here by the gentleman, it makes our surface more durable and we save money——

Mr. COHEN. Will the gentleman yield?

Mr. MICA. I will not yield, and I don't like being interrupted, especially when I have a good point.

Mr. COHEN. That's a rare time.

Mr. MICA. Coal ash, to continue, although being interrupted, makes the surface more durable. It's important that we get value when we're putting money into roads and pavement. So it's a very important provision that saves costs and gets us more for our money.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished ranking member of the House Natural Resources Committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman. This bill is an environmental atrocity. The majority has allowed an unrelated amendment that would forbid the EPA—forbid them—from requiring the safe disposal of toxic coal waste that contains arsenic, mercury, and chromium. And the majority has allowed an amendment that would provide massive exemptions from the National Environmental Policy Act and smothers the ability of communities to have input into projects that could create toxic nightmares in local neighborhoods. This is what the Republicans are doing out here today. ''EPA,'' Every Polluter's Ally, that's what they want to turn it into.

So what we have on top of that is a provision to build the Keystone pipeline through the United States of America from Canada, the dirtiest oil, by the way, in the world, bring it through the United States, and then to bring it to Port Arthur, Texas.

□ 1440

Now, what goes on in Port Arthur, Texas? Very interesting. I think it's important for the American people to know what happens there. Last year, 73 percent of all of the gasoline that was refined in Port Arthur and in the Houston area was exported out of the United States. Understand what I'm saying? This is oil that was found in the United States, drilled for in the United States, sent down to Texas, refined down there in the Houston and Port Arthur area, and then they exported it. And where did they export it

to—our oil, United States oil? They exported it to China, to the Communists.

The Republicans are here blocking an amendment that makes it possible for us to stop the oil from the Keystone pipeline from being sent to the Communist Chinese. Now, I hear gentlemen out here charging President Obama with being a Socialist, but who would engage in this kind of activity, to pretend that they want to have oil for the United States and for our citizens, and then when I ask for an amendment to ensure that all the oil that comes through the Keystone pipeline stays in the United States, the Republicans say, Oh, no, you're not making that amendment; we're going to tie your hands, Mr. MARKEY; you can't make the amendment; we don't want you to make us be prohibited from selling this oil to the Communist Chinese?

Now, ladies and gentlemen, that's just wrong. That's wrong. That oil is American oil. That oil should stay in the United States. If we're building this pipeline, it should stay here in the United States. We should not be exporting American oil, with gasoline prices at $4 a gallon, to China and to Latin America.

That's what this whole plot is about, by the way. This is a plot to build a pipeline down to Port Arthur, Texas, tax free, and export that oil out of the United States. That's why the amendment I requested has not been put in order.

Mr. MICA. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Mr. Chairman, I rise in support of the Keystone XL pipeline as well as the underlying bill.

The plot here is for jobs, American jobs. It's a no-brainer. Like most Arkansans, I support this pro-jobs project that will strengthen our national security by making us less dependent on Middle Eastern oil.

Arkansas families and businesses are hurting due to high gas prices, and the Keystone pipeline will bring an additional 1 million barrels of oil per day into the United States. More supply means lower prices, and Arkansans, as well as all Americans, need relief from these high gas prices.

President Obama denied construction of the Keystone XL pipeline despite years of extensive vetting for environmental impacts. Make no mistake, the President's decision to reject the Keystone pipeline has cost American jobs. Welspun, a manufacturer in my district, has manufactured nearly half of the pipe for the Keystone pipeline and was forced to lay off 60 workers after the President rejected the pipeline, after he delayed it last year.

The Keystone pipeline will strengthen American energy security and create tens of thousands of good American jobs. It's past time to move the Keystone pipeline forward.

Mr. RAHALL. Time check, please, Mr. Chairman.

The CHAIR. Both sides have 10 minutes remaining.

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

Mr. MICA. Mr. Chairman, I yield myself 1 minute at this time.

I know there's a lot of disappointment on the other side of the aisle because this extension and this ability to get the bill done contains no earmarks, no tax increases, and no programs of bigger government, so I know they're disappointed in that regard.

The other thing, too, that folks should remember is we've done everything we can in a bipartisan way to move this process forward. I remember working with Mr. Oberstar, the former chairman, when the current Secretary and the President came in and said they weren't going to do a 6-year bill when they had all the votes, huge majorities, and they could have put people to work and gotten this done. Instead, they gave us six extensions. So here we are trying to get the job done.

As the Cable Guy says, and my son reminds me, Dad, we're gonna git-r-done. And we're going to get her done one way or the other.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself the remainder of my time, actually.

We're going to have time during the amendment process to debate the three amendments that have been made in order under the rule. I wish more had been made in order—that's why I voted against the rule—but that decision was the Rules Committee.

The three that will be allowed, of course one has to do with environmental gutting—I mean, streamlining; the other has to do with the Harbor Maintenance Trust Fund; and then the third has to do with legislation introduced by my colleague from West Virginia (Mr. MCKINLEY) dealing with coal waste ash, the latter of which there is support from my side of the aisle for and, indeed, from myself.

The Harbor Maintenance Trust Fund is a good amendment. I'm glad the Rules Committee made that in order, and I find myself in position to support that as well as the coal ash amendment. At the proper time, I'll speak further on it.

I would like to say that the gentleman from Florida, my chairman, has referred to the inability of our side of the aisle to pass legislation when we were in control of this body. We may have been in control of the other body as well—although, we were not, because the minority over there, as the gentleman knows, has more power than the majority in the other body; and perhaps we did not have the full support of the administration as we would have liked under then-Chairman Jim Oberstar's leadership, and that's unfortunate as well. I don't think any of us would deny that on this side of the aisle.

The fact of the matter is, today, with the other body being even more divided than it was in previous leadership regimes, they have passed a bipartisan bill. Half of the Republican Members of the other body supported their bipartisan transportation bill. Both the chairlady and the ranking member of the relevant committee joined together, put their names on a piece of legislation, put some reforms in it that are good reforms, provided a 2-year bill, paid for, and I believe is a bill that we should have been considering today and that I had made the request to the Rules Committee yesterday to consider, but they did not grant my wishes, so we are where we are today.

We have an additional 90-day extension that we will be asked to vote on later today. That's a good thing, I guess, if we get to a conference. And this is the final point that I want to make is that conference must be held sooner rather than later. It must be held as soon as possible. We're ready to go to conference later today if the conferees were to be announced. We already have the Senate bill. So from our side of the aisle, we're ready to go to conference today, right now.

I would urge the majority in this body to call that conference as soon as possible. Our workers cannot wait any longer. Our small businesses cannot wait any longer. Our road contractors cannot wait any longer.

This is the time of the year when road contracts are let, as I'm sure my distinguished chairman and every Member of this body knows full well. This is the time of the year, the springtime of the year when those decisions have to be made, when our small businesses, when our road contractors need to let their employees and prospective employees know—today they need to let them know whether or not they're going to have a job, not 90 days from now, not 90 plus 90 days from now, but today.

So that's why I would urge that this conference committee meet as quickly as possible. I call upon the leadership of this body to call a conference committee. Our workers are ready. Our contractors are ready. Contracts are ready to be let.

□ 1450

We need those American jobs now, and I would hope that Chairman MICA would join me in a bipartisan plea to assign conferees as expeditiously as possible and to call a conference even quicker, if that's possible.

I reserve the balance of my time.

Mr. MICA. I am pleased to yield 1 minute to the gentleman from Arizona (Mr. FLAKE), one of the leaders for responsible government.

Mr. FLAKE. I thank the chairman for yielding.

I rise in support of the provision in this legislation to get the construction of the Keystone pipeline under way.

For months, Members on both sides of the aisle have worked to impress upon the administration the urgent need for the Keystone XL pipeline

project to proceed. Justification for Keystone as a safe and critical boon to private sector job creation and American energy security has not changed.

This project, as we all know, carries with it thousands of jobs. It will still increase the Nation's capacity to transport crude oil by 830,000 barrels a day; and the State Department is still on record saying that the Keystone ''poses little environmental risk'' and will lead to ''no significant impacts to most resources.''

But, unfortunately, the administration's reluctance to proceed with Keystone has left some that question things on Keystone and some debate to begin. The unemployment rate is still above 8 percent. The U.S. still relies on the same sources of foreign energy, and a lot of Americans are asking why, why in the world can't we get this approved.

I would urge adoption of this provision.

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 15 seconds.

Mr. FLAKE. I thank the gentleman.

I have concerns, overall, on the transportation provisions, but this provision is very good, the Keystone provision, and it should remain in.

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

Mr. MICA. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), one of the leaders of the Energy and Commerce Committee and helper on this legislation.

Mr. SCALISE. Mr. Chairman, I want to thank the gentleman from Florida for yielding and for bringing this legislation forward and, specifically, want to talk about title III of this bill, and that deals with the RESTORE Act.

Of course, this Friday will mark the 2-year anniversary of the Deepwater Horizon disaster. People all across the country saw for weeks and weeks oil coming into the Gulf of Mexico, destroying ecosystems, destroying economic industries. And yet, still to this day, there is no mechanism in place to dictate what should happen to those fines that BP and the other responsible parties will have to pay under the Clean Water Act.

In this component, the RESTORE Act actually sets that policy out. And it was the result of a compilation of work by Republicans and Democrats from all five Gulf Coast States who came together and recognized that the most responsible thing to do would be to dedicate that money, 80 percent of those fines, to the Gulf Coast States so that we actually have revenue to go and restore the damage that's been done.

I think most people recognize the right thing to do is to dedicate that money, not to send it up to Washington to be spent on things unrelated, but to actually allow us to restore the damage that was done in the Gulf of Mexico from that tragedy, and that's what this bill does.

The mechanism is in place, and as we go to a conference committee, I feel very confident we can get to a point where we have the full RESTORE Act in the final product so that there is no question that there is a commitment from this Congress that the Gulf Coast States ought to have the ability to restore the damage that was done during that tragedy.

Of course, another component of this bill is the Keystone pipeline. And I think as we look at the dilemma so many families are facing with escalating gas prices, the fact that you've got gas prices in some places already over $4 a gallon, experts predicting $5 a gallon gasoline, and here we have a friend in Canada saying that they want to send a million barrels a day of oil to America, which is a million barrels a day we don't have to get from these Middle Eastern countries who don't like us, sending billions of dollars to people, in essence, funding the enemy in some of these terrorist battles across the Middle East.

We've got the ability to create 20,000 jobs and secure our energy security. I look forward to passage of this legislation.

Mr. RAHALL. Is the gentleman from Florida ready to close?

Mr. MICA. I'm ready to close.

Mr. RAHALL. I know how much time I have left, I think, but just tell me, Mr. Chairman.

The CHAIR. The gentleman has 5½ minutes.

Mr. RAHALL. Let me, again, repeat what I said a moment ago. I'm sure the chairman heard me. And I'm asking, once again, that we go to conference as quickly as possible. I gave the reasons in my concluding speech why that is necessary for the sake of jobs for Americans.

I would hope that, in one last-ditch effort, one last-ditch effort to plead for bipartisanship in this body, as the other body has already demonstrated and proved, that perhaps the chairman would join me, his ranking member, in a letter to the Speaker urging that we go to conference as quickly as possible.

The legislative process has been explained to me, and when you cut through it all, we could go to conference as early as tonight on this legislation. So I would ask the chairman, once again, if he would join me in that last bipartisan plea I make for such a joint pleading with the Speaker to go to conference.

I yield the balance of my time to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding, and I would yield to the chairman of the committee in the hope that he would respond to that because I think it's a reasonable request.

Mr. MICA. And I would tell the gentleman—am I on the gentleman's time, Mr. Chairman?

The CHAIR. Yes, you're on the gentleman's time.

Mr. MICA. Okay. Then I would tell the gentleman that I plan to respond in not taking his time, but in taking my time to the request from the distinguished ranking member from West Virginia (Mr. RAHALL), and I will have an answer in response to his specific question dealing with whether or not I would sign the letter asking for an expeditious approval and consideration of appointment of conferees and going to conference in an expedited manner.

Mr. DEFAZIO. Reclaiming my time, I'm afraid I didn't quite catch that. If the gentleman is saying that he wants to originate the letters making those points, I will tell him right now I would sign it, and I believe the gentleman from West Virginia would sign it. If that's the problem that he was insinuating that we in the minority would initiate the letter, the point is we would love to have the chairman write the letter and be willing to sign it.

My understanding of the procedures that have been set forth already in the Senate is when we send this bill to the Senate, and it could be there within a couple of hours, that Leaders MCCONNELL and REID must sit down and agree that it meets their preconditions to go to conference. If it does, then the Senate goes automatically to conference. They don't have to go through all their usual procedures, and then they would send a request for conference back to us, which could be here tonight or early tomorrow morning, and we could appoint conferees tomorrow, and we could begin negotiating the bill.

I'm willing to clear my weekend schedule. I have things scheduled. I'm willing to clear my weekend schedule. I hope to be a conferee on our side of the aisle to go to conference because we really need to get the certainty the States need.

Every day States are announcing delays and cancellations of projects for this construction season which, for those of us who live in the northern part of the country, not down in Florida, means they don't get done this year. If they can't commit to a project by the end of May, except for some very minor projects, it won't get done this year.

We need those jobs. We need those projects. Instead of adding jobs and projects today, because of the temporary nature of these two extensions, States are notifying DOT that they are going to delay or cancel projects. And again, in the case of North Carolina, $1.2 billion worth of projects, 41,000 jobs lost. In my State, a couple of thousand jobs lost, and we have high unemployment. All across the country, it probably adds up to 100,000 jobs that will be foregone this construction season if we don't get a longer-term bill done by mid- to late May.

I think it's entirely possible and, as I said, on this side of the aisle we want to expedite going to conference. That's the reason we will support this bill, despite some of its faults, because the majority has shown a willingness to sit down seriously and get this done, but

we can't delay. We have to move forward with all dispatch.

Let's start tomorrow. Let's work through the weekend. Let's work through the next break. We've already had 10 or 12 or 15 breaks this year. Let's work through the next break. I'll cancel my schedule for that break, too, and get this bill done for the American people for our transportation system by mid-May.

□ 1500

Mr. RAHALL. As we are all anxiously awaiting the chairman to respond with his time, I yield back the balance of my time so that we all can wait with bated breath to hear the distinguished chairman's response to our invitation.

Mr. MICA. Might I inquire as to what time is remaining?

The CHAIR. The gentleman has 5¾ minutes.

Mr. MICA. In answering with bated breath, I yield myself the balance of my time.

First of all, let me say on a serious basis that I've tried to have the best working relationship possible with Mr. RAHALL, the Democrat leader of the Transportation Committee. He and I were respectively chosen to lead the committee, and I've tried to do my best in the last year plus several months to work with him in meeting our responsibilities.

We have done some important things. We passed a 5-year stalled FAA bill, and we did it without tax increases, without earmarks, and with a good plan for the future that will put people to work in an area, the aviation industry, that accounts for 10 percent of our economic activity in the country.

Let me say in regard to the former chair of, I believe, the Highway Subcommittee, Mr. DEFAZIO, that he was the ranking member on 9/11 when the good Lord put us both with the responsibility of trying to get the Nation's aviation system going after the horrendous attack by terrorists on our country and on the aviation system, and we did that together.

I came to this position after 18 years, after my predecessor, Mr. Oberstar, who I enjoyed so much working with, who was the distinguished leader from the other side. I learned quite a bit from Mr. Oberstar and others, from Mr. SHUSTER who came before me. There was a whole host of great leaders in the committee—Mr. Mineta, my first chair. I tried to learn from all of them and not make mistakes but to do the best thing for the committee, not for my self-interests or my party's interests, but in the interest of the American people, because that's what we're sent here for is to help the American people.

We had a crisis after 9/11. We came together. We have a crisis now. We have millions of Americans who don't have jobs, who don't have work. I supported the bill. I think Mr. Oberstar waited 32 years to become chairman. I was elected after 18 years by my colleagues. He had his bill pretty much together. I didn't have a bill.

I first went to Mr. RAHALL's district, who is the ranking member, and held the first hearing on this legislation in Beckley, West Virginia, which I'd never been to, and I wouldn't mind going back. Everybody there was nice to me and committed then. We went across the country and did a record number of hearings—as I said, bipartisan, bicameral with Mrs. BOXER, who I hope to complete this legislation with and with other leaders and workers, because here you can't do it yourself. You really can't. You might think you can, but you can't.

So I have taken everybody's good ideas, and please don't say I wasn't bipartisan. We took every amendment, 100 Democrat amendments. I don't know anyone who has done that. We sat there until 3 o'clock in the morning—it was an 18-hour markup—and we passed 20-some of their amendments. Shoot, this is difficult. I don't have earmarks like the previous chairman had. The last bill had 6,300 earmarks. Yes, you can get the bill done quickly, but even then it took them 2 years. I've been here for—what?—14 months leading the committee, and today, we will take this to conference.

To answer your question, not only will I sign the letter; I will draft the letter asking to be expeditious in going to conference and in the appointment of conferees. In addition, I'll ask our chair, Mr. DUNCAN, to sign that letter—I hope you will join me, and I thank you for offering that—so we can get the people's work done.

I look back and I see the missed opportunities, one when Mr. LaHood came in to Mr. Oberstar and me and turned down a 6-year bill that we had planned. I didn't like everything Mr. Oberstar proposed. In fact, I probably would have had to have held my nose and voted for it; but I told him, in the interest of the country and the American people, we needed to move forward, and I was supportive of getting the bill to conference so we could work out the details. I wasn't afforded all that opportunity in this process, and I'm saddened a bit about that because I have tried to work in good faith.

Now the American people are calling on us to stop the bickering, to stop the baloney, to get back to work. The American people are hurting.

Then again, there is the pain at the pump. I've seen people, when I've been home, taking out a few dollars at a time in trying to pay that gas bill, and sometimes I've seen people go out and buy $5 worth of gas. It breaks my heart that they can barely make it back and forth. I saw a waitress who was telling me how difficult it was for her to get to work because she couldn't afford it. But that's why they sent us here—to get this job done, and we need to get this job done.

So I think, on behalf of the American people, we need to continue the process. We've been down several roads, and some of those had some bumps and some of them had some dead ends, but let's hope that this has a path to lower energy costs and that this has a path to building this country's infrastructure, which is so important for what the business of this country is. The business of this country is business. It wasn't Big Government. So we can do it.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise to support H.R. 4348, the Surface Transportation Extension Act of 2012, Part II, but I do so with a great deal of reservation. The simple fact is that we must pass a transportation reauthorization for the benefit of the country, as the piecemeal extensions cannot provide cities and states adequate time to plan, and result in wasteful spending of our precious infrastructure dollars.

The current bill was crafted in backrooms of the GOP leadership, without the benefit of hearings or a markup. This bill does not include one Democratic amendment, and contains numerous poison pills such as the Keystone XL pipeline that will be non-starters with Senate conferees. Up until the present time, the House Transportation and Infrastructure committee has worked in a fashion that focused on shared goals and producing the type of legislation that creates jobs, improves safety, and keeps Americans safe on the roads they travel. As a senior member of the House Transportation and Infrastructure Committee, I can say that this reauthorization process in the House has been a stark departure from the traditional bipartisan process, and the quality of the bill has suffered as such.

Nevertheless, I support final passage of H.R. 4348 because it will enable the House to conference with the Senate on the reauthorization, and with a reauthorization in place, we can begin to repair our crumbling infrastructure and get thousands of American back to work.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 4348

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—SURFACE TRANSPORTATION EXTENSION

Sec. 101. Short title.

Subtitle A—Federal-Aid Highways

Sec. 111. Extension of Federal-aid highway programs.

Subtitle B—Extension of Highway Safety Programs

Sec. 121. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 122. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 123. Additional programs.

Subtitle C—Public Transportation Programs

Sec. 131. Allocation of funds for planning programs.

Sec. 132. Special rule for urbanized area formula grants.
Sec. 133. Allocating amounts for capital investment grants.
Sec. 134. Apportionment of formula grants for other than urbanized areas.
Sec. 135. Apportionment based on fixed guideway factors.
Sec. 136. Authorizations for public transportation.
Sec. 137. Amendments to SAFETEA–LU.
Subtitle D—Highway Trust Fund Extension
Sec. 141. Extension of highway-related taxes.
Sec. 142. Extension of trust fund expenditure authority.
TITLE II—KEYSTONE XL PIPELINE
Sec. 201. Short title.
Sec. 202. Restriction.
Sec. 203. Permit.
Sec. 204. Relation to other law.
TITLE III—RESTORE ACT
Sec. 301. Short title.
Sec. 302. Gulf Coast Restoration Trust Fund.

TITLE I—SURFACE TRANSPORTATION EXTENSION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Surface Transportation Extension Act of 2012, Part II''.

Subtitle A—Federal-Aid Highways

SEC. 111. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 111 of the Surface Transportation Extension Act of 2011, Part II (Public Law 112–30; 125 Stat. 343) is amended—

(1) by striking ''the period beginning on October 1, 2011, and ending on June 30, 2012,'' each place it appears and inserting ''fiscal year 2012'';

(2) by striking ''¾ of'' each place it appears; and

(3) in subsection (a) by striking ''June 30, 2012'' and inserting ''September 30, 2012''.

(b) USE OF FUNDS.—Section 111(c) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A) by striking '', except that during such period'' and all that follows before the period at the end; and

(B) in subparagraph (B)(ii) by striking ''$479,250,000'' and inserting ''$639,000,000''; and

(2) by striking paragraph (4).

(c) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA–LU.—Section 111(e)(2) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended by striking ''the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''fiscal year 2012.''.

(d) ADMINISTRATIVE EXPENSES.—Section 112(a) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 346) is amended by striking ''$294,641,438 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$392,855,250 for fiscal year 2012.''.

Subtitle B—Extension of Highway Safety Programs

SEC. 121. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$235,000,000 for each of fiscal years 2009 through 2011'' and all that follows through the period at the end and inserting ''and $235,000,000 for each of fiscal years 2009 through 2012.''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''and $81,183,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''and $105,500,000 for fiscal year 2012.''.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2001(a)(3) of SAFETEA–LU (119 Stat. 1519) is amended by striking '', $25,000,000 for each of fiscal years 2006 through 2011'' and all that follows through the period at the end and inserting ''and $25,000,000 for each of fiscal years 2006 through 2012.''.

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''and $36,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''and $48,500,000 for fiscal year 2012.''.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''for each of fiscal years 2006 through 2011'' and all that follows through the period at the end and inserting ''for each of fiscal years 2006 through 2012.''.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—Section 2001(a)(6) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$139,000,000 for each of fiscal years fiscal years 2009 through 2011'' and all that follows through the period at the end and inserting ''and $139,000,000 for each of fiscal years 2009 through 2012.''.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''and $3,087,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''and $4,000,000 for fiscal year 2012.''.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—Section 2001(a)(8) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''for each of fiscal years 2006 through 2011'' and all that follows through the period at the end and inserting ''for each of fiscal years 2006 through 2012.''.

(i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$7,000,000 for each of fiscal years 2009 through 2011'' and all that follows through the period at the end and inserting ''and $7,000,000 for each of fiscal years 2009 through 2012.''.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—Section 2001(a)(10) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$7,000,000 for each of fiscal years 2009 through 2011'' and all that follows through the period at the end and inserting ''and $7,000,000 for each of fiscal years 2009 through 2012.''.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$25,328,000 for fiscal year 2011'' and all that follows through the period at the end and inserting ''and $25,328,000 for each of fiscal years 2011 and 2012.''.

SEC. 122. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

''(8) $212,000,000 for fiscal year 2012.''.

(b) ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Section 31104(i)(1)(H) of title 49, United States Code, is amended to read as follows:

''(H) $244,144,000 for fiscal year 2012.''.

(2) TECHNICAL CORRECTION.—Section 31104(i)(1)(F) of title 49, United States Code, is amended to read as follows:

''(F) $239,828,000 for fiscal year 2010;''.

(c) GRANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking ''and $22,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''and $30,000,000 for fiscal year 2012.'';

(2) in paragraph (2) by striking ''2011 and $24,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2012.'';

(3) in paragraph (3) by striking ''2011 and $3,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2012.'';

(4) in paragraph (4) by striking ''2011 and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2012.''; and

(5) in paragraph (5) by striking ''2011 and $2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2012.''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''2011 and $11,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''and up to $21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''and 2011 (and $750,000 to the Federal Motor Carrier Safety Administration, and $2,250,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012)'' and inserting ''2011, and 2012''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (119 Stat. 1744) is amended by striking ''2011 and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''.

(h) MOTOR CARRIER SAFETY ADVISORY COMMITTEE.—Section 4144(d) of SAFETEA–LU (119 Stat. 1748) is amended by striking ''June 30, 2012'' and inserting ''September 30, 2012''.

(i) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of SAFETEA–LU (49 U.S.C. 14710 note; 119 Stat. 1759) is amended by striking ''June 30, 2012'' and inserting ''September 30, 2012''.

SEC. 123. ADDITIONAL PROGRAMS.

(a) HAZARDOUS MATERIALS RESEARCH PROJECTS.—Section 7131(c) of SAFETEA–LU (119 Stat. 1910) is amended by striking ''and $870,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $1,160,000 for fiscal year 2012''.

(b) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) by striking ''2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012,''; and

(2) in the first sentence of subsection (b)(1)(A) by striking ''2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012,''.

Subtitle C—Public Transportation Programs

SEC. 131. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.

Section 5305(g) of title 49, United States Code, is amended by striking ''2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012'' and inserting ''2012''.

SEC. 132. SPECIAL RULE FOR URBANIZED AREA FORMULA GRANTS.

Section 5307(b)(2) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting ''SPECIAL RULE FOR FISCAL YEARS 2005 THROUGH 2012.—'';

(2) in subparagraph (A) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012,''; and

(3) in subparagraph (E)—

(A) by striking the subparagraph heading and inserting ''MAXIMUM AMOUNTS IN FISCAL YEARS 2008 THROUGH 2012.—''; and

(B) in the matter preceding clause (i) by striking ''2011 and during the period beginning on October 1, 2011, and ending on June 30, 2012'' and inserting ''2012''.

SEC. 133. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking the paragraph heading and inserting ''FISCAL YEARS 2006 THROUGH 2012.—'';

(B) in the matter preceding subparagraph (A) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''; and

(C) in subparagraph (A)(i) by striking ''2011 and $150,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012'';

(2) in paragraph (6)—

(A) in subparagraph (B) by striking ''2011 and $11,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''; and

(B) in subparagraph (C) by striking ''though 2011 and $3,750,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''through 2012''; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) in the first sentence by striking ''2011 and $7,500,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''; and

(II) in the second sentence by inserting ''each fiscal year'' before the colon;

(ii) in clause (i) by striking ''for each fiscal year and $1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(iii) in clause (ii) by striking ''for each fiscal year and $1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(iv) in clause (iii) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(v) in clause (iv) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(vi) in clause (v) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(vii) in clause (vi) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(viii) in clause (vii) by striking ''for each fiscal year and $487,500 for the period beginning on October 1, 2011, and ending on June 30, 2012,''; and

(ix) in clause (viii) by striking ''for each fiscal year and $262,500 for the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(B) in subparagraph (B) by striking clause (vii) and inserting the following:

''(vii) $13,500,000 for fiscal year 2012.'';

(C) in subparagraph (C) by striking ''and during the period beginning on October 1, 2011, and ending on June 30, 2012,'';

(D) in subparagraph (D) by striking ''and not less than $26,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,''; and

(E) in subparagraph (E) by striking ''and $2,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,''.

SEC. 134. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

Section 5311(c)(1)(G) of title 49, United States Code, is amended to read as follows:

''(G) $15,000,000 for fiscal year 2012.''.

SEC. 135. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.

Section 5337 of title 49, United States Code, is amended by striking subsection (g).

SEC. 136. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA AND BUS GRANTS.—Section 5338(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking subparagraph (G) and inserting the following:

''(G) $8,360,565,000 for fiscal year 2012.''; and

(2) in paragraph (2)—

(A) in subparagraph (A) by striking ''$113,500,000 for each of fiscal years 2009 through 2011, and $85,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $113,500,000 for each of fiscal years 2009 through 2012'';

(B) in subparagraph (B) by striking ''$4,160,365,000 for each of fiscal years 2009 through 2011, and $3,120,273,750 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $4,160,365,000 for each of fiscal years 2009 through 2012'';

(C) in subparagraph (C) by striking ''$51,500,000 for each of fiscal years 2009 through 2011, and $38,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $51,500,000 for each of fiscal years 2009 through 2012'';

(D) in subparagraph (D) by striking ''$1,666,500,000 for each of fiscal years 2009 through 2011, and $1,249,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $1,666,500,000 for each of fiscal years 2009 through 2012'';

(E) in subparagraph (E) by striking ''$984,000,000 for each of fiscal years 2009 through 2011, and $738,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $984,000,000 for each of fiscal years 2009 through 2012'';

(F) in subparagraph (F) by striking ''$133,500,000 for each of fiscal years 2009 through 2011, and $100,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $133,500,000 for each of fiscal years 2009 through 2012'';

(G) in subparagraph (G) by striking ''$465,000,000 for each of fiscal years 2009 through 2011, and $348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $465,000,000 for each of fiscal years 2009 through 2012'';

(H) in subparagraph (H) by striking ''$164,500,000 for each of fiscal years 2009 through 2011, and $123,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $164,500,000 for each of fiscal years 2009 through 2012'';

(I) in subparagraph (I) by striking ''$92,500,000 for each of fiscal years 2009 through 2011, and $69,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $92,500,000 for each of fiscal years 2009 through 2012'';

(J) in subparagraph (J) by striking ''$26,900,000 for each of fiscal years 2009 through 2011, and $20,175,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $26,900,000 for each of fiscal years 2009 through 2012'';

(K) in subparagraph (K) by striking ''for each of fiscal years 2006 through 2011 and $2,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each of fiscal years 2006 through 2012'';

(L) in subparagraph (L) by striking ''for each of fiscal years 2006 through 2011 and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each of fiscal years 2006 through 2012'';

(M) in subparagraph (M) by striking ''$465,000,000 for each of fiscal years 2009 through 2011, and $348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $465,000,000 for each of fiscal years 2009 through 2012''; and

(N) in subparagraph (N) by striking ''$8,800,000 for each of fiscal years 2009 through 2011, and $6,600,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $8,800,000 for each of fiscal years 2009 through 2012''.

(b) CAPITAL INVESTMENT GRANTS.—Section 5338(c)(7) of title 49, United States Code, is amended to read as follows:

''(7) $1,955,000,000 for fiscal year 2012.''.

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''through 2011, and $33,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''through 2011, and $44,000,000 for fiscal year 2012,''; and

(2) by striking paragraph (3) and inserting the following:

''(3) ADDITIONAL AUTHORIZATIONS.—

''(A) RESEARCH.—Of amounts authorized to be appropriated under paragraph (1) for fiscal year 2012, the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to 63 percent of the amount allocated for fiscal year 2009 under each such subparagraph.

''(B) UNIVERSITY CENTERS PROGRAM.—

''(i) FISCAL YEAR 2012.—Of the amounts allocated under subparagraph (A)(i) for the university centers program under section 5506 for fiscal year 2012, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to 63 percent of the amount allocated for fiscal year 2009 under each such clause.

''(ii) FUNDING.—If the Secretary determines that a project or activity described in paragraph (2) received sufficient funds in fiscal year 2011, or a previous fiscal year, to carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under clause (i) for the project or activity for fiscal year 2012 or any subsequent fiscal year.''.

(d) ADMINISTRATION.—Section 5338(e)(7) of title 49, United States Code, is amended to read as follows:

''(7) $98,713,000 for fiscal year 2012.''.

SEC. 137. AMENDMENTS TO SAFETEA–LU.

(a) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of SAFETEA–LU (119 Stat. 1572) is amended by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012,''.

(b) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011 of SAFETEA–LU (49 U.S.C. 5309 note; 119 Stat. 1588) is amended—

(1) in subsection (c)(5) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012'' and inserting ''2012''; and

(2) in the second sentence of subsection (d) by striking ''2011 and the period beginning on

October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''.

(c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of SAFETEA–LU (49 U.S.C. 5310 note; 119 Stat. 1593) is amended by striking ''June 30, 2012'' and inserting ''September 30, 2012''.

(d) OBLIGATION CEILING.—Section 3040(8) of SAFETEA–LU (119 Stat. 1639) is amended to read as follows:

''(8) $10,458,278,000 for fiscal year 2012, of which not more than $8,360,565,000 shall be from the Mass Transit Account.''.

(e) PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043 of SAFETEA–LU (119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2012''.

(f) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—Section 3046 of SAFETEA–LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended—

(1) in subsection (b) by striking ''fiscal year or period'' and inserting ''fiscal year''; and

(2) by striking subsection (c)(2) and inserting the following:

''(2) for fiscal year 2012, in amounts equal to 63 percent of the amounts allocated for fiscal year 2009 under each of paragraphs (2), (3), (5), and (8) through (25) of subsection (a).''.

Subtitle D—Highway Trust Fund Extension

SEC. 141. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''June 30, 2012'' and inserting ''September 30, 2012'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''July 1, 2012'' and inserting ''October 1, 2012'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of such Code is amended—

(1) by striking ''July 1, 2012'' each place it appears and inserting ''October 1, 2012'';

(2) by striking ''December 31, 2012'' each place it appears and inserting ''March 31, 2013''; and

(3) by striking ''October 1, 2012'' and inserting ''January 1, 2013''.

(c) EXTENSION OF CERTAIN EXEMPTIONS.—Sections 4221(a) and 4483(i) of such Code are each amended by striking ''July 1, 2012'' and inserting ''October 1, 2012''.

(d) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of such Code is amended—

(A) in subsection (b)—

(i) by striking ''July 1, 2012'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2012'';

(ii) by striking ''JULY 1, 2012'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2012'';

(iii) by striking ''June 30, 2012'' in paragraph (2) and inserting ''September 30, 2012''; and

(iv) by striking ''April 1, 2013'' in paragraph (2) and inserting ''July 1, 2013''; and

(B) in subsection (c)(2), by striking ''April 1, 2013'' and inserting ''July 1, 2013''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''July 1, 2012'' and inserting ''October 1, 2012''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–11(b)) is amended—

(i) by striking ''July 1, 2013'' each place it appears and inserting ''October 1, 2013''; and

(ii) by striking ''July 1, 2012'' and inserting ''October 1, 2012''.

(e) TECHNICAL CORRECTION.—Paragraph (4) of section 4482(c) of such Code is amended to read as follows:

''(4) TAXABLE PERIOD.—The term 'taxable period' means any year beginning before July 1, 2013, and the period which begins on July 1, 2013, and ends at the close of September 30, 2013.''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on July 1, 2012.

(2) TECHNICAL CORRECTION.—The amendment made by subsection (e) shall take effect as if included in section 402 of the Surface Transportation Extension Act of 2012.

SEC. 142. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''July 1, 2012'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2012''; and

(2) by striking ''Surface Transportation Extension Act of 2012'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2012, Part II''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking ''Surface Transportation Extension Act of 2012'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2012, Part II''; and

(2) by striking ''July 1, 2012'' in subsection (d)(2) and inserting ''October 1, 2012''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of such Code is amended by striking ''July 1, 2012'' and inserting ''October 1, 2012''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2012.

TITLE II—KEYSTONE XL PIPELINE

SEC. 201. SHORT TITLE.

This title may be cited as the ''North American Energy Access Act''.

SEC. 202. RESTRICTION.

(a) IN GENERAL.—No person may construct, operate, or maintain the oil pipeline and related facilities described in subsection (b) except in accordance with a permit issued under this title.

(b) PIPELINE.—The pipeline and related facilities referred to in subsection (a) are those described in the Final Environmental Impact Statement for the Keystone XL Pipeline Project issued by the Department of State on August 26, 2011, including any modified version of that pipeline and related facilities.

SEC. 203. PERMIT.

(a) ISSUANCE.—

(1) BY FERC.—The Federal Energy Regulatory Commission shall, not later than 30 days after receipt of an application therefor, issue a permit without additional conditions for the construction, operation, and maintenance of the oil pipeline and related facilities described in section 202(b), to be implemented in accordance with the terms of the Final Environmental Impact Statement described in section 202(b). The Commission shall not be required to prepare a Record of Decision under section 1505.2 of title 40 of the Code of Federal Regulations with respect to issuance of the permit provided for in this section.

(2) ISSUANCE IN ABSENCE OF FERC ACTION.—If the Federal Energy Regulatory Commission has not acted on an application for a permit described in paragraph (1) within 30 days after receiving such application, the permit shall be deemed to have been issued under this title upon the expiration of such 30-day period.

(b) MODIFICATION.—

(1) IN GENERAL.—The applicant for or holder of a permit described in subsection (a) may make a substantial modification to the pipeline route or any other term of the Final Environmental Impact Statement described in section 202(b) only with the approval of the Federal Energy Regulatory Commission. The Commission shall expedite consideration of any such modification proposal.

(2) NEBRASKA MODIFICATION.—Within 30 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall enter into a memorandum of understanding with the State of Nebraska for an effective and timely review under the National Environmental Policy Act of 1969 of any modification to the proposed pipeline route in Nebraska as proposed by the applicant for the permit described in subsection (a). Not later than 30 days after receiving approval of such proposed modification from the Governor of Nebraska, the Commission shall complete consideration of and approve such modification.

(3) ISSUANCE IN ABSENCE OF FERC ACTION.—If the Federal Energy Regulatory Commission has not acted on an application for approval of a modification described in paragraph (2) within 30 days after receiving such application, such modification shall be deemed to have been issued under this title upon expiration of the 30-day period.

(4) CONSTRUCTION DURING CONSIDERATION OF NEBRASKA MODIFICATION.—While any modification of the proposed pipeline route in Nebraska is under consideration pursuant to paragraph (2), the holder of the permit issued under subsection (a) may commence or continue with construction of any portion of the pipeline and related facilities described in section 202(b) that is not within the State of Nebraska.

(c) NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—Except for actions taken under subsection (b)(1), the actions taken pursuant to this title shall be taken without further action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 204. RELATION TO OTHER LAW.

(a) GENERAL RULE.—Notwithstanding Executive Order 13337 (3 U.S.C. 301 note), Executive Order 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive Order or provision of law, no presidential permits shall be required for the construction, operation, and maintenance of the pipeline and related facilities described in section 202(b) of this Act.

(b) APPLICABILITY.—Nothing in this title shall affect the application to the pipeline and related facilities described in section 202(b) of—

(1) chapter 601 of title 49, United States Code; or

(2) the authority of the Federal Energy Regulatory Commission to regulate oil pipeline rates and services.

(c) FINAL ENVIRONMENTAL IMPACT STATEMENT.—The final environmental impact statement issued by the Secretary of State on August 26, 2011, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

TITLE III—RESTORE ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012''.

SEC. 302. GULF COAST RESTORATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the ''Gulf Coast Restoration Trust Fund'' (referred to in this section as the ''Trust Fund''), consisting of such amounts as are deposited in the Trust Fund under this section or any other provision of law.

(b) TRANSFERS.—The Secretary of the Treasury shall deposit in the Trust Fund an amount equal to 80 percent of all administrative and civil penalties paid by responsible parties after the date of enactment of this title in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon pursuant to a court order, negotiated settlement, or other instrument in accordance with section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(c) EXPENDITURES.—Amounts in the Trust Fund, including interest earned on advances to the Trust Fund and proceeds from investment under subsection (d), shall be available, pursuant to a future Act of Congress enacted after the date of enactment of this Act—

(1) for expenditure to restore the Gulf Coast region from the Deepwater Horizon oil spill for undertaking projects and programs in the Gulf Coast region that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast region; and

(2) solely to Gulf Coast States and coastal political subdivisions to restore the ecosystems and economy of the Gulf Coast region.

(d) INVESTMENT.—Amounts in the Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) DEFINITIONS.—In this section:

(1) COASTAL POLITICAL SUBDIVISION.—The term ''coastal political subdivision'' means any local political jurisdiction that is immediately below the State level of government, including a county, parish, or borough, with a coastline that is contiguous with any portion of the United States Gulf of Mexico.

(2) DEEPWATER HORIZON OIL SPILL.—The term ''Deepwater Horizon oil spill'' means the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment.

(3) GULF COAST REGION.—The term ''Gulf Coast region'' means—

(A) in the Gulf Coast States, the coastal zones (as that term is defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)) that border the Gulf of Mexico;

(B) any adjacent land, water, and watersheds, that are within 25 miles of those coastal zones of the Gulf Coast States; and

(C) all Federal waters in the Gulf of Mexico.

(4) GULF COAST STATE.—The term ''Gulf Coast State'' means any of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 112–446. 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. BOUSTANY

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–446.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—HARBOR MAINTENANCE PROGRAMS

SEC. 401. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) HARBOR MAINTENANCE TRUST FUND GUARANTEE.—

(1) IN GENERAL.—The total budget resources for a fiscal year shall be equal to the level of receipts for harbor maintenance for that fiscal year. Such amounts shall be used only for harbor maintenance programs.

(2) GUARANTEE.—No funds may be appropriated for harbor maintenance programs unless the amount under paragraph (1) has been provided for all such programs.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) HARBOR MAINTENANCE PROGRAMS.—The term ''harbor maintenance programs'' means expenditures under section 9505(c)(1) of the Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund).

(2) LEVEL OF RECEIPTS FOR HARBOR MAINTENANCE.—The term ''level of receipts for harbor maintenance'' means the level of taxes credited to the Harbor Maintenance Trust Fund under section 9505(a)(1) of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President's budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code, reduced by the amount requested in such President's budget for payments described in section 9505(c)(3) of the Internal Revenue Code of 1986.

(3) TOTAL BUDGET RESOURCES.—The term ''total budget resources'' means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c)(1) of the Internal Revenue Code of 1986.

The CHAIR. Pursuant to House Resolution 619, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, in 1986, Congress created the Harbor Maintenance Trust Fund and the harbor maintenance tax, a dedicated user fee, to provide a steady revenue source for the Army Corps of Engineers to carry out the dredging of our critical navigation channels to meet their authorized specifications with regard to depth and width.

In the year 2011, the harbor maintenance tax that was collected was $1.4 billion, but only slightly over half of that was directed to the intended purpose: the operations and maintenance purposes. Yet less than 35 percent of our top Nation's harbors and ports are dredged adequately. This is hurting American competitiveness. It's hurting American exports. It's hurting American commerce. Frankly, as the Ways and Means Oversight Subcommittee chairman, I find this an egregious abuse of this tax.

My amendment does this: it basically ties the harbor maintenance tax revenue receipts to expenditures. All funds collected shall be utilized for the purposes that they were intended, and that is for the maintenance of our Nation's ports and harbors.

Mr. Chairman, in January 2012 alone, five ships ran aground in the lower Mississippi River, which is our Nation's largest export artery. This funding is critical to prevent draft restrictions, which have negatively affected our commerce. It is critical for expanding exports, and it is critical in its support for the American exploration and production of American energy. Furthermore, the Congressional Budget Office does not issue a score on this. It doesn't add one penny to the deficit.

□ 1510

This amendment is critical for American competitiveness. It gives the House a strength of hand going into conference with the Senate as I look forward to continuing to find alternative ways to enforce that these funds are dedicated swiftly and solely for the intended purpose, and that is for port and waterways maintenance.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, although not in opposition, I ask unanimous consent to claim the time.

The CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

I've long supported changing the law so that the funds collected for harbor maintenance are spent on harbor maintenance. They're spent all across the country on a whole range of things, except harbor maintenance. I have jetties failing in Coos Bay, Oregon; a jetty failing at the mouth of the Columbia River. I have ports that are shoaling in Port Orford or Florence that the Corps says they can't afford dredging. I don't blame the Corps because they've been shorted in the budget process. They

have a $40 billion backlog of critical projects.

This will help them focus their energies on some other critical projects by giving them adequate funds to do the dredging, to rebuild the jetties, and to do the other work to maintain our locks and channels that they need to do.

This is long overdue, and I strongly support the amendment.

Mr. BOUSTANY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS), the chairman of the Subcommittee on Water Resources and Environment.

Mr. GIBBS. I thank the gentleman for yielding me time to discuss this important amendment.

Congress has been neglecting our Nation's dredging needs for far too long. Ninety-five percent of the Nation's commerce goes through our Nation's ports. Despite the fact that the harbor maintenance fund, as was said, raises about $1.3 billion a year, Congress has only been appropriating about $800 million of that annually. This isn't right. I'm a firm believer that trust funds should be used for the intended purpose—to dredge the harbors.

In response, Congressman BOUSTANY introduced H.R. 104, the Realize America's Maritime Promise, RAMP Act. This legislation, of which I was proud to be the 100th cosponsor, simply ties the Harbor Maintenance Trust Fund revenue to expenditures.

While this amendment is slightly modified from H.R. 104, it would require the total budget resources for expenditures for the trust fund for harbor maintenance programs to equal the level of receipts plus interest credited to the trust fund for that fiscal year.

At a time where the President proposes to double our exports and we look to grow our Nation's economy, we cannot sit back and continue to watch our Nation's waterborne infrastructure system deteriorate.

I urge support of this amendment.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Chairman, I rise in support of my friend Mr. BOUSTANY's amendment. I think it's a good step forward. Spending all the money that's in the cash that we take in is in the best interest of maintaining our harbors. But I think we need to take another step. I hope I can get Mr. BOUSTANY and others to help.

We need a solution that helps all our ports, like those on the west coast, those in Pennsylvania, those in Massachusetts that pay the tax. We collect $20 on every can that comes across the dock, and we don't get any money because we don't dredge. We've got a 70-foot draft, but we do have problems with our seawall. We have big infrastructure needs all across, and nearly half the money that's raised never is spent in the port where it is raised.

Now, we compete with international ports. We compete with Vancouver, and the Canadians are putting in a port at Prince Rupert, and we need to maintain our ports to be competitive in this very, very competitive industry.

We have a good geographic location. We're close to Asia, but they're going other places because they've got better ports. That's our issue, and we would like to have some money later on.

Thank you very much. I support the amendment.

Mr. BOUSTANY. Mr. Chairman, I yield 1 minute to my friend from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Chairman, I thank my friend from southwest Louisiana for bringing this amendment forward.

As a proud cosponsor of the RAMP Act, I support this legislation because what we're trying to say here is that you've got people that have been paying into this fund. This Harbor Maintenance Trust Fund has been there for years, and people have been paying into it, and the intention all along was that money would be used to dredge our waterways and to upgrade our locks and to keep our infrastructure along our waterways up to date so that we can continue moving commerce, not only throughout this country, but to be able to export and to be able to get commerce through to other countries. The Panama Canal is getting ready to come on line in 2013, and even deeper draft vessels are going to be coming through. That means we've got to be able to meet that demand, otherwise we're going to lose that business to foreign nations.

And yet here you have the Harbor Maintenance Trust Fund, and that money is not even being used for its intended purpose. We've got to ensure that the fund cannot be raided for other government spending. That's what this amendment does. It's something that will help us create jobs and increase the competitiveness of our workers, and it will keep that promise that has been made to those people who have been paying billions of dollars into this fund, and yet that fund hasn't been used properly.

I support the amendment and urge its passage.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of the amendment as the lead cosponsor with Mr. BOUSTANY of the RAMP Act, H.R. 104, that had approximately over 150 cosponsors on both sides of the aisle, people from all corners of the country. This really should be a measure that we should move forward on and fully fund, as well as with the language that, again, Mr. BOUSTANY crafted to offer here today.

There, frankly, are other reasons why we called that bill the Restore America's Maritime Promise Act, which is that again we're a great maritime Nation. In fact, our national defense requires having a strong Navy that can navigate all along the coast. And where I'm from, up in the State of Connecticut, the Groton sub base needs to be dredged out year in and year out. But just like everybody else, it depends on the kindness of the Army Corps of Engineers. This is really a priority that obviously, as others have said, affects our economy, our exports, and also our national defense, and we should support this measure.

Again, I applaud the gentleman for bringing it forward.

Mr. BOUSTANY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Chairman, this is a highway and infrastructure bill, which means it is a jobs bill.

I commend Mr. BOUSTANY in a bipartisan effort to add this as an amendment to this bill.

I represent the Great Lakes. We have a number of commercial as well as recreational harbors, but throughout the season we're bringing sand, gravel, cement, salt for the winter into our commercial ports. And sadly we've had a number of ports close this year in west Michigan, where those lake carriers have not been able to get in because they need to be dredged.

This bill allows the Great Lake harbors to be dredged with its passage. The difference is this: on a lake carrier, it's about 600 miles per gallon per ton of cargo that you can ship on a lake carrier rather than spending 4 cents or 5 cents on diesel fuel per mile per truck. The difference for just my district is you can bring this in from the UP and other places into the southern part of Lake Michigan rather than trucking it in for hundreds of miles to the closest border.

This is a good bill and a good amendment. I'm glad to support it.

The CHAIR. The time of the gentleman from Louisiana has expired. The gentleman from West Virginia has 2 minutes remaining.

Mr. RAHALL. I yield 1 minute to the distinguished gentleman from Louisiana (Mr. RICHMOND) and commend him for all his hard work on this legislation.

Mr. RICHMOND. I thank the gentleman, and I join my colleagues from Louisiana in supporting this critical amendment.

What I would add is that we've talked about doubling our exports over the next 4 or 5 years, and this is a critical piece to allow us to do it. What we realize here in America is that we only make up 5 percent of the consumers in the world, and we have to make sure that our manufacturers, that our farmers, and that our citizens can get their goods to the other 95 percent so that we can continue to build a robust economy. This allows us to reduce the cost of our goods around the world because we can now ship more goods to market. It's a step in the right direction.

If you look at the fact that only 2 out of our 10 largest seaports are dredged to their authorized depth, it continues

to move us in the right direction so that we can now focus on adequately getting to the goal of a depth of 55 feet, which other progressive countries are getting to.

We have to stay competitive, we have to continue to invest in this country, and this gives us the best return on our investment. I commend him for bringing the amendment. I support it. I would urge my colleagues to vote for it.

□ 1520

Mr. RAHALL. Mr. Chairman, has their time expired?

The CHAIR. The time of the gentleman from Louisiana has expired.

Mr. BOUSTANY. Mr. Chairman, I ask unanimous consent to give the gentleman from Michigan (Mr. HUIZENGA) a minute to speak on this.

The CHAIR. The chair understands the unanimous consent request to provide equal time on both sides.

Without objection, the gentleman from Louisiana and the gentleman from West Virginia each will control 1 additional minute.

There was no objection.

Mr. BOUSTANY. I would ask the gentleman if he would close for us.

The CHAIR. The gentleman from Michigan is recognized for 1 minute.

Mr. HUIZENGA of Michigan. Thank you, Mr. Chairman.

I've got a radical idea, a radical idea for the people of America. Let's use Harbor Maintenance Trust Funds for harbor maintenance. For 25 years, we've been robbing Peter to pay Paul, but in reality that $7 billion that we have taken away from that has really been robbing places like Manistee, Michigan, where this weekend in my district a ship ran aground and had to get towed off and the damage that happened to it.

We have 11 harbors in the Second District, hundreds in the Great Lakes and countless in the Nation on both of the coasts and the Gulf of Mexico. Enough money has been collected every year to pay for all of this maintenance that has to happen, but unfortunately Congress has been skimming it to help pay for other programs.

I appreciate my friend from Louisiana (Mr. BOUSTANY), his leadership with the RAMP Act, and Chairman UPTON from Michigan in leading this in the Great Lakes. We know this is the right thing to do for America and for our transportation needs, our infrastructure needs. Our Great Lakes need it. The coasts need it, our harbors need it, our economy needs this to happen.

I strongly support this amendment today.

Mr. RAHALL. Mr. Chairman, I yield 1 minute of my final 2 minutes to the distinguished gentleman from Massachusetts, a member of the Ways and Means committee, Mr. RICHARD NEAL.

Mr. NEAL. Mr. Chairman, everybody has heard of Gloucester and Boston, and certainly connected it to the Mayflower. The most famous ports in America perhaps are located in Massachusetts, so I want to be supportive of Mr. BOUSTANY's amendment today.

Today, Massachusetts seaports continue to play an important role. The Port of Boston's overall activity supports 34,000 jobs. It contributes more than $2 billion to the local, regional, and national economies. America's ports provide a vital gateway to international trade by facilitating the transport of cargo around the world; yet many ports around the country, including those in Massachusetts, are in need of maintenance.

In fact, the U.S. Army Corps of Engineers estimates that the dimensions at the Nation's busiest 59 ports are available less than 35 percent of the time. Even though users of our Nation's waterways are paying significant amounts of money into the trust fund to maintain our ports, these dollars are not being spent on the ports, and the trust fund has a surplus of $6.4 billion.

Mr. BOUSTANY's amendment addresses this situation. It makes a good deal of sense. We have held a hearing at the Ways and Means Select Revenue Subcommittee, and there was bipartisan support for his legislation.

I urge support for the Boustany amendment.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time.

As a Representative of the great seafaring State of West Virginia, I rise in support of the gentleman's legislation as well.

Really, ports are important to my State. We export a great deal of coal out of my district to the Port of Norfolk. The northern part of West Virginia's coal goes to the Port of Baltimore, so harbors and ports are very important to West Virginia and for the movement of our coal from the State to its world customers.

I want to commend the gentleman from Louisiana (Mr. BOUSTANY), as well, for the tremendous work he has done on this legislation. For far too long, we have been collecting far more resources in the Harbor Maintenance Trust Fund than we have transferred to the Corps of Engineers for their O&M activities, to the point where in the current fiscal year, the Harbor Maintenance Trust Fund is expected to have an unexpended balance of over $8 billion by the end of the year.

I support the gentleman's efforts to use these funds for maintenance dredging rather than to cover the general expenditures of the U.S. Treasury. However, in my view, this amendment does not go far enough because it strips out any enforcement mechanism should this language be ignored.

In addition, the language also ignores concerns expressed by our committee colleague, the ranking member of the Subcommittee on Water Resources and Environment, Mr. BISHOP of New York, on ensuring an equitable distribution of trust fund dollars between our Nation's large, midsize, and small commercial harbors.

I do look forward to working on these critical issues as we continue our discussion on a long-term surface transportation bill in conference, which we call for today.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. RIBBLE

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–446.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—ENVIRONMENTAL STREAMLINING

SEC. 401. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 402. DECLARATION OF POLICY.

(a) EXPEDITED PROJECT DELIVERY.—Section 101(b) is amended by adding at the end the following:

''(4) EXPEDITED PROJECT DELIVERY.—Congress declares that it is in the national interest to expedite the delivery of surface transportation projects by substantially reducing the average length of the environmental review process. Accordingly, it is the policy of the United States that—

''(A) the Secretary shall have the lead role among Federal agencies in carrying out the environmental review process for surface transportation projects;

''(B) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for surface transportation projects;

''(C) there shall be a presumption that the mode, facility type, and corridor location for a surface transportation project will be determined in the transportation planning process, as established in sections 134 and 135 and sections 5303 and 5304 of title 49;

''(D) project sponsors shall not be prohibited from carrying out pre-construction project development activities concurrently with the environmental review process;

''(E) programmatic approaches shall be used, to the maximum extent possible, to reduce the need for project-by-project reviews and decisions by Federal agencies; and

''(F) the Secretary shall actively support increased opportunities for project sponsors to assume responsibilities of the Secretary in carrying out the environmental review process.''.

SEC. 403. EXEMPTION IN EMERGENCIES.

If any road, highway, or bridge is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Secretary, or declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), and is reconstructed in the same location with the same capacity, dimensions, and design as before the emergency, then that reconstruction project shall be exempt from any further environmental reviews, approvals, licensing, and permit requirements under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(3) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(4) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(5) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(6) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(7) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(8) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetlands); and

(9) any Federal law (including regulations) requiring no net loss of wetlands.

SEC. 404. ADVANCE ACQUISITION OF REAL PROPERTY INTERESTS.

(a) REAL PROPERTY INTERESTS.—Section 108 is amended—

(1) by striking ''real property'' each place it appears and inserting ''real property interests'';

(2) by striking ''right-of-way'' each place it appears and inserting ''real property interest''; and

(3) by striking ''rights-of-way'' each place it appears and inserting ''real property interests''.

(b) STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108(c) is amended—

(1) in the subsection heading by striking ''EARLY ACQUISITION OF RIGHTS-OF-WAY'' and inserting ''STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS'';

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(3) in paragraph (2), as redesignated—

(A) in the heading by striking ''GENERAL RULE'' and inserting ''ELIGIBILITY FOR REIMBURSEMENT''; and

(B) by striking ''Subject to paragraph (2)'' and inserting ''Subject to paragraph (3)'';

(4) by inserting before paragraph (2), as redesignated, the following:

''(1) IN GENERAL.—A State may carry out, at the expense of the State, acquisitions of interests in real property for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project by the State or any Federal agency.''; and

(5) in paragraph (3), as redesignated—

(A) in the matter preceding subparagraph (A) by striking ''in paragraph (1)'' and inserting ''in paragraph (2)''; and

(B) in subparagraph (G) by striking ''both the Secretary and the Administrator of the Environmental Protection Agency have concurred'' and inserting ''the Secretary has determined''.

(c) FEDERALLY FUNDED ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108 is further amended by adding at the end the following:

''(d) FEDERALLY FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—

''(1) IN GENERAL.—The Secretary may authorize the use of Federal funds for the acquisition of a real property interest by a State. For purposes of this subsection, an acquisition of a real property interest includes the acquisition of any interest in land, including the acquisition of a contractual right to acquire any interest in land, or any other similar action to acquire or preserve rights-of-way for a transportation facility.

''(2) STATE CERTIFICATION.—A State requesting Federal funding for an acquisition of a real property interest shall certify in writing that—

''(A) the State has authority to acquire the real property interest under State law;

''(B) the acquisition of the real property interest is for a transportation purpose; and

''(C) the State acknowledges that early acquisition will not be considered by the Secretary in the environmental assessment of a project, the decision relative to the need to construct a project, or the selection of a project design or location.

''(3) ENVIRONMENTAL COMPLIANCE.—Before authorizing Federal funding for an acquisition of a real property interest, the Secretary shall complete for the acquisition the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). For purposes of the review process, the acquisition of a real property interest shall be treated as having independent utility and does not limit consideration of alternatives for future transportation improvements with respect to the real property interest.

''(4) PROGRAMMING.—The acquisition of a real property interest for which Federal funding is requested shall be included as a project in an applicable transportation improvement program under sections 134 and 135 and sections 5303 and 5304 of title 49. The acquisition project may be included in the transportation improvement program on its own, without including the future construction project for which the real property interest is being acquired. The acquisition project may consist of the acquisition of a specific parcel, a portion of a transportation corridor, or an entire transportation corridor.

''(5) OTHER REQUIREMENTS.—The acquisition of a real property interest shall be carried out in compliance with all requirements applicable to the acquisition of real property interests for federally funded transportation projects.

''(e) CONSIDERATION OF LONG-RANGE TRANSPORTATION NEEDS.—The Secretary shall encourage States and other public authorities, if practicable, to acquire transportation real property interests that are sufficient to accommodate long-range transportation needs and, if possible, to do so through the acquisition of broad real property interests that have the capacity for expansion over a 50- to 100-year period and the potential to accommodate one or more transportation modes.''.

SEC. 405. STANDARDS.

Section 109 is amended by adding at the end the following:

''(r) UNDERTAKING DESIGN ACTIVITIES BEFORE COMPLETION OF ENVIRONMENTAL REVIEW PROCESS.—

''(1) IN GENERAL.—A State may carry out, at the expense of the State, design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals of the project.

''(2) ELIGIBILITY FOR REIMBURSEMENT.—Subject to paragraph (3), funds apportioned to a State under this title may be used to participate in the payment of costs incurred by the State for design activities, if the results of the activities are subsequently incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds.

''(3) TERMS AND CONDITIONS.—The Federal share payable of the costs described in paragraph (2) shall be eligible for reimbursement out of funds apportioned to a State under this title when the design activities are incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds, if the State demonstrates to the Secretary and the Secretary finds that—

''(A) before the time that the cost incurred by a State is approved for Federal participation, environmental compliance pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been completed for the project for which the design activities were conducted by the State; and

''(B) the design activities conducted pursuant to this subsection did not preclude the consideration of alternatives to the project.''.

SEC. 406. LETTING OF CONTRACTS.

(a) BIDDING REQUIREMENTS.—Section 112(b)(1) is amended to read as follows:

''(1) IN GENERAL.—

''(A) COMPETITIVE BIDDING REQUIREMENT.—Subject to paragraphs (2), (3), and (4), construction of each project, subject to the provisions of subsection (a), shall be performed by contract awarded by competitive bidding, unless the State transportation department demonstrates, to the satisfaction of the Secretary, that some other method is more cost effective or that an emergency exists.

''(B) BASIS OF AWARD.—

''(i) IN GENERAL.—Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility.

''(ii) PROHIBITION.—No requirement or obligation shall be imposed as a condition precedent to the award of a contract to such bidder for a project, or to the Secretary's concurrence in the award of a contract to such bidder, unless such requirement or obligation is otherwise lawful and is specifically set forth in the advertised specifications.''.

(b) DESIGN-BUILD CONTRACTING.—Section 112(b)(3) is amended—

(1) in subparagraph (A) by striking ''subparagraph (C)'' and inserting ''subparagraph (B)'';

(2) by striking subparagraph (B);

(3) by redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively; and

(4) in subparagraph (C), as redesignated—

(A) in the matter preceding clause (i) by striking ''of the SAFETEA-LU'' and inserting ''of the Surface Transportation Extension Act of 2012, Part II'';

(B) in clause (ii) by striking ''and'' at the end;

(C) in clause (iii)—

(i) by striking ''final design or''; and

(ii) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(iv) permit the State transportation department, the local transportation agency, and the design-build contractor to proceed, at the expense of one or more of those entities, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).''.

(c) EFFICIENCIES IN CONTRACTING.—Section 112(b) is amended by adding at the end the following:

''(4) METHOD OF CONTRACTING.—

''(A) IN GENERAL.—

''(i) TWO-PHASE CONTRACT.—A contracting agency may award a two-phase contract for preconstruction and construction services.

''(ii) PRE-CONSTRUCTION SERVICES PHASE.—In the pre-construction services phase, the contractor shall provide the contracting

agency with advice for scheduling, work sequencing, cost engineering, constructability, cost estimating, and risk identification.

''(iii) AGREEMENT.—Prior to the start of the construction services phase, the contracting agency and the contractor may agree to a price and other factors specified in regulation for the construction of the project or a portion of the project.

''(iv) CONSTRUCTION PHASE.—If an agreement is reached under clause (iii), the contractor shall be responsible for the construction of the project or portion of the project at the negotiated price and other factors specified in regulation.

''(B) SELECTION.—A contract shall be awarded to a contractor using a competitive selection process based on qualifications, experience, best value, or any other combination of factors considered appropriate by the contracting agency.

''(C) TIMING.—

''(i) RELATIONSHIP TO NEPA PROCESS.—Prior to the completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), a contracting agency may—

''(I) issue requests for proposals;

''(II) proceed with the award of a contract for preconstruction services under subparagraph (A); and

''(III) issue notices to proceed with a preliminary design and any work related to preliminary design.

''(ii) PRECONSTRUCTION SERVICES PHASE.—If the preconstruction services phase of a contract under subparagraph (A)(ii) focuses primarily on one alternative, the Secretary shall require that the contract include appropriate provisions to achieve the objectives of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) and comply with other applicable Federal laws and regulations.

''(iii) CONSTRUCTION SERVICES PHASE.—A contracting agency may not proceed with the award of the construction services phase of a contract under subparagraph (A)(iv) and may not proceed, or permit any consultant or contractor to proceed, with construction until completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(iv) APPROVAL REQUIREMENT.—Prior to authorizing construction activities, the Secretary shall approve the contracting agency's price estimate for the entire project, as well as any price agreement with the general contractor for the project or a portion of the project.

''(v) DESIGN ACTIVITIES.—A contracting agency may proceed, at its expense, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).''.

SEC. 407. ELIMINATION OF DUPLICATION IN HISTORIC PRESERVATION REQUIREMENTS.

(a) PRESERVATION OF PARKLANDS.—Section 138 is amended by adding at the end the following:

''(c) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

''(e) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).''.

SEC. 408. FUNDING THRESHOLD.

Section 139(b) is amended by adding at the end the following:

''(3) FUNDING THRESHOLD.—The Secretary's approval of a project receiving funds under this title or under chapter 53 of title 49 shall not be considered a Federal action for the purposes of the National Environmental Policy Act of 1969 if such funds—

''(A) constitute 15 percent or less of the total estimated project costs; or

''(B) are less than $10,000,000.''.

SEC. 409. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) FLEXIBILITY.—Section 139(b) is further amended—

(1) in paragraph (2) by inserting '', and any requirements established in this section may be satisfied,'' after ''exercised''; and

(2) by adding after paragraph (3), as added by this Act, the following:

''(4) PROGRAMMATIC COMPLIANCE.—At the request of a State, the Secretary may modify the procedures developed under this section to encourage programmatic approaches and strategies with respect to environmental programs and permits (in lieu of project-by-project reviews).''.

(b) FEDERAL LEAD AGENCY.—Section 139(c) is amended—

(1) in paragraph (1) by adding at the end the following: ''If the project requires approval from more than one modal administration within the Department, the Secretary shall designate a single modal administration to serve as the Federal lead agency for the Department in the environmental review process for the project.'';

(2) in paragraph (3) by inserting ''or other approvals by the Secretary'' after ''chapter 53 of title 49''; and

(3) by striking paragraph (5) and inserting the following:

''(5) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency in making any approval of a project subject to this section as the document required to be completed under the National Environmental Policy Act of 1969.''.

(c) PARTICIPATING AGENCIES.—

(1) EFFECT OF DESIGNATION.—Section 139(d)(4) is amended to read as follows:

''(4) EFFECT OF DESIGNATION.—

''(A) REQUIREMENT.—A participating agency shall comply with the requirements of this section and any schedule established under this section.

''(B) IMPLICATION.—Designation as a participating agency under this subsection shall not imply that the participating agency—

''(i) supports a proposed project; or

''(ii) has any jurisdiction over, or special expertise with respect to evaluation of, the project.''.

(2) CONCURRENT REVIEWS.—Section 139(d)(7) is amended to read as follows:

''(7) CONCURRENT REVIEWS.—Each participating agency and cooperating agency shall—

''(A) carry out obligations of that agency under other applicable law concurrently, and in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.''.

(d) PROJECT INITIATION.—Section 139(e) is amended by adding at the end the following: ''The project sponsor may satisfy this requirement by submitting to the Secretary a draft notice for publication in the Federal Register announcing the preparation of an environmental impact statement for the project.''.

(e) ALTERNATIVES ANALYSIS.—Section 139(f) is amended—

(1) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows

''(B) RANGE OF ALTERNATIVES.—

''(i) IN GENERAL.—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

''(ii) LIMITATION.—The range of alternatives shall be limited to alternatives that are consistent with the transportation mode and general design of the project described in the long-range transportation plan or transportation improvement program prepared pursuant to section 134 or 135 or section 5303 or 5304 of title 49.

''(iii) RESTRICTION.—A Federal agency may not require the evaluation of any alternative that was evaluated, but not adopted—

''(I) in any prior State or Federal environmental document with regard to the applicable long-range transportation plan or transportation improvement program; or

''(II) after the preparation of a programmatic or tiered environmental document that evaluated alternatives to the project.

''(iv) LEGAL SUFFICIENCY.—The evaluation of the range of alternatives shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.'';

(B) in subparagraph (C)—

(i) by striking ''(C) METHODOLOGIES.—The lead agency'' and inserting the following:

''(C) METHODOLOGIES.—

''(i) IN GENERAL.—The lead agency'';

(ii) by striking ''in collaboration with participating agencies at appropriate times during the study process'' and inserting ''after consultation with participating agencies as part of the scoping process''; and

(iii) by adding at the end the following:

''(ii) COMMENTS.—Each participating agency shall limit comments on such methodologies to those issues that are within the authority and expertise of such participating agency.

''(iii) STUDIES.—The lead agency may not conduct studies proposed by any participating agency that are not within the authority or expertise of such participating agency.''; and

(C) by adding at the end the following:

''(E) LIMITATIONS ON THE EVALUATION OF IMPACTS EVALUATED IN PRIOR ENVIRONMENTAL DOCUMENTS.—

''(i) IN GENERAL.—The lead agency may not reevaluate, and a Federal agency may not require the reevaluation of, cumulative impacts or growth-inducing impacts where such impacts were previously evaluated in—

''(I) a long-range transportation plan or transportation improvement program developed pursuant to section 134 or 135 or section 5303 or 5304 of title 49;

''(II) a prior environmental document approved by the Secretary; or

''(III) a prior State environmental document approved pursuant to a State law that is substantially equivalent to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

''(ii) LEGAL SUFFICIENCY.—The evaluation of cumulative impacts and growth inducing impacts shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.''; and

(2) by adding at the end the following:

''(5) EFFECTIVE DECISIONMAKING.—

''(A) CONCURRENCE.—At the discretion of the lead agency, a participating agency shall be presumed to concur in the determinations made by the lead agency under this subsection unless the participating agency submits an objection to the lead agency in writing within 30 days after receiving notice of the lead agency's determination and specifies the statutory basis for the objection.

''(B) ADOPTION OF DETERMINATION.—If the participating agency concurs or does not object within the 30-day period, the participating agency shall adopt the lead agency's determination for purposes of any reviews, approvals, or other actions taken by the participating agency as part of the environmental review process for the project.''.

(f) COORDINATION PLAN.—Section 139(g) is amended—

(1) in paragraph (1)(A) by striking ''project or category of projects'' and inserting ''project, category of projects, or program of projects'';

(2) by amending paragraph (3) to read as follows:

''(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—

''(A) PRIOR APPROVAL DEADLINE.—If a participating agency is required to make a determination regarding or otherwise approve or disapprove the project prior to the record of decision or finding of no significant impact of the lead agency, such participating agency shall make such determination or approval not later than 30 days after the lead agency publishes notice of the availability of a final environmental impact statement or other final environmental document, or not later than such other date that is otherwise required by law, whichever occurs first.

''(B) OTHER DEADLINES.—With regard to any determination or approval of a participating agency that is not subject to subparagraph (A), each participating agency shall make any required determination regarding or otherwise approve or disapprove the project not later than 90 days after the date that the lead agency approves the record of decision or finding of no significant impact for the project, or not later than such other date that is otherwise required by law, whichever occurs first.

''(C) DEEMED APPROVED.—In the event that any participating agency fails to make a determination or approve or disapprove the project within the applicable deadline described in subparagraphs (A) and (B), the project shall be deemed approved by such participating agency, and such approval shall be deemed to comply with the applicable requirements of Federal law.

''(D) WRITTEN FINDING.—The Secretary may issue a written finding verifying the approval made in accordance with this paragraph.''; and

(3) by striking paragraph (4).

(g) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h)(4) is amended by adding at the end the following:

''(C) RESOLUTION FINAL.—

''(i) IN GENERAL.—The lead agency and participating agencies may not reconsider the resolution of any issue agreed to by the relevant agencies in a meeting under subparagraph (A).

''(ii) COMPLIANCE WITH APPLICABLE LAW.—Any such resolution shall be deemed to comply with applicable law notwithstanding that the agencies agreed to such resolution prior to the approval of the environmental document.''.

(h) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—Section 139 is amended—

(1) by redesignating subsections (i) through (l) as subsections (k) through (n), respectively; and

(2) by inserting after subsection (h) the following:

''(i) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—

''(1) IN GENERAL.—The lead agency in the environmental review process for a project, in order to reduce paperwork and expedite decisionmaking, shall prepare a condensed final environmental impact statement.

''(2) CONDENSED FORMAT.—A condensed final environmental impact statement for a project in the environmental review process shall consist only of—

''(A) an incorporation by reference of the draft environmental impact statement;

''(B) any updates to specific pages or sections of the draft environmental impact statement as appropriate; and

''(C) responses to comments on the draft environmental impact statement and copies of the comments.

''(3) TIMING OF DECISION.—Notwithstanding any other provision of law, in conducting the environmental review process for a project, the lead agency shall combine a final environmental impact statement and a record of decision for the project into a single document if—

''(A) the alternative approved in the record of decision is either a preferred alternative that was identified in the draft environmental impact statement or is a modification of such preferred alternative that was developed in response to comments on the draft environmental impact statement;

''(B) the Secretary has received a certification from a State under section 128, if such a certification is required for the project; and

''(C) the Secretary determines that the lead agency, participating agency, or the project sponsor has committed to implement the measures applicable to the approved alternative that are identified in the final environmental impact statement.

''(j) SUPPLEMENTAL ENVIRONMENTAL REVIEW AND RE-EVALUATION.—

''(1) SUPPLEMENTAL ENVIRONMENTAL REVIEW.—After the approval of a record of decision or finding of no significant impact with regard to a project, an agency may not require the preparation of a subsequent environmental document for such project unless the lead agency determines that—

''(A) changes to the project will result in new significant impacts that were not evaluated in the environmental document; or

''(B) new information has become available or changes in circumstances have occurred after the lead agency approval of the project that will result in new significant impacts that were not evaluated in the environmental document.

''(2) RE-EVALUATIONS.—The Secretary may only require the re-evaluation of a document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if—

''(A) the Secretary determines that the events in paragraph (1)(A) or (1)(B) apply; and

''(B) more than 5 years has elapsed since the Secretary's prior approval of the project or authorization of project funding.

''(3) CHANGE TO RECORD OF DECISION.—After the approval of a record of decision, the Secretary may not require the record of decision to be changed solely because of a change in the fiscal circumstances surrounding the project.''.

(i) REGULATIONS.—Section 139(m) (as redesignated by subsection (h)(1) of this section) is further amended to read as follows:

''(m) REGULATIONS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Extension Act of 2012, Part II, the Secretary, by regulation, shall—

''(A) implement this section; and

''(B) establish methodologies and procedures for evaluating the environmental impacts, including cumulative impacts and growth-inducing impacts, of transportation projects subject to this section.

''(2) COMPLIANCE WITH APPLICABLE LAW.—Any environmental document that utilizes the methodologies and procedures established under this subsection shall be deemed to comply with the applicable requirements of—

''(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or its implementing regulations; or

''(B) any other Federal environmental statute applicable to transportation projects.''.

SEC. 410. DISPOSAL OF HISTORIC PROPERTIES.

(a) DISPOSAL OF HISTORIC PROPERTIES.—Section 156 is amended—

(1) by striking the section heading and inserting ''**Sale or lease of real property**''; and

(2) by adding at the end the following:

''(d) ASSESSMENT OF ADVERSE EFFECTS.—Notwithstanding part 800 of title 36, Code of Federal Regulations, the sale or lease by a State of any historic property that is not listed in the National Register of Historic Places shall not be considered an adverse effect to the property within any consultation process carried out under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 is amended by striking the item relating to section 156 and inserting the following:

''156. Sale or lease of real property.''.

SEC. 411. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

''§ 167. Integration of planning and environmental review

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ENVIRONMENTAL REVIEW PROCESS.—

''(A) IN GENERAL.—The term 'environmental review process' means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(B) INCLUSIONS.—The term 'environmental review process' includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) PLANNING PRODUCT.—The term 'planning product' means any decision, analysis, study, or other documented result of an evaluation or decisionmaking process carried out during transportation planning.

''(3) PROJECT.—The term 'project' means any highway project or program of projects, public transportation capital project or program of projects, or multimodal project or

program of projects that requires the approval of the Secretary.

''(4) PROJECT SPONSOR.—The term 'project sponsor' means the agency or other entity, including any private or public-private entity, that seeks approval of the Secretary for a project.

''(b) PURPOSE AND FINDINGS.—

''(1) PURPOSE.—The purpose of this section is to establish the authority and provide procedures for achieving integrated planning and environmental review processes to—

''(A) enable statewide and metropolitan planning processes to more effectively serve as the foundation for project decisions;

''(B) foster better decisionmaking;

''(C) reduce duplication in work;

''(D) avoid delays in transportation improvements; and

''(E) better transportation and environmental results for communities and the United States.

''(2) FINDINGS.—Congress finds the following:

''(A) This section is consistent with and is adopted in furtherance of sections 101 and 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 and 4332) and section 109 of this title.

''(B) This section should be broadly construed and may be applied to any project, class of projects, or program of projects carried out under this title or chapter 53 of title 49.

''(c) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law and subject to the conditions set forth in subsection (e), the Federal lead agency for a project, at the request of the project sponsors, may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

''(2) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may adopt a planning product under paragraph (1) in its entirety or may select portions for adoption.

''(3) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product shall be made at the time the lead agencies decide the appropriate scope of environmental review for the project.

''(d) APPLICABILITY.—

''(1) PLANNING DECISIONS.—Planning decisions that may be adopted pursuant to this section include—

''(A) a purpose and need or goals and objectives statement for the project, including with respect to whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to travel corridor location, including project termini;

''(C) a decision with respect to modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(D) a decision with respect to the elimination of unreasonable alternatives and the selection of the range of reasonable alternatives for detailed study during the environmental review process;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) identifications of programmatic level mitigation for potential impacts that the Federal lead agency, in consultation with Federal, State, local, and tribal resource agencies, determines are most effectively addressed at a regional or national program level, including—

''(i) system-level measures to avoid, minimize, or mitigate impacts of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

''(ii) potential mitigation activities, locations, and investments.

''(2) PLANNING ANALYSES.—Planning analyses that may be adopted pursuant to this section include studies with respect to—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential cumulative effects on those resources, identified as a result of a statewide or regional cumulative effects assessment; and

''(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

''(e) CONDITIONS.—Adoption and use of a planning product under this section is subject to a determination by the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects.

''(3) During the planning process, notice was provided through publication or other means to Federal, State, and local government agencies and tribal governments that might have an interest in the proposed project, and to members of the general public, of the planning products that the planning process might produce and that might be relied on during the environmental review process, and such entities have been provided an appropriate opportunity to participate in the planning process leading to such planning product.

''(4) Prior to determining the scope of environmental review for the project, the joint lead agencies have made documentation relating to the planning product available to Federal, State, and local governmental agencies and tribal governments that may have an interest in the proposed action, and to members of the general public.

''(5) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(6) The planning product is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(7) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(8) The planning product is appropriate for adoption and use in the environmental review process for the project.

''(f) EFFECT OF ADOPTION.—Notwithstanding any other provision of law, any planning product adopted by the Federal lead agency in accordance with this section shall not be reconsidered or made the subject of additional interagency consultation during the environmental review process of the project unless the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, determines that there is significant new information or new circumstances that affect the continued validity or appropriateness of the adopted planning product. Any planning product adopted by the Federal lead agency in accordance with this section may be relied upon and used by other Federal agencies in carrying out reviews of the project.

''(g) RULE OF CONSTRUCTION.—This section may not be construed to make the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) process applicable to the transportation planning process conducted under chapter 52 of title 49. Initiation of the National Environmental Policy Act of 1969 process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the National Environmental Policy Act of 1969 process. This section may not be construed to affect the use of planning products in the National Environmental Policy Act of 1969 process pursuant to other authorities under law or to restrict the initiation of the National Environmental Policy Act of 1969 process during planning.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at end the following:

''167. Integration of planning and environmental review.''.

SEC. 412. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

(a) IN GENERAL.—Chapter 1 (as amended by this title) is further amended by adding at the end the following:

''§ 168. Development of programmatic mitigation plans

''(a) IN GENERAL.—As part of the statewide or metropolitan transportation planning process, a State or metropolitan planning organization may develop one or more programmatic mitigation plans to address the potential environmental impacts of future transportation projects.

''(b) SCOPE.—

''(1) SCALE.—A programmatic mitigation plan may be developed on a regional, ecosystem, watershed, or statewide scale.

''(2) RESOURCES.—The plan may encompass multiple environmental resources within a defined geographic area or may focus on a specific resource, such as aquatic resources, parklands, or wildlife habitat.

''(3) PROJECT IMPACTS.—The plan may address impacts from all projects in a defined geographic area or may focus on a specific type of project, such as bridge replacements.

''(4) CONSULTATION.—The scope of the plan shall be determined by the State or metropolitan planning organization, as appropriate, in consultation with the agency or agencies with jurisdiction over the resources being addressed in the mitigation plan.

''(c) CONTENTS.—A programmatic mitigation plan may include—

''(1) an assessment of the condition of environmental resources in the geographic area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

''(2) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographic area covered by the plan, through strategic mitigation for impacts of transportation projects;

''(3) standard measures for mitigating certain types of impacts;

''(4) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

''(5) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring; and

''(6) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources.

''(d) PROCESS.—Before adopting a programmatic mitigation plan, a State or metropolitan planning organization shall—

''(1) consult with the agency or agencies with jurisdiction over the environmental resources considered in the programmatic mitigation plan;

''(2) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public;

''(3) consider any comments received from such agencies and the public on the draft plan; and

''(4) address such comments in the final plan.

''(e) INTEGRATION WITH OTHER PLANS.—A programmatic mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

''(f) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic mitigation plan has been developed pursuant to this section, any Federal agency responsible for environmental reviews, permits, or approvals for a transportation project shall give substantial weight to the recommendations in a programmatic mitigation plan when carrying out their responsibilities under applicable laws.

''(g) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this section limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

''168. Development of programmatic mitigation plans.''.

SEC. 413. STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326(a) is amended—

(1) in paragraph (2) by striking ''and only for types of activities specifically designated by the Secretary'' and inserting ''and for any type of activity for which a categorical exclusion classification is appropriate''; and

(2) by adding at the end the following:

''(4) PRESERVATION OF FLEXIBILITY.—The Secretary shall not require a State, as a condition of assuming responsibility under this section, to forego project delivery methods that are otherwise permissible for highway projects.''.

SEC. 414. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

(a) PROGRAM NAME.—Section 327 is amended—

(1) in the section heading by striking ''**pilot**''; and

(2) in subsection (a)(1) by striking ''pilot''.

(b) ASSUMPTION OF RESPONSIBILITY.—Section 327(a)(2) is amended—

(1) in subparagraph (A) by striking ''highway'';

(2) in subparagraph (B) by striking clause (ii) and inserting the following:

''(ii) the Secretary may not assign any responsibility imposed on the Secretary by section 134 or 135 or section 5303 or 5304 of title 49.''; and

(3) by adding at the end the following:

''(F) PRESERVATION OF FLEXIBILITY.—The Secretary may not require a State, as a condition of participation in the program, to forego project delivery methods that are otherwise permissible for projects.''.

(c) STATE PARTICIPATION.—Section 327(b) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) PARTICIPATING STATES.—All States are eligible to participate in the program.''; and

(2) in paragraph (2) by striking ''this section, the Secretary shall promulgate'' and inserting ''amendments to this section by the Surface Transportation Extension Act of 2012, Part II, the Secretary shall amend, as appropriate,''.

(d) WRITTEN AGREEMENT.—Section 327(c) is amended—

(1) in paragraph (3)(D) by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

''(4) have a term of not more than 5 years; and

''(5) be renewable.''.

(e) CONFORMING AMENDMENT.—Section 327(e) is amended by striking ''subsection (i)'' and inserting ''subsection (j)''.

(f) AUDITS.—Section 327(g)(1)(B) is amended by striking ''subsequent year'' and inserting ''of the third and fourth years''.

(g) MONITORING.—Section 327 is further amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

''(h) MONITORING.—After the fourth year of the participation of a State in the program, the Secretary shall monitor compliance by the State with the written agreement, including the provision by the State of financial resources to carry out the written agreement.''.

(h) TERMINATION.—Section 327(j) (as redesignated by subsection (g)(1) of this section) is amended to read as follows:

''(j) TERMINATION.—The Secretary may terminate the participation of any State in the program if—

''(1) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(2) the Secretary provides to the State—

''(A) notification of the determination of noncompliance; and

''(B) a period of at least 30 days during which to take such corrective action as the Secretary determines is necessary to comply with the applicable agreement; and

''(3) the State, after the notification and period provided under paragraph (2), fails to take satisfactory corrective action, as determined by the Secretary.''.

(i) DEFINITIONS.—Section 327 is amended by adding at the end the following:

''(k) DEFINITIONS.—In this section, the following definitions apply:

''(1) MULTIMODAL PROJECT.—The term 'multimodal project' means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

''(2) PROJECT.—The term 'project' means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.''.

(j) CLERICAL AMENDMENT.—The analysis for chapter 3 is amended by striking the item relating to section 327 and inserting the following:

''327. Surface transportation project delivery program.''.

SEC. 415. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Chapter 3 is amended by adding at the end the following:

''§ 330. Program for eliminating duplication of environmental reviews

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish a program to eliminate duplicative environmental reviews and approvals under State and Federal law of projects. Under this program, a State may use State laws and procedures to conduct reviews and make approvals in lieu of Federal environmental laws and regulations, consistent with the provisions of this section.

''(2) PARTICIPATING STATES.—All States are eligible to participate in the program.

''(3) SCOPE OF ALTERNATIVE REVIEW AND APPROVAL PROCEDURES.—For purposes of this section, alternative environmental review and approval procedures may include one or more of the following:

''(A) Substitution of one or more State environmental laws for one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State environmental laws provide environmental protection and opportunities for public involvement that are substantially equivalent to the applicable Federal environmental laws.

''(B) Substitution of one or more State regulations for Federal regulations implementing one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State regulations provide environmental protection and opportunities for public involvement that are substantially equivalent to the Federal regulations.

''(b) APPLICATION.—To participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

''(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State;

''(2) for each State law or regulation included in the proposed alternative environmental review and approval procedures of the State, an explanation of the basis for concluding that the law or regulation meets the requirements under subsection (a)(3); and

''(3) evidence of having sought, received, and addressed comments on the proposed application from the public and appropriate Federal environmental resource agencies.

''(c) REVIEW OF APPLICATION.—The Secretary shall—

''(1) review an application submitted under subsection (b);

''(2) approve or disapprove the application in accordance with subsection (d) not later than 90 days after the date of the receipt of the application; and

''(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

''(d) APPROVAL OF STATE PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall approve each such application if the Secretary finds that the proposed alternative environmental review and approval procedures of the State are substantially equivalent to the applicable Federal environmental laws and Federal regulations.

''(2) EXCLUSION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not apply to any decision by the Secretary to approve or disapprove any application submitted pursuant to this section.

''(e) COMPLIANCE WITH PERMITS.—Compliance with a permit or other approval of a project issued pursuant to a program approved by the Secretary under this section shall be deemed compliance with the Federal

laws and regulations identified in the program approved by the Secretary pursuant to this section.

''(f) REVIEW AND TERMINATION.—

''(1) REVIEW.—All State alternative environmental review and approval procedures approved under this section shall be reviewed by the Secretary not less than once every 5 years.

''(2) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (1), the Secretary shall provide notice and an opportunity for public comment.

''(3) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process, the Secretary may extend the State alternative environmental review and approval procedures for an additional 5-year period or terminate the State program.

''(g) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section and annually thereafter, the Secretary shall submit to Congress a report that describes the administration of the program.

''(h) DEFINITIONS.—For purposes of this section:

''(1) ENVIRONMENTAL LAW.—The term 'environmental law' includes any law that provides procedural or substantive protection, as applicable, for the natural or built environment with regard to the construction and operation of projects.

''(2) FEDERAL ENVIRONMENTAL LAWS.—The term 'Federal environmental laws' means laws governing the review of environmental impacts of, and issuance of permits and other approvals for, the construction and operation of projects, including section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and sections 7(a)(2), 9(a)(1)(B), and 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2), 1538(a)(1)(B), 1539(a)(1)(B)).

''(3) MULTIMODAL PROJECT.—The term 'multimodal project' means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

''(4) PROJECT.—The term 'project' means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by title I of this Act) is further amended by adding at the end the following:

''330. Program for eliminating duplication of environmental reviews.''.

SEC. 416. STATE PERFORMANCE OF LEGAL SUFFICIENCY REVIEWS.

(a) IN GENERAL.—Chapter 3 (as amended by this title) is further amended by adding at the end the following:

''§ 331. State performance of legal sufficiency reviews

''(a) IN GENERAL.—At the request of any State transportation department, the Federal Highway Administration shall enter into an agreement with the State transportation department to authorize the State to carry out the legal sufficiency reviews for environmental impact statements and environmental assessments under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with this section.

''(b) TERMS OF AGREEMENT.—An agreement authorizing a State to carry out legal sufficiency reviews for Federal-aid highway projects shall contain the following provisions:

''(1) A finding by the Federal Highway Administration that the State has the capacity to carry out legal sufficiency reviews that are equivalent in quality and consistency to the reviews that would otherwise be conducted by attorneys employed by such Administration.

''(2) An oversight process, including periodic reviews conducted by attorneys employed by such Administration, to evaluate the quality of the legal sufficiency reviews carried out by the State transportation department under the agreement.

''(3) A requirement for the State transportation department to submit a written finding of legal sufficiency to the Federal Highway Administration concurrently with the request by the State for Federal approval of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) document.

''(4) An opportunity for the Federal Highway Administration to conduct an additional legal sufficiency review for any project, for not more than 30 days, if considered necessary by the Federal Highway Administration.

''(5) Procedures allowing either party to the agreement to terminate the agreement for any reason with 30 days notice to the other party.

''(c) EFFECT OF AGREEMENT.—A legal sufficiency review carried out by a State transportation department under this section shall be deemed by the Federal Highway Administration to satisfy the requirement for a legal sufficiency review in sections 771.125(b) and 774.7(d) of title 23, Code of Federal Regulations, or other applicable regulations issued by the Federal Highway Administration.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

''331. State performance of legal sufficiency reviews.''.

SEC. 417. CATEGORICAL EXCLUSIONS.

(a) IN GENERAL.—The Secretary shall treat an activity carried out under title 23, United States Code, or project within a right-of-way as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 771.117(c) of title 23, Code of Federal Regulations.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) MULTIMODAL PROJECT.—The term ''multimodal project'' means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(2) PROJECT.—The term ''project'' means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 418. ENVIRONMENTAL REVIEW PROCESS DEADLINE.

(a) IN GENERAL.—

(1) DEADLINE.—Notwithstanding any other provision of law, the environmental review process for a project shall be completed not later than 270 days after the date on which the notice of project initiation under section 139(e) of title 23, United States Code, is published in the Federal Register.

(2) CONSEQUENCES OF MISSED DEADLINE.—If the environmental review process for a project is not completed in accordance with paragraph (1)—

(A) the project shall be considered to have no significant impact to the human environment for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) that classification shall be considered to be a final agency action.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term ''environmental review process'' means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) INCLUSIONS.—The term ''environmental review process'' includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) LEAD AGENCY.—The term ''lead agency'' means the Department of Transportation and, if applicable, any State or local governmental entity serving as a joint lead agency pursuant to this section.

(3) MULTIMODAL PROJECT.—The term ''multimodal project'' means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(4) PROJECT.—The term ''project'' means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 419. RELOCATION ASSISTANCE.

(a) ALTERNATIVE RELOCATION PAYMENT PROCESS.—

(1) ESTABLISHMENT.—For the purpose of identifying improvements in the timeliness of providing relocation assistance to persons displaced as a result of Federal or federally-assisted programs and projects, the Secretary shall establish an alternative relocation payment process under which payments to displaced persons eligible for relocation assistance pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), are calculated based on reasonable estimates and paid in advance of the physical displacement of the displaced person.

(2) PAYMENTS.—

(A) TIMING OF PAYMENTS.—Relocation assistance payments may be provided to the displaced person at the same time as payments of just compensation for real property acquired for a program or project of the State.

(B) COMBINED PAYMENT.—Payments for relocation and just compensation may be combined into a single unallocated amount.

(3) CONDITIONS FOR STATE USE OF ALTERNATIVE PROCESS.—

(A) IN GENERAL.—After public notice and an opportunity to comment, the Secretary shall adopt criteria for States to use the alternative relocation payment process established by the Secretary.

(B) MEMORANDUM OF AGREEMENT.—In order to use the alternative relocation payment process, a State shall enter into a memorandum of agreement with the Secretary that includes provisions relating to—

(i) the selection of projects or programs within the State to which the alternative relocation payment process will be applied;

(ii) program and project-level monitoring;

(iii) performance measurement;

(iv) reporting requirements; and

(v) the circumstances under which the Secretary may terminate or suspend the authority of the State to use the alternative relocation payment process.

(C) REQUIRED INFORMATION.—A State may use the alternative relocation payment process only after the displaced persons affected by a program or project—

(i) are informed in writing—

(I) that the relocation payments the displaced persons receive under the alternative relocation payment process may be higher or lower than the amount that the displaced persons would have received under the standard relocation assistance process; and

(II) of their right not to participate in the alternative relocation payment process; and

(ii) agree in writing to the alternative relocation payment process.

(D) ELECTION NOT TO PARTICIPATE.—The displacing agency shall provide any displaced person who elects not to participate in the alternative relocation payment process with relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(4) PROTECTIONS AGAINST INCONSISTENT TREATMENT.—If other Federal agencies plan displacements in or adjacent to an area of a project using the alternative relocation payment process within the same time period as a project acquisition and relocation action of the project, the Secretary shall adopt measures to protect against inconsistent treatment of displaced persons. Such measures may include a determination that the alternative relocation payment process authority may not be used on a specific project.

(5) REPORT.—

(A) IN GENERAL.—The Secretary shall submit to Congress an annual report on the implementation of the alternative relocation payment process.

(B) CONTENTS.—The report shall include an evaluation of the merits of the alternative relocation payment process, including the effects of the alternative relocation payment process on—

(i) displaced persons and the protections afforded to such persons by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.);

(ii) the efficiency of the delivery of Federal-aid highway projects and overall effects on the Federal-aid highway program; and

(iii) the achievement of the purposes of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(6) LIMITATION.—The alternative relocation payment process under this section may be used only on projects funded under title 23, United States Code, in cases in which the funds are administered by the Federal Highway Administration.

(7) NEPA APPLICABILITY.—Notwithstanding any other provision of law, the use of the alternative relocation payment process established under this section on a project funded under title 23, United States Code, and administered by the Federal Highway Administration is not a major Federal action requiring analysis or approval under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) UNIFORM RELOCATION ASSISTANCE ACT AMENDMENTS.—

(1) MOVING AND RELATED EXPENSES.—Section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4622) is amended—

(A) in subsection (a)(4) by striking ''$10,000'' and inserting ''$25,000, as adjusted by regulation, in accordance with section 213(d)''; and

(B) in the second sentence of subsection (c) by striking ''$20,000'' and inserting ''$40,000, as adjusted by regulation, in accordance with section 213(d)''.

(2) REPLACEMENT HOUSING FOR HOMEOWNERS.—The first sentence of section 203(a)(1) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623(a)(1)) is amended by—

(A) striking ''$22,500'' and inserting ''$31,000, as adjusted by regulation, in accordance with section 213(d),''; and

(B) striking ''one hundred and eighty days prior to'' and inserting ''90 days before''.

(3) REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS.—Section 204 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4624) is amended—

(A) in the second sentence of subsection (a) by striking ''$5,250'' and inserting ''$7,200, as adjusted by regulation, in accordance with section 213(d)''; and

(B) in the second sentence of subsection (b) by striking '', except'' and all that follows through the end of the subsection and inserting a period.

(4) DUTIES OF LEAD AGENCY.—Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633) is amended—

(A) in subsection (b)—

(i) in paragraph (2) by striking ''and'';

(ii) in paragraph (3) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) that each Federal agency that has programs or projects requiring the acquisition of real property or causing a displacement from real property subject to the provisions of this Act shall provide to the lead agency an annual summary report that describes the activities conducted by the Federal agency.''; and

(B) by adding at the end the following:

''(d) ADJUSTMENT OF PAYMENTS.—The head of the lead agency may adjust, by regulation, the amounts of relocation payments provided under sections 202(a)(4), 202(c), 203(a), and 204(a) if the head of the lead agency determines that cost of living, inflation, or other factors indicate that the payments should be adjusted to meet the policy objectives of this Act.''.

(5) AGENCY COORDINATION.—Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) is amended by inserting after section 213 (42 U.S.C. 4633) the following:

''SEC. 214. AGENCY COORDINATION.

''(a) AGENCY CAPACITY.—Each Federal agency responsible for funding or carrying out relocation and acquisition activities shall have adequately trained personnel and such other resources as are necessary to manage and oversee the relocation and acquisition program of the Federal agency in accordance with this Act.

''(b) INTERAGENCY AGREEMENTS.—Not later than 1 year after the date of the enactment of this section, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall enter into a memorandum of understanding with the lead agency that—

''(1) provides for periodic training of the personnel of the Federal agency, which in the case of a Federal agency that provides Federal financial assistance, may include personnel of any displacing agency that receives Federal financial assistance;

''(2) addresses ways in which the lead agency may provide assistance and coordination to the Federal agency relating to compliance with this Act on a program or project basis; and

''(3) addresses the funding of the training, assistance, and coordination activities provided by the lead agency, in accordance with subsection (c).

''(c) INTERAGENCY PAYMENTS.—

''(1) IN GENERAL.—For the fiscal year that begins 1 year after the date of the enactment of this section, and each fiscal year thereafter, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall transfer to the lead agency for the fiscal year, such funds as are necessary, but not less than $35,000, to support the training, assistance, and coordination activities of the lead agency described in subsection (b).

''(2) INCLUDED COSTS.—The cost to a Federal agency of providing the funds described in paragraph (1) shall be included as part of the cost of 1 or more programs or projects undertaken by the Federal agency or with Federal financial assistance that result in the displacement of persons or the acquisition of real property.''.

(c) COOPERATION WITH FEDERAL AGENCIES.—Section 308(a) is amended to read as follows:

''(a) AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—The Secretary may perform, by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Federal agencies, cooperating foreign countries, and State cooperating agencies.

''(2) INCLUSIONS.—Services authorized under paragraph (1) may include activities authorized under section 214 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

''(3) REIMBURSEMENT.—Reimbursement for services carried out under this subsection, including depreciation on engineering and road-building equipment, shall be credited to the applicable appropriation.''.

The CHAIR. Pursuant to House Resolution 619, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Mr. Chairman, the folders that I am holding here represent our dysfunctional Federal bureaucracy. They provide a stark example of the burdensome red tape that a Wisconsin business must go through just to get approval of a single project.

Mr. Chairman, in this folder is when the county controls a project. This folder is when the State controls the project. Mr. Chairman, this folder is when the Federal Government controls the project.

Well, these examples aren't specifically for a highway project. They are emblematic of the bureaucracy our Federal Government imposes in northeastern Wisconsin and across the Nation. My amendment today will smooth the road for our infrastructure projects by reducing the redundant permitting requirements that prevent us from rebuilding our roads and bridges across this country.

My amendment includes many of the practical reforms that I and my colleagues on the Transportation Committee have championed under Chairman MICA's leadership. Today, the average life span of a construction project is 15 years, but only 5 of those years involve actual on-the-ground construction.

Let me say that again. At least 10 years of a project are not spent building anything, but instead are spent filling thousands of folders just like these with millions of pages of paperwork.

My amendment expedites this process. In some cases we can cut this timeline in half merely by allowing the Federal and State agencies to work together. How about that for an idea, to work together on the review and permitting process.

My amendment sets hard deadlines for Federal agencies to approve infrastructure projects, no longer leaving them in limbo. There has been a lot of talk about shovel-ready projects in recent years. Well, my amendment will help States, municipalities, and contractors to put their pencils down and, Mr. Chairman, pick the shovels up. It's exactly what we need in a time when our economy is struggling.

The Federal Government needs to stop putting up roadblocks to job creation and figure out ways to make things easier and less costly. My amendment would do just that.

It also exempts certain unplanned emergencies from some of the review processes. When a State or city is hit by damaging storms or unexpected flooding, our top priority should be to get our roads and bridges repaired, not subjecting our communities to an endless permitting process that may further harm their quality of life.

Mr. Chairman, the bill before us today is not perfect, but then again no bill ever is. However, my amendment will put us on the road to reforming how we build and maintain our infrastructure throughout this country, and I urge my colleagues to join me in supporting it.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I claim time in opposition to the amendment.

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

Mr. RAHALL. I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

I am going to ask the gentleman from Wisconsin a question about his amendment.

You might remember in committee that I managed to convince the majority to strip a provision in the underlying bill that would have waived all laws at the discretion of the President of the United States to do projects of national competitiveness.

Mr. RIBBLE. Will the gentleman yield?

Our amendment takes that——

Mr. DEFAZIO. I know. You don't have that and I appreciate that; but in your amendment, from the original bill, you took this language:

> The Secretary shall treat an activity carried out under title 23, United States Code, or project within a right-of-way as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements.

That means all Federal highway projects would be exempt from any environmental review. Don't you think that's a little over the top? That's a little more than streamlining it, and that's not just within existing rights-of-way. That is, acquire a new right-of-way, build an eight-lane road and no environmental review? Don't you think, I mean, that might be a little bit over the edge?

□ 1530

Mr. RIBBLE. If the gentleman will yield, it's just in the right-of-way, though.

Mr. DEFAZIO. No, it says ''or.'' ''Or a project within a right-of-way.'' You have at least a drafting problem here, if not an intentional problem.

This exempts any project under title 23, which means a brand new highway 8, 12, 15 lanes wide, newly acquired right-of-way, with no environmental review.

Mr. RIBBLE. Will the gentleman yield?

Mr. DEFAZIO. I will yield to the gentleman.

Mr. RIBBLE. I can say this to you, that I have full confidence in your State's environmental protection. I have full confidence in the leaders in the State of Wisconsin.

Mr. DEFAZIO. Reclaiming my time, I don't have confidence in a lot of people in a lot of States and I do think the American people deserve at least some protection. Now, I can understand the impatience with some of the bureaucracy—I share it—particularly when it comes to transit projects and other things and giving States authority, like we've done to California.

The CHAIR. The time of the gentleman has expired.

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

Mr. DEFAZIO. But for the gentleman to say that we'll just let the States decide whether or not there will be any environmental review of a major new highway project is extraordinary to me—using Federal money. If they want to use the State money and they want to say there are no laws that apply and we're just going to build this Chinese method of here comes the bulldozer, get out of the way, get out of your house, here it comes, fine. States are like that. They do it with their own money, and people of that State can deal with it. But for the Federal Government to say, We wash our hands of this and you can do anything you want with Federal taxpayer dollars, constructing major new highways with no review, I think that's a little over the top.

Mr. RIBBLE. I yield 1½ minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding and commend him on his amendment.

I think it's a great amendment. As a freshman, you have done tremendous work on the committee. And you've been in Washington only a year-and-a-half, and yet you brought a shovel here. That shovel shovels more than just dirt. It shovels other stuff that happens here in Washington. And it's time we clear some of that out to be able to streamline building roads and highways in this country.

And that's what your amendment does. It cuts bureaucratic red tape, allows the Federal agencies to review transportation projects concurrently, which is extremely important. It delegates project approval authority to the States, establishes hard deadlines to Federal agencies to make decisions on permits, which is going to definitely speed up the process. It expands the list of activities that qualify for categorical exclusions, an approval process that's faster and simpler than the standard process. The environmental protections do remain in place.

I disagree with the gentleman from Oregon. I have all the confidence in the world that what the gentleman has in his amendment here will allow just what's in the right-of-way. That's what we interpreted, and I believe that's how the States will interpret it. So I have all the confidence that this amendment is properly prepared and we're going to pass it here on the floor today.

So, again, these are practical reforms. Time is money, and anybody that's been in business knows time is money. And that's what these reforms are going to do: reduce the time, which will reduce the cost to get us highways and bridges built faster in this country.

I commend the gentleman from Wisconsin (Mr. RIBBLE) on his excellent work and his work on this committee and also the chairman for his tireless efforts in bringing the extension to the floor. And as we move into conference, I'm confident we're going to come up with something that's better than we see from the other side.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment. While I strongly support the efficient review of projects to ensure timely project delivery, I believe it is possible to balance these needs with adequate opportunity for public input. Unfortunately, the provisions in the Ribble amendment are far beyond balanced and would severely limit public input into surface transportation decisions.

In effect, the amendment places a roadblock on public participation in reviewing transportation projects by limiting and, in certain cases, outright waiving NEPA. That goes far beyond streamlining. Locking the public out of the decisionmaking process is steamrolling our constituents and local governments.

The most galling aspect of this amendment is that it would completely exempt any and all highway projects where the Federal share of the costs is less than $10 million or 15 percent of project costs from the requirements to provide public participation and an analysis of alternatives in the project decisionmaking process.

Proponents of the amendment argue that NEPA and other laws are causing years of project delays. That's simply

not true. According to the U.S. Department of Transportation, the vast majority of projects delivered both by the Federal Highway Administration and the FTA—96 percent, to be exact—already go through minimal NEPA review, meaning that all NEPA compliance is completed within 2¼ months to 6 months. Ironically, this amendment could increase those delays by excluding the public from participation in the project review process and increasing the likelihood of public opposition to a project, leading to greater delays in project delivery.

Now, many of us know the public, if they're locked out of a decisionmaking project or review process where they feel they have a legitimate right to participate, where are they going to go? They're going to go to the courts and sue. Does the gentleman think that the judicial process, when you have to face lawsuit after lawsuit after lawsuit, is going to be streamlining the process? I think not. We're looking at a longer process there than any environmental review would ever entail.

Again, while I strongly support efficient review and sufficient review of projects to ensure timely project delivery, this amendment goes too far. It undermines public participation in local decisions and could potentially create greater problems of project delivery. And I would urge the defeat of the gentleman's amendment.

I yield back the balance of my time.

Mr. RIBBLE. I do want to thank the ranking member. We do have a disagreement, and disagreements happen in this Chamber a lot. But anyone who's traveled our roads and highways and tried to cross bridges that have been falling apart, that are filled with potholes, that have needed repairs for, sometimes, decades recognizes the real cost and real cause of the delay.

Mr. Chairman, I would note that my amendment in no way eliminates NEPA or the need for an environmental review to occur. However, our current process reduces redundant submissions, and approvals can render a road project obsolete before the ground has ever been broken.

My amendment merely ensures that Federal and State governments get to actually work together in doing the review. They get to work together to do this. And unlike others, I have full confidence in the people that live in the States where this work is going to be done. They're the neighbors of these road projects. They're the ones that swim in the lakes and streams and drink the water, breathe the air. They're the ones that live there. They ought to have more say on how these projects are completed, and we can actually get more projects done because of this.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

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

Mr. RAHALL. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. MCKINLEY

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–446.

Mr. MCKINLEY. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—COAL COMBUSTION RESIDUALS

SEC. 401. HIGHWAY AND INFRASTRUCTURE SAFETY THROUGH THE PROTECTION OF COAL COMBUSTION RESIDUAL RECYCLING.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following new section:

"SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

''(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt and implement a coal combustion residuals permit program.

''(b) STATE ACTIONS.—

''(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(2)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

''(2) CERTIFICATION.—

''(A) IN GENERAL.—Not later than 36 months after the date of enactment of this section (except as provided in subsections (f)(1)(A) and (f)(1)(C)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State agency responsible for implementing the coal combustion residuals permit program shall submit to the Administrator a certification that such coal combustion residuals permit program meets the specifications described in subsection (c)(1).

''(B) CONTENTS.—A certification submitted under this paragraph shall include—

''(i) a letter identifying the lead State agency responsible for implementing the coal combustion residuals permit program, signed by the head of such agency;

''(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

''(iii) a narrative description that provides an explanation of how the State will ensure that the coal combustion residuals permit program meets the requirements of this section, including a description of the State's—

''(I) process to inspect or otherwise determine compliance with such permit program;

''(II) process to enforce the requirements of such permit program; and

''(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program;

''(iv) a legal certification that the State has, at the time of certification, fully effective statutes or regulations necessary to implement a coal combustion residuals permit program that meets the specifications described in subsection (c)(1); and

''(v) copies of State statutes and regulations described in clause (iv).

''(3) MAINTENANCE OF 4005(C) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the State agency responsible for implementing a coal combustion residuals permit program in a State shall maintain an approved program under section 4005(c) or an authorized program under section 3006.

''(c) PERMIT PROGRAM SPECIFICATIONS.—

''(1) MINIMUM REQUIREMENTS.—The specifications described in this subsection for a coal combustion residuals permit program are as follows:

''(A) The revised criteria described in paragraph (2) shall apply to a coal combustion residuals permit program, except as provided in paragraph (3).

''(B) Each structure shall be, in accordance with generally accepted engineering standards for the structural integrity of such structures, designed, constructed, and maintained to provide for containment of the maximum volumes of coal combustion residuals appropriate for the structure. If a structure is determined by the head of the agency responsible for implementing the coal combustion residuals permit program to be deficient, the head of such agency has authority to require action to correct the deficiency according to a schedule determined by such agency. If the identified deficiency is not corrected according to such schedule, the head of such agency has authority to require that the structure close in accordance with subsection (h).

''(C) The coal combustion residuals permit program shall apply the revised criteria promulgated pursuant to section 4010(c) for location, design, groundwater monitoring, corrective action, financial assurance, closure, and post-closure described in paragraph (2) and the specifications described in this paragraph to surface impoundments.

''(D) If a structure that is classified as posing a high hazard potential pursuant to the guidelines published by the Federal Emergency Management Agency entitled 'Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams' (FEMA Publication Number 333) is determined by the head of the agency responsible for implementing the coal combustion residuals permit program to be deficient with respect to the structural integrity requirement in subparagraph (B), the head of such agency has authority to require action to correct the deficiency according to a schedule determined by such agency. If the identified deficiency is not corrected according to such schedule, the head of such agency has authority to require that the structure close in accordance with subsection (h).

''(E) New structures that first receive coal combustion residuals after the date of enactment of this section shall be constructed with a base located a minimum of two feet above the upper limit of the natural water table.

''(F) In the case of a coal combustion residuals permit program implemented by a State, the State has the authority to inspect structures and implement and enforce such permit program.

''(G) In the case of a coal combustion residuals permit program implemented by a State, the State has the authority to address wind dispersal of dust from coal combustion residuals by requiring dust control measures, as determined appropriate by the head of the lead State agency responsible for implementing the coal combustion residuals permit program.

''(2) REVISED CRITERIA.—The revised criteria described in this paragraph are—

''(A) the revised criteria for design, groundwater monitoring, corrective action, closure, and post-closure, for structures, including—

''(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations; and

''(ii) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this paragraph, such revised criteria shall also include—

''(I) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

''(II) for the purposes of assessment monitoring, the constituents aluminum, boron, chloride, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids;

''(B) the revised criteria for location restrictions described in—

''(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

''(ii) for existing structures that receive coal combustion residuals after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations;

''(C) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations;

''(D) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations;

''(E) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations;

''(F) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for recordkeeping described in section 258.29 of title 40, Code of Federal Regulations;

''(G) for landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-on and run-off control systems described in section 258.26 of title 40, Code of Federal Regulations; and

''(H) for surface impoundments that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

''(3) APPLICABILITY OF CERTAIN REQUIREMENTS.—A State may determine that one or more of the requirements of the revised criteria described in paragraph (2) is not needed for the management of coal combustion residuals in that State, and may decline to apply such requirement as part of its coal combustion residuals permit program. If a State declines to apply a requirement under this paragraph, the State shall include in the certification under subsection (b)(2) a description of such requirement and the reasons such requirement is not needed in the State. If the Administrator determines that a State determination under this paragraph does not accurately reflect the needs for the management of coal combustion residuals in the State, the Administrator may treat such State determination as a deficiency under subsection (d).

''(d) WRITTEN NOTICE AND OPPORTUNITY TO REMEDY.—

''(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (2) if at any time the State—

''(A) does not satisfy the notification requirement under subsection (b)(1);

''(B) has not submitted a certification under subsection (b)(2);

''(C) does not satisfy the maintenance requirement under subsection (b)(3); or

''(D) is not implementing a coal combustion residuals permit program that meets the specifications described in subsection (c)(1).

''(2) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under this subsection shall—

''(A) include findings of the Administrator detailing any applicable deficiencies in—

''(i) compliance by the State with the notification requirement under subsection (b)(1);

''(ii) compliance by the State with the certification requirement under subsection (b)(2);

''(iii) compliance by the State with the maintenance requirement under subsection (b)(3); and

''(iv) the State coal combustion residuals permit program in meeting the specifications described in subsection (c)(1); and

''(B) identify, in collaboration with the State, a reasonable deadline, which shall be not sooner than 6 months after the State receives the notice, by which the State shall remedy the deficiencies detailed under subparagraph (A).

''(e) IMPLEMENTATION BY ADMINISTRATOR.—

''(1) IN GENERAL.—The Administrator shall implement a coal combustion residuals permit program for a State only in the following circumstances:

''(A) If the Governor of such State notifies the Administrator under subsection (b)(1) that such State will not adopt and implement such a permit program.

''(B) If such State has received a notice under subsection (d) and, after any review brought by the State under section 7006, fails, by the deadline identified in such notice under subsection (d)(2)(B), to remedy the deficiencies detailed in such notice under subsection (d)(2)(A).

''(C) If such State informs the Administrator, in writing, that such State will no longer implement such a permit program.

''(2) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1), such permit program shall consist of the specifications described in subsection (c)(1).

''(3) ENFORCEMENT.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1), the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures and the Administrator may use such authorities to inspect, gather information, and enforce the requirements of this section in the State.

''(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

''(1) STATE CONTROL.—

''(A) NEW ADOPTION AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination that the State coal combustion residuals permit program meets the specifications described in subsection (c)(1); and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

''(i) remedying the deficiencies detailed in the notice provided under subsection (d)(2)(A); and

''(ii) receiving from the Administrator—

''(I) a determination that the deficiencies detailed in such notice have been remedied; and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(C) RESUMPTION OF IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(C), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination that the State coal combustion residuals permit program meets the specifications described in subsection (c)(1); and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(2) REVIEW OF DETERMINATION.—

''(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii) or (1)(C)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

''(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

''(3) IMPLEMENTATION DURING TRANSITION.—

''(A) EFFECT ON ACTIONS AND ORDERS.—Actions taken or orders issued pursuant to a coal combustion residuals permit program shall remain in effect if—

''(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

''(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

''(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such actions and orders until such time as the Administrator or the head of the lead State agency responsible for implementing the coal combustion residuals permit program, as applicable—

''(i) implements changes to the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

''(ii) certifies the completion of a corrective action that is the subject of the action or order.

''(4) SINGLE PERMIT PROGRAM.—If a State adopts and implements a coal combustion residuals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e) for such State.

''(g) EFFECT ON DETERMINATION UNDER 4005(C) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

''(h) CLOSURE.—If it is determined, pursuant to a coal combustion residuals permit program, that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion and that takes into account the nature and the site-specific characteristics of the structure to be closed. In the case of a surface impoundment, the closure plan shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

''(i) AUTHORITY.—

''(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

''(2) AUTHORITY OF THE ADMINISTRATOR.—

''(A) IN GENERAL.—Except as provided in subsection (e) of this section and section 6005 of this title, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

''(B) IMMINENT HAZARD.—Nothing in this section shall be construed to affect the authority of the Administrator under section 7003 with respect to coal combustion residuals.

''(C) TECHNICAL AND ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the technical or enforcement assistance requested.

''(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

''(j) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented under subsection (e) by the Administrator shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

''(k) DEFINITIONS.—In this section:

''(1) COAL COMBUSTION RESIDUALS.—The term 'coal combustion residuals' means—

''(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

''(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

''(C) fluidized bed combustion wastes;

''(D) wastes from the co-burning of coal with non-hazardous secondary materials provided that coal makes up at least 50 percent of the total fuel burned; and

''(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

''(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term 'coal combustion residuals permit program' means a permit program or other system of prior approval and conditions that is adopted by or for a State for the management and disposal of coal combustion residuals to the extent such activities occur in structures in such State.

''(3) STRUCTURE.—The term 'structure' means a landfill, surface impoundment, or other land-based unit which may receive coal combustion residuals.

''(4) REVISED CRITERIA.—The term 'revised criteria' means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c) in accordance with the requirement of such section that the criteria protect human health and the environment.''.

(b) 2000 REGULATORY DETERMINATION.—Nothing in this section, or the amendments made by this section, shall be construed to alter in any manner the Environmental Protection Agency's regulatory determination entitled ''Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels'', published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

(c) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

''Sec. 4011. Management and disposal of coal combustion residuals.''.

The CHAIR. Pursuant to House Resolution 619, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I want to thank Chairman MICA and the leadership for working with our office to allow this amendment to proceed and to be offered.

Just a reminder, this issue passed the House on a 2–1 vote last October and previously on a continuing resolution. The legislation has had strong bipartisan support, with numbers of Democrats voting in favor.

So we're not here to rehash those old fights. What we're here to do is discuss how fly ash pertains to maximizing funds for our roads and our bridges and our construction projects and protecting hundreds of thousands of jobs all across America. But there are those that don't see the correlation between coal ash and concrete, even though it's been an integral part of concrete in America for over 80 years.

Quite frankly, upwards of 316,000 jobs are at stake with this amendment and over $100 billion in roads, bridge, and infrastructure projects if coal ash is not recycled into concrete. Keep in mind, 60 million tons of fly ash are recycled annually.

Let's read some quotes from some of the individuals that have talked about this.

The Veritas Economic Consulting report talks about 316,000 jobs. There's one from the American Road and Transportation Builders Association talking about the $100 billion. Here's one from the Home Builders Association:

Removing coal ash from the supply chain would increase the price of concrete by an average of 10 percent.

□ 1540

Fly ash replaces the American concrete pipe and replaces 15 million tons of cement in its use. Look at what the administration's agencies are talking about under the Department of the Interior and the Department of Transportation.

Department of the Interior:

We concur with industry leaders who feel strongly that if fly ash is designated a hazardous waste, it will no longer be used in concrete.

Here from the same Department:

Fly ash costs approximately 20 to 50 percent less than the cost of cement.

From the Department of Transportation:

Fly ash is a valuable byproduct used in highway facility construction. It is a vital component of concrete and is important for a number of other infrastructure uses.

And the last:

Cement is more costly than fly ash. In some areas, it is as much as twice the cost.

So what does EPA say? Their own statement:

One ton of fly ash used as a replacement for cement reduces the equivalent of nearly 2 months of an automobile's carbon dioxide emissions.

One ton of fly ash used as a replacement for cement saves enough energy to provide electricity to an average American home for nearly 20 days.

Coal ash leads to ''better road performance.''

Mr. Chairman, let's be honest. What we're relating to here is about the use of fly ash in concrete that's been for over 80 years. Anyone opposing this legislation clearly has an agenda, and that agenda is anticoal. So that's why I'm asking my colleagues to join me today in supporting this amendment, once again, and protecting 316,000 jobs and maximizing the highway funds available for upgrading our roads and bridges all across America.

I reserve the balance of my time.

Mr. RAHALL. I ask unanimous consent to claim the time in opposition; although, I am in support of the amendment.

The CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. I yield 3 minutes to the distinguished gentleman from California (Mr. WAXMAN).

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

President Obama has already threatened to veto this legislation because it

circumvents the longstanding process for reviewing the potentially dangerous Keystone XL pipeline. The McKinley amendment would add another extraneous provision to the underlying bill. This amendment would prevent EPA from regulating toxic coal ash and would put our Nation's drinking water and public health at greater risk.

On December 22, 2008, a coal ash impoundment in Kingston, Tennessee, burst, releasing 5.4 million cubic yards of toxic sludge, blanketing the Emory River and surrounding land and creating a Superfund site that could cost up to $1.2 billion to clean up.

At hearings in the Energy and Commerce Committee, we heard testimony about the devastating impacts contamination from coal combustion wastes can cause. We learned of contaminated drinking water supplies and ruined property values. We learned that improper disposal of coal ash can both present catastrophic risks from ruptures of containment structures and cause cancer and other illnesses from long-term exposure to leaking chemicals.

Two years ago, EPA proposed regulations to ensure stronger oversight of coal ash impoundments in order to prevent disasters like the one at Kingston and to protect groundwater and drinking water from the threat of contamination. The agency had proposed two alternatives for regulating coal combustion residuals. One proposal was to regulate these wastes under subtitle C of the Resources Conservation Recovery Act, or RCRA, as a hazardous waste. The other proposal was to regulate under subtitle D of RCRA as a nonhazardous solid waste.

Under both proposals, there would be a minimum Federal standard developed to protect human health and the environment. Those standards would address wet impoundments, like in Kingston, and would also ensure that basic controls like the use of liners, groundwater monitoring, and dust control meet a minimum level of effectiveness.

But this amendment blocks both of EPA's proposals. It replaces those proposals with an ineffective program that will not ensure the safe disposal of coal ash, won't protect public health, and won't protect the environment. We could and we should do better.

Under each of our environmental laws, Congress has always established a legal standard when delegating programs to the States. These standards are the yardsticks by which it is determined whether a State's efforts measure up. They ensure a minimum level of effort and protection throughout the Nation. This approach has worked well because it prevents a race to the bottom by the States.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman from California an additional 30 seconds.

Mr. WAXMAN. This legislation does not include any legal standard to establish a minimum level of safety, and to the extent new safety requirements are established, nearly all of them can be waived at a State's discretion.

This legislation appears to create a program, but the decision about whether or not to go forward is one that will be at the States' discretion. The result will inevitably be uneven and inconsistent rules between the States. Some will do a good job and others won't.

If this legislation is adopted, no one should be fooled. This bill won't protect communities living near these waste disposal sites.

Mr. MCKINLEY. Mr. Chairman, just a quick couple of observations, just to remind everyone, we've been using fly ash in concrete for over 80 years, and the President has not—has not—issued a veto threat on this legislation. Perhaps he's aware of the 316,000 jobs that others are not as concerned about.

I want to thank my colleague from West Virginia for cosponsoring this legislation, and I hope he will continue to help us find the bipartisan support in protecting the jobs.

Mr. Chairman, how much time remains?

The CHAIR. The gentleman from West Virginia has 1¼ minutes remaining.

Mr. MCKINLEY. I'm going to yield time to the gentleman from Michigan, the chairman of the committee, for the purpose of closing.

The CHAIR. The gentleman is recognized for 75 seconds.

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

Mr. UPTON. I would just like to remind the House that this amendment is the same bill that the House passed last year with a vote of 267–144. We moved this through regular order through our committee hearings, subcommittee and full committee markup, and I want to say, as I recall, by nearly a 3–1 margin in the full committee did we pass this amendment.

This amendment establishes a program that protects human health and environment. It requires groundwater monitoring and requires that States monitor for the same constituents that EPA identified as being important for the regulation of coal ash. The amendment also requires that States require liners for new structures and establishes appropriate controls on fugitive dust.

For 2 years, EPA has been considering regulating coal ash. This bill would allow the safe use of coal ash in such products as concrete, wallboard, and roofing shingles. As the gentleman from West Virginia said, it saves 316,000 jobs. This is a highway and infrastructure bill. It is a jobs bill. This saves American jobs, and it is very important that the House continue to support the McKinley amendment, whether it be a freestanding bill, as we did last year, or the amendment to this bill.

Mr. RAHALL. Mr. Chairman, back in 1980, former Representative Tom Bevill of Alabama and I inserted an amendment into the Solid Waste Disposal Act requiring EPA to study and then determine how to regulate coal ash. That was in 1980. Today, 32 years later, EPA has not done so in a final manner, so I believe it is completely appropriate to place this authority within the hands of the State as the pending amendment by the gentleman from West Virginia would clearly do.

In the wake of the 2008 coal waste disaster at a TVA facility, I introduced legislation to strengthen the regulation of coal ash impoundments. The pending legislation is not perfect in these respects. In fact, there are some flaws which need to be worked out further. I also believe there are more appropriate ways to gain enactment of the provisions of H.R. 2273 which this amendment reflects. In fact, we should all note that the bill has already passed the House and been sent to the other body where Senators are actually working to achieve a bipartisan agreement.

□ 1550

I will, however, vote for this amendment because I have long supported many of the concepts embodied in it, including active oversight of coal ash impoundments and the promotion of the beneficial reuse of coal ash for activities like road building, which my colleague from West Virginia has already well demonstrated.

So as I conclude, I urge my colleagues to support this amendment, and I join in thanking my colleague from West Virginia for bringing it to us today. And I praise him for his consistency because he came to me early on in our T&I markup process to have this introduced in committee.

The CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. RIBBLE

The CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 255, noes 165, not voting 11, as follows:

[Roll No. 168]

AYES—255

Adams	Alexander	Austria
Aderholt	Altmire	Baca
Akin	Amodei	Bachmann

Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
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
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
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
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
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
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
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—165

Ackerman
Amash
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
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

NOT VOTING—11

Andrews
Cardoza
Filner
Flake
Kaptur
Marino
Napolitano
Paul
Pingree (ME)
Rangel
Slaughter

ANNOUNCEMENT BY THE CHAIR

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

□ 1618

Mr. BILBRAY and Ms. HAYWORTH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 168 due to a family medical emergency. Had I been present, I would have voted "no" on agreeing to the Ribble Amendment No. 2.

Mr. FILNER. Mr. Chair, on rollcall 168, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

The CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mr. WESTMORELAND, 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. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, and, pursuant to House Resolution 619, he reported the bill back to the House with sundry amendments 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 any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. POLIS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. POLIS. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Polis moves to recommit the bill H.R. 4348 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of subtitle A of title I of the bill, add the following (and conform the table of contents accordingly):

SEC. 112. PROHIBITION AGAINST CONSTRUCTION OF HIGHWAYS IN FOREIGN COUNTRIES.

(a) IN GENERAL.—None of the funds made available under this Act may be used for the construction of a highway outside of a State (as defined in section 101(a) of title 23, United States Code) or a territory (as defined in section 215(a) of that title).

(b) REMOVAL OF EXISTING AUTHORITY TO USE HIGHWAY TRUST FUND REVENUES TO CONSTRUCT A HIGHWAY IN A FOREIGN COUNTRY.—

(1) REPEAL.—Section 218 of title 23, United States Code, and the item relating to that section in the analysis for chapter 2 of that title, are repealed.

(2) NHS APPORTIONMENTS.—Section 104(b)(1)(A) of title 23, United States Code, is amended in the matter preceding clause (i) by striking '', $30,000,000'' and all that follows through ''Highway,''.

(c) RESCISSION.—Of the unobligated balances of funds made available for the Alaska Highway under section 104(b)(1)(A) of title 23, United States Code, $12,289,131 is rescinded.

SEC. 113. PROHIBITION ON FUNDING FOR CORRIDOR EARMARK THAT LIMITS FUNDING FOR OTHER ARC STATES.

(a) SYSTEM MILEAGE.—Notwithstanding any other provision of law, any corridor designation that increased the authorized mileage of the Appalachian development highway system above 3,025 miles shall no longer be effective.

(b) REVISION OF COST TO COMPLETE ESTIMATE.—Not later than 90 days after the date of enactment of this Act, the Appalachian Regional Commission shall revise the cost to complete estimate for the Appalachian development highway system under section 14501 of title 40, United States Code, to reflect the elimination of the corridor designation under subsection (a).

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Speaker, usually when something is killed, it stays dead.

But just like a zombie movie, some earmarks refuse to die and return to life as wasteful deficit spending. That's what has happened with this bill and what my simple commonsense amendment corrects.

This Congress was supposed to eliminate earmarks, but zombie earmarks from prior sessions keep appearing and reappearing and my amendment corrects that. Republicans are taking earmarks from previous sessions and calling them something else. Is that our new spending plan? Mr. Speaker, at a time when we face a massive national deficit and have limited resources to address our Nation's transportation needs, the pending measure provides billions of dollars for the construction of the Alabama Porkway and the Canadian Baconway.

Mr. Speaker, even as many in Congress have sworn off earmarks, this legislation continues funding to the Alabama Porkway, a 65-mile, six-lane beltway zombie earmark, a massive highway that surrounds the City of Birmingham, costing taxpayers billions. In fact, just last year, an article in the Birmingham News cited how cost estimates have soared from $3.4 billion to $4.7 billion before construction. So costs have soared, and now Alabama wants a bailout for their zombie highway, an earmark and a bailout.

Mr. Speaker, I guess the more Washington changes, the more it stays the same. The good news is, Mr. Speaker, with this amendment I'm calling out this bailout and giving Members on both sides of the aisle the opportunity to stop the bailout of the Alabama Porkway.

In 2004, a Republican Member of Congress added a provision that had not been included in either the House or the Senate bill behind closed doors to an appropriations bill adding a new 65-mile, six-lane Birmingham beltway to the Appalachian Development System. This earmark is unprecedented in the Appalachian region's more-than-45-year history. Alabama went from receiving 6.2 percent of highway funds to 25 percent in one fell swoop. That's good for the Alabama Porkway and those living high on the hog, but bad for taxpayers everywhere and worthy projects across Appalachia.

My amendment strikes the windfall bailout and a windfall that comes at the expense of 12 other States in the Appalachian region. The money comes directly from projects that would have been funded in Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

Even many Alabamans understand that this is a waste of Federal dollars. If Alabamans want to build a porkway around Birmingham, go right ahead. Just don't do it with our tax dollars outside of the normal process while competing for their share of Federal dollars.

Many Alabamans agree. One in the Birmingham News said, ''Spend, spend, spend. That's the mantra of the Birmingham beltway and State and local government.'' Another Alabaman says, ''As a businessman, I am more concerned about the flagrant disregard for the economic damage that will be wreaked on Alabama in the long term by the beltline.''

The beltline goes right through the farm of 88-year-old Ardell Turner. She lived her entire life in Alabama. The Northern Beltline goes right through her farm that she and her husband have had since 1950. This is big Federal deficit spending, a big beltway, a big porkway right through Ardell's farm.

My amendment also prohibits construction of highways in foreign countries, which this bill contains.

□ 1630

Mr. Speaker, the bill before us provides gas tax funds, $30 million a year, for a 325-mile Canadian baconway right through the Yukon, out of the pocket of American families and into a Canadian baconway.

The next time my colleagues are at home at a gas station talking to constituents, I encourage them to ask their constituents if they think our gas tax dollars should be used to build a 325-mile highway in Canada or any foreign county.

Now, this isn't an anti-Canada amendment. In fact, I don't think Mexico or Canada should be building highways through the United States. What this amendment does is it gives every Member of the House a chance to decide if we would rather build highways in Canada or reduce our deficit. Our choice.

If you want to reduce the deficit and make sure there isn't a precedent for Mexico or Canada building highways through your State, vote ''yes.'' If you want to engage in more deficit spending to build expensive highways through the Yukon, vote ''no.''

My amendment would prohibit the use of any funds provided under this act for construction of highways outside of the United States and reduce the Federal deficit by over $12 million.

Mr. Speaker, on March 2, 2011, I offered an amendment to stop Federal taxpayer money from funding the infamous Bridge to Nowhere. Mr. MICA gave a response to it and said it was smoke and mirrors. He said it's trying to mislead the House and it's smoke and mirrors.

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

Mr. POLIS. Mr. Speaker, this is not smoke and mirrors.

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

Mr. POLIS. The House cannot hide behind smoke and mirrors, behind wasteful pork—from Alabama to the Yukon.

The SPEAKER pro tempore. The gentleman will suspend.

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

Mr. MICA. Mr. Speaker, I claim time in opposition.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. Mr. Speaker and my colleagues, I will be very brief.

The gentleman said that I had said before we had smoke and mirrors, and once again we have smoke and mirrors. Every opportunity was given to the other side. My committee sat for some 18 hours. They never brought this issue up. We heard over 100 Democrat amendments. It was not brought up in one of the single 200 amendments proposed to the committee.

What this is is an obstruction to getting people working, to getting our infrastructure for this country built. We need to vote down this motion to recommit and let's move forward in getting America building its infrastructure and getting people to work and affordable energy to people that can't even afford to fill up their gas tank today. I've had it with these delays.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

POINT OF ORDER

Mr. JACKSON of Illinois. Mr. Speaker, I would like to raise a point of order.

The SPEAKER pro tempore. The gentleman may state his point of order.

Mr. JACKSON of Illinois. In the future, when a Member is speaking and someone asks for order, does the clock stop or does the clock continue while they're asking for order in the House?

The SPEAKER pro tempore. The Chair will respond to the inquiry.

Time spent obtaining order is not charged to the Member under recognition.

Mr. JACKSON of Illinois. It is not charged against the speaker?

The SPEAKER pro tempore. The gentleman is correct.

Mr. JACKSON of Illinois. I thank the Speaker.

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. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and pass H.R. 2453.

The vote was taken by electronic device, and there were—ayes 176, noes 242, not voting 13, as follows:

[Roll No. 169]

AYES—176

Ackerman	Barrow	Berman
Altmire	Bass (CA)	Bishop (GA)
Baca	Becerra	Bishop (NY)
Baldwin	Berkley	Blumenauer

Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
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

NOES—242

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
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
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
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
Owens
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
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
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
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Andrews
Filner
Flake
Honda
Kaptur
Marino
McNerney
Napolitano
Paul
Pelosi
Pingree (ME)
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1648

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 169, I was away from the Captiol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 169 due to a family medical emergency. Had I been present, I would have voted "aye" on the motion to recommit on H.R. 4348—Surface Transportation Extension Act of 2012, Part II.

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

Mr. MICA. 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 293, noes 127, not voting 11, as follows:

[Roll No. 170]

AYES—293

Adams
Akin
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (IL)
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Keating
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (SC)
Scott, Austin
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—127

Ackerman
Aderholt
Amash
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Blumenauer
Bonamici
Brooks
Broun (GA)
Butterfield
Campbell
Capps
Capuano
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
DeGette
DeLauro
Deutch
Dingell
Doggett
Edwards
Ellison
Engel
Farr
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Johnson (GA)
Jordan
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lowey
Luján
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Neal
Olver
Pallone
Pelosi
Peters
Polis
Price (NC)
Quayle
Quigley
Reyes
Ross (FL)
Roybal-Allard
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—11

Andrews
Carnahan
Filner
Flake
Kaptur
Marino
Napolitano
Paul
Pingree (ME)
Rangel
Slaughter

□ 1658

Messrs. SMITH of Washington, SERRANO and HOYER changed their vote from ''aye'' to ''no.''

Messrs. GOSAR, BARTON of Texas, CAMP, AL GREEN of Texas and Ms. JACKSON LEE of Texas changed their vote from ''no'' to ''aye.''

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 against:

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 170 due to a family medical emergency. Had I been present, I would have voted "no" on final passage on H.R. 4348—Surface Transportation Extension Act of 2012, Part II.

Mr. FILNER. Mr. Speaker, on rollcall 170, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

MARK TWAIN COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2453) to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 4, answered ''present'' 2, not voting 17, as follows:

[Roll No. 171]

YEAS—408

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
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Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
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Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—4

Amash
Brady (TX)
Nugent
Rigell

ANSWERED ''PRESENT''—2

Duncan (SC)
Mulvaney

NOT VOTING—17

Andrews
Cole
Filner
Flake
Garrett
Grijalva
Kaptur
King (NY)
Loebsack
Marino
McCotter
Napolitano
Paul
Perlmutter
Pingree (ME)
Rangel
Slaughter

□ 1706

Ms. JACKSON LEE of Texas changed her vote from ''nay'' to ''yea.''

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. FILNER. Mr. Speaker, on rollcall 171, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 171 due to a family medical emergency. Had I been present, I would have voted "yea" on the motion to suspend the rules and pass H.R. 2453—Mark Twain Commemorative Coin Act, as amended.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3993

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3993.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. GIBSON. 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. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMUNICATION FROM THE HONORABLE JAMES P. MCGOVERN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JAMES P. MCGOVERN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Commonwealth of Massachusetts, Department of Industrial Accidents, in connection with a workers' compensation dispute currently pending before that department.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not ''material and relevant,'' compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

HEEDING THE LESSONS OF THE TITANIC

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week we remember and recognize the sinking of the Titanic 100 years ago. It is humbling to reflect upon the frailty of even so mighty a ship.

Titanic-like, this country faces threats that this generation must sadly confront and must address. We can see the icebergs in the water ahead. Recent spikes in interest rates on Spanish debt reinforce cause for concern about our own future. President Obama's successive trillion-dollar budget deficits have sunk us deeper in debt than we've ever been before. We see the fiscal icebergs looming around us, yet the Senate has not even passed a budget for 1,000 days.

Mr. Speaker, it's time to recognize that we cannot spend money that we do not have. It's time for us to get serious about finding ways to steer for open water. We owe it to ourselves, our children, and our grandchildren to balance the long-term income and expenses of this government and of this country. If we do not steer clear of the icebergs, they will send us down.

□ 1710

IN DEFENSE OF THE GREAT STATE OF NEVADA

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

Ms. BERKLEY. Mr. Speaker, today I rise in defense of the great State of Nevada. For almost 30 years, out-of-state Washington politicians have been trying to dump the Nation's nuclear waste in my State's backyard at a place called Yucca Mountain.

The site is 90 miles from the world's greatest tourism destination, Las Vegas, and in order to get the radioactive toxic nuclear waste to this location they have to truck it on Nevada roads, through Nevada neighborhoods, and by Nevada schools. A single accident would have devastating consequences to the health of the people of the State of Nevada, not to mention the economy.

Mr. Speaker, this is the most dangerous substance known to man. But there are still those in Washington trying to force it on the people of my State. One of those people is Nuclear Regulatory Commissioner Kristine Svinicki. Thankfully, her term ends on June 30. I strongly oppose the renomination of someone who puts the interests of the nuclear industry ahead of the people of the State of Nevada. And I urge my Nevada colleagues in the Senate to do everything in their power to ensure this Yucca nuclear waste pusher does not have another term.

SPACE TRAVEL IN AMERICA IS HISTORY

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

Mr. POE of Texas. Mr. Speaker, yesterday, the space shuttle *Discovery* flew through the blue sky over the Nation's capital on its way to its final resting place at the Smithsonian National Air and Space Museum in Virginia. The flyover was met by cheers from some but tears from others.

Space travel in America is history. Our government has chosen to abandon the space program as we know it. JFK, NASA, and America put the first man on the moon, but we have been the leader in the space race for years. Now the sun has set on American manned space travel. Now we are raising the white flag of surrender in space travel to the Russians. JFK might not approve.

Ironically, American astronauts will have to rely on an expensive ride from the Russians just to get to the Space Station.

Former *Discovery* astronaut Dr. Anna Fisher said it well when a bright young boy asked her how he could become an astronaut one day. She said, study Russian. That ought not to be.

But that's just the way it is.

SALUTING THE ACCESS TO JUSTICE COMMITTEES OF THE AMERICAN BAR ASSOCIATION

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to salute the Access to Justice Committees of the American Bar Association from States all over the Nation and, particularly, my constituents that I just met with, the chair of the Access to Justice Committee, Judge Lindsey, and a number of others who have come to join us to again emphasize that when lawyers, as myself, take our oath of office and become members of the bar, we have an obligation and a duty to public service. That public service is to ensure that every American under the Constitution has access to justice, and to insist that they're able to be represented and their legal rights protected.

I beg that this House accept the $402 million that is the Senate mark for Access to Justice programs, and not the $328 million that is the House mark. Shame on us if we realize that more and more laws are complex, more and more Americans suffer, more and more Americans need help, more and more Americans are under foreclosure over the years. And even though we have worked hard in this government to restore those homes, they need legal rights. Let us support the funding for Access to Justice.

SUMMITS OF THE AMERICAS

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

Mr. RIVERA. Mr. Speaker, this past weekend I attended the Summits of the Americas, where Western Hemisphere leaders were in attendance to discuss regional policy issues and challenges. Leftist regimes repeatedly criticized the United States for our strong opposition to communist Cuba participating in the summits.

This summit is and should be reserved only for democratic nations, not totalitarian, dictatorial terrorist regimes like the Castro dictatorship. We should continue our commitment to the Cuban embargo and reiterate the importance of condemning a regime that refuses to grant its citizens the freedoms every human deserves: human rights, civil liberties, and free elections.

The illicit drug operation in our hemisphere contributes to the problem of increasing violence and terrorism in

the regime. Legalizing drugs is not the answer. Instead, we must bolster regional security and directly target drug gangs and violent narcotraffickers. America must stand strong against these efforts and in favor of democratic values.

HONORING THE VOLUNTEER FIRE DEPARTMENTS OF LONG ISLAND

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

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize and honor the courageous volunteer fire departments of Long Island for their skill and dedication in combating the recent outbreaks of wildfires in my district. Once again, they have proved their mettle and won our trust and admiration.

While, thankfully, no lives were lost, the fire, now extinguished, consumed roughly 1,100 acres, destroyed three homes, and damaged or destroyed six other structures, including one commercial building. If not for the actions of our local firefighters, the damage could have been far worse.

We are also fortunate that the three firefighters who were injured fighting the fire are all recovering well.

As a lifelong resident of Suffolk County, I was inspired by the willingness to help shown by the county's fire departments, all 109 of which participated in the effort to combat what turned out to be the seventh-largest fire in Long Island history. Through their combined and coordinated efforts, a larger crisis was averted.

Mr. Speaker, I ask that you join me in thanking all of Suffolk County's Fire Departments, as well as our local elected leaders who supervised this operation, for their dedication and exceptional skill in subduing the recent fires.

SOLUTIONS FOR SMALL BUSINESSES

The SPEAKER pro tempore (Mr. LANDRY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. GRAVES) is recognized for 60 minutes as the designee of the majority leader.

Mr. GRAVES of Georgia. Mr. Speaker, tonight we're going to have a conversation that I think impacts Americans all across this country, and it's about small businesses, and what has this Congress been doing, what has the President been doing or promoting, and how is it impacting small businesses.

I am going to be joined tonight by some great, great colleagues and champions of small business to talk about what are some of the solutions, what can we be doing here in Washington, not creating more government, not spending more money, but what can we be doing to create an environment that is conducive for business development and for our small business owners.

When I think about the greatness of America, we can list so many items and characteristics of this great Nation, and one of those would have to be small businesses—taking a simple idea in a free market system and taking it to the consumer and growing a business.

And we hear a lot from the administration. They say, businesses are too big. Yet, they need to be smaller. For small businesses, you guys are going too fast, too far. You need to slow down. When, in fact, it should be just the opposite. We should be encouraging small businesses to do more, to grow faster, to invest in their employees.

There is no big business in this Nation that did not first start out as a small business. And I would contend that tonight, Mr. Speaker, that there are small business owners all across this Nation, here even in the eastern time zone, that have yet to have gone home because they're still working. They get up each and every day, putting on their boots, chasing that dream, that idea that they have, and turning it into a business or a concept and chasing that American Dream, to realize that American Dream.

So, to all those small business owners across this great Nation, I want to say thank you. I want to say thank you for your hard work, for pushing against the burdens that come from the Federal Government, the high gas prices, the regulatory environment, this crazy Tax Code that we have, and say don't give up. We are here with you tonight, and we're going to be speaking on your behalf tonight.

I have been joined by some Members from all across this country who are going to talk about small business and concepts that we can be promoting here in Washington to help the small business owner to promote an environment in which small businesses can flourish, not creating more government.

□ 1720

Before I do that, Mr. Speaker, I'd like to read a letter. I think it's important to share correspondence from our constituents. This comes from Mark, who is in Cumming, Georgia. He says:

> Congressman GRAVES, I just wanted to let you know that I am a business owner in Cumming, and I'm tired of all my hard work going to pay taxes which the Federal Government squanders—Federal income tax, State income tax, property tax, sales tax. We are all taxed to death, and apparently, the tax system we have in place now is not working or we wouldn't be so far in debt. So I am strongly in favor of passing the Fair Tax. I believe this system is not only much more equitable, but it eliminates loopholes. It is a much simpler and fairer way to raise revenue. That won't solve the mismanagement of our taxes by government, but at least it will allow us to keep more of the money that we earn. Please vote for it. Thank you.

Mark, I'm happy to tell you, not only will I vote for it, but I'm a cosponsor of it.

Next up to speak on the Fair Tax is the sponsor of the Fair Tax himself, and that's Congressman WOODALL from the great State of Georgia.

Congressman WOODALL, share with us a little bit about the Fair Tax, about how it impacts small businesses and how it would help them.

Mr. WOODALL. Mr. GRAVES, I appreciate you taking this time tonight.

Folks ask me, What goes on in the evenings there on Capitol Hill? When you finish the votes for the day, what goes on next?

I say, Well, folks are all back in their offices, working, just like small business folks across the country. Just because the customers leave doesn't mean the doors close.

Folks are still working, and this is that time when we get to come down and really fully debate some of these ideas that folks have been watching all day today. We've been talking about transportation policy. We've been talking about Mark Twain a little bit. We've been talking about the rules, the process; but we haven't gotten to talk about small businesses.

When we talk about economic growth in this country—you're from the great State of Georgia, as I am, and we've got some fantastic big companies there. UPS is there, doing fantastic things. They're the folks dressed in brown. Delta Airlines is there, carrying more passengers than anybody else in the country. We've got Coca-Cola there, a brand name that's known the world around. There's Home Depot, the Big Orange, which everybody understands. But that is not where the jobs come from. The jobs come from those small business men and -women who risk everything—everything—to believe that by the sweat of their brows and the power of their ideas they can make their tomorrows better than today.

That letter that you got from your constituent, Mr. GRAVES, is exactly the kind of letter that I get from folks every single day who say, Rob, I don't mind paying the taxes. I understand part of the social contract is that the government has to run, but it doesn't have to be this painful. We can do it in a better way, in H.R. 25, the Fair Tax, of which you are a proud cosponsor, a huge leader on that bill. It is the single most popularly cosponsored piece of fundamental tax reform legislation in either the U.S. House or the U.S. Senate because voters are demanding it one Member of Congress at a time.

Mr. GRAVES of Georgia. I thank you for your leadership on that.

I see we've been joined here by the chairman of Rules, the gentleman from California.

Mr. Chairman, thank you for joining us.

Mr. DREIER. I thank my friend for yielding, and I appreciate his yielding.

The reason I've come to the floor is to share with our colleagues the very sad news of the passing of my very close friend Dick Clark, who just within the past couple of hours, it has been reported, has passed away.

When I listen to the topic of your discussion, I am reminded of a conversation. I had dinner with him 2 weeks ago, and he was somebody who said exactly what my friend from Georgia indicated. He was a proud taxpayer. I know people are going to be talking about ''American Bandstand.'' This was someone who actually broke the barrier by bringing African Americans on to television in the 1950s and the 1960s. He is someone who was an amazingly successful businessman. He was a small business man, himself, but was a very, very successful one. I just want to say that, as I listened to your discussion, I was reminded of how he regularly said everyone should pay their fair share of taxes. He said that not too long ago to me, and I said I appreciated that because he knew he was paying my salary and yours and yours as well.

But I just want to share with our colleagues what a great loss this is for our country. The show that he started initially and became so famous for was ''American Bandstand,'' and I think it's a very appropriate one because this guy was a very patriotic American. He was a believer in the free enterprise system. He was a believer in encouraging individual initiative and opportunity on a regular basis, and he is someone who provided inspiration to people all the way across the spectrum.

I just wanted to say that, as you guys are here, talking about the need for tax fairness and the imperative to ensure that we encourage more people like Dick Clark, I think it's important for us to remember the wonderful life that this man had. I've got to say just a couple of things if I might.

He was someone who, you'll all recall, on New Year's Eve would regularly host up in Times Square; and in 2004, he suffered a massive stroke. I have never seen anyone with more determination and fight than Dick Clark. A number of people said, Gosh, why did Dick Clark continue to go out and be on television?

Do you know what? I had a conversation with him just before he decided to go this past fall to do this program. People across this country said to him, The fact that you have suffered this stroke and are continuing to fight to get better and continuing to be active is something that is an inspiration to us.

So that kind of fighting spirit is exactly what the small business man or -woman has who at this hour is still working and who my friend was just talking about; and the imperative to make sure that everyone pays their taxes but no more is something that, I think, he should be remembered for along with all of the great, great accomplishments that he had.

I just wanted to take this moment to share this with our colleagues here in the House.

Mr. GRAVES of Georgia. Thank you, Mr. Chairman, for sharing that with us.

You're right, you talk about small business owners. They're going to work extremely hard. They get up early every day. They work late every night. They're going to pay their fair share. They just want to know it's being handled properly and that it's being fairly collected.

Mr. WOODALL, I hear criticisms every now and then about the Fair Tax. I'm a cosponsor of it. I hear criticisms here and there. They say, Well, this will impact one group more than another. How can something called the ''Fair Tax'' not be fair to everyone?

How do you refute that when they come up with the criticisms to the Fair Tax? Actually, I guess, when they're criticizing the Fair Tax, they're defending the current Tax Code and the 60,000 pages of mess that we currently have and the loopholes and the corporate welfare. They must be defending that. So how do you respond to the criticisms that you hear?

Mr. WOODALL. That is what is so amazing about small business folks. You never have a small business person come to your office and say, Rob, what I want is a leg up on everybody else. I want an unfair playing field so I can beat all my competition.

That's not who our small business owners are. Our small business owners are people who say, Rob, give me a level playing field, and I will out-compete anybody in any nation around the globe because nobody works harder and has more powerful ideas than does the American worker. Well, that's what the Fair Tax is all about. It says, let's create a level playing field.

My friend is not a freshman as I am. He got here 6 months earlier in a special election that he had to work incredibly hard for; but those of us who are newer to this institution, as you and I are, know there are some folks here who like using the Tax Code to pick winners and losers. I mean, it's an easy thing to do. I look around this body. I can find some examples. I see fluorescent lights here in the Chamber. I could put a huge tax on fluorescent lights so we would never have any more fluorescent lights. I could put a huge tax on plaid shirts so we never have any more plaid shirts. That is what happens with the Tax Code.

The Fair Tax says no. It says we're going to have a single tax rate on everything the consumer buys. You're going to be taxed on everything once—but only once—because those small business men and women who write those letters to your office and to mine say, Rob, I spend more time trying to figure out tax decisions than I do figuring out business decisions. So, when these are the men and women who employ so many of our friends and neighbors, when these are the men and women who create the job growth in this country, we have to have them focus on business decisions, not on tax decisions; and the Fair Tax does that.

Mr. GRAVES of Georgia. Thank you. I hope you'll stick around. In a minute, I'm going to yield to the gentleman from Ohio.

Just to make clear, I mean, the Fair Tax is not an additional tax; it's not something that is added on, a layer. It's actually eliminating income tax, eliminating corporate income tax, eliminating capital gains tax, dividend tax, death tax. It's eliminating all of that. It's throwing it all out. I guess it's eliminating the Internal Revenue Service for some part and in a great way, and I think there would be a lot of Americans across the country applauding on that day if that were to ever occur.

□ 1730

Also with us tonight is the chairman of the Republican Study Committee, Congressman JIM JORDAN from Ohio, a great leader on conservative principles, a great mind when it comes to policy, and I know a great advocate for tax reform. Regardless of fair or flat or whatever it is, it's about empowering the taxpayer and not empowering the government.

Mr. JORDAN. I thank the gentleman for yielding, and I thank him more importantly for his leadership here in the Congress.

You said it right. You said it well. Whether you're for a fair tax or for a flat tax, one thing is certain: The American people have had it with the current Tax Code.

Think about it. Any Tax Code that allows 47 percent of the citizens not to pay, 47 percent of all the people that live in this country not to pay the main tax, the income tax that we have, you can't repair it; you can't fix it; it's completely broken, and you've got to throw it away and start over. Any Tax Code that now requires our companies headquartered in the United States of America to pay the highest corporate tax rate in the world is broken.

This is one thing that is amazing to me. We are talking about small business and we are talking about tax policy. What's amazing to me is, in spite of stupid policies from the Federal Government, how well our small business owners do. It's a testimony to what Mr. WOODALL was talking about, the work ethic and the entrepreneurship of the American people and the American small business owner that, in spite of bad policies, they're still succeeding.

Imagine if we had a tax policy that actually made sense. Imagine if we had a regulatory environment that made sense. Imagine if we had an energy policy that made some sense and used the resources the good Lord has blessed us with in this country. Imagine if we had monetary and fiscal policy that made sense. We wouldn't be having 1.5 percent, 2 percent growth. We'd be having 3 percent, 4 percent, 5 percent growth in this economy. As you said, Mr. Chair, we would be creating an environment that is conducive to economic growth.

If we actually did that, get out of the way and let the American entrepreneur, let the American family, let

the American small business owner do what they've been doing for 200-plus years, they would be making good things happen: growing our economy, creating jobs, helping our communities, and making us the greatest Nation in the world. That's what's at stake here, and it does start with the policies that we have here at the Federal Government.

So we need to change this Tax Code, change the regulatory environment, and certainly change our energy policy and start getting spending under control. If we have a chance, we'll talk about that here in just a few minutes, but I know we've got another speaker who we want to get to.

Mr. GRAVES of Georgia. Thank you, Chairman JORDAN.

You're absolutely right about small business owners. They don't want equal outcomes; they just want equal opportunity. That's what it's all about. That is the American Dream. That's American exceptionalism. Just give me a chance and I will beat the next guy, the next Nation. We are more competitive. And when we have that more competitive advantage and it's a level playing field, we will win every time. That is the spirit of the small business owner.

Speaking of spirit and small business owner, we have joining us also tonight, JEFF LANDRY from Louisiana. I thank you for joining us, and I look forward to hearing your insight.

Mr. LANDRY. I thank the gentleman for yielding.

Mr. Speaker, this week marks another tax day, culminating another year that Americans have been subjected to an outdated and overcomplicated Tax Code.

Three years ago on tax day, I attended the first Tea Party rally in my hometown of New Iberia. I was fed up with an overreaching government and fed up with an overburdensome Tax Code.

As a small business owner in the oil and gas industry, I've created jobs; I have made payroll; I have paid insurance; I have balanced budgets. I did these things like the majority of small businesses out there across America did, with hard work, determination, and, of course, a fantastic accountant to sift through the 3,837,105 words of the United States Tax Code.

Mr. Speaker, it's no secret that small businesses are the real drivers of our economy. To date, small businesses employ half of the U.S. workers. And despite our lagging recovery, they have managed to generate nearly 65 percent of all of the new jobs created over the past 15 years, often outperforming their larger counterparts.

I often speak with small business owners in my district. The one word I hear again and again from them is ''uncertainty.'' From looming health care mandates to volatile energy prices, American small businesses simply don't know what to expect. To the farmer out there who is watching his energy prices and his fertilizer prices increase, to the small business owner trying to determine if hiring that new talent is the responsible thing to do, to building a new factory, the uncertainty in the current environment is what is keeping them from expanding and what is keeping them from creating jobs.

The oil and gas industry is a classic example. And I'm not talking about Big Oil. I'm talking about the nearly 18,000 independent oil and gas producers here in this country who are small business owners. These small business owners develop 95 percent of all oil and gas wells, produce 68 percent of America's oil, produce 82 percent of America's gas. In total, America's onshore independent oil and gas small businesses supported 2.1 million direct jobs here in the United States in 2010.

In my State alone, over 47,000 people are employed directly by the oil and gas sector. When you add in other aspects of the oil and gas industry—refining, transportation, pipeline—there are over 111,000 people in the State of Louisiana directly employed by the oil and gas industry.

And just like every other small business, these businesses, the ones that literally fuel America, are faced with a crushing tax burden that threatens their very survival. And they hear from our President who is threatening to take away parts of the Tax Code that helps them.

I'm not talking about Big Oil subsidies. I'm not talking about lowering the corporate tax rate either. Believe it or not, most of our domestic energy producers don't pay that corporate tax rate. They don't get a subsidy. They don't get a direct check from the government. They simply are taking advantage of the same credits out there that other small businesses around this country partake in.

Logically, as most small businesses deduct their expenses, these small businesses deduct theirs as well. These independent producers, like other small businesses, like I said, do not receive a direct check from the government. Instead, it's a cost of doing business.

Without the ability to expense these ordinary and necessary business costs, an independent producer would have to reduce its drilling budget by 20 percent to 35 percent almost immediately and bring a drastic decrease of energy production here in this country.

Without this reinvestment, U.S. production would decline rapidly because wells deplete as they are produced. America cannot afford a decrease in energy production, and small oil and gas businesses cannot afford a tax hike.

Tax hikes would also hurt American retirees whose mutual funds, pension plans, IRAs are invested in these publicly traded oil and gas companies, all the while harming American energy.

With so much uncertainty being created here in Washington, the threat of billions of dollars in new job-crushing tax hikes, a Federal takeover of hydraulic fracturing, regulations, less access to taxpayer-owned energy resources of our Federal lands, the permitting process still lagging, the cost of doing business continues to be challenging.

Mr. Speaker, Washington can do better. We can do better. We owe it to our small business owners in every industry to provide for a basic sense of consistency and certainty in our Tax Code.

Tomorrow the House will consider the Small Business Tax Cut Act, legislation that would allow small businesses to deduct 20 percent of their active income in order to retain more capital and create more jobs.

I congratulate our majority leader for bringing this bill to the floor. I'm confident that with a strong step in the right direction, we will continue to work to make sure that our small businesses have the certainty they need to grow and to thrive.

I thank you, Mr. Speaker.

Mr. GRAVES of Georgia. I thank the gentleman from Louisiana for sharing his insight tonight, and you're absolutely right. You brought us some great points about small business owners. They do all the things they do that the government never does: They get up every day early; they work hard and long; they know how to balance budgets; they pay paychecks; they pay their taxes. They have to every day be held accountable by the consumer with their goods.

□ 1740

Is it meeting the demands of the consumer? Is the customer service there? Every day they're held accountable, and every day they get up with that desire and that drive to produce a better product, a better good and provide a better service. What a great tribute to the small business owners across America.

With that, I'd like to shift over to Mr. HANNA from New York, who is going to share with us about small businesses in his region. I want to thank you for joining us and appreciate your leadership on this issue.

Mr. HANNA. I thank the gentleman for yielding.

Mr. Speaker, small businesses are the lifeblood of our economy. They are the catalyst for job growth and job creation all across our Nation. They certainly are in upstate New York where I started my own small business some 30 years ago, which I ran successfully for that same period of time, employing hundreds of people from my community, friends and neighbors to this day.

Unemployment is still too high. It's over 8 percent in my home of New York. Our constituents want to go back to work. They just need the opportunity. That's what I heard from small business owners when I hosted a meeting of the Central New York Business Network earlier this month.

Government can help by advancing policies that enable our 27 million small businesses to do what they do

best—compete and create jobs. There is no silver bullet, but there are solutions that we can work together on starting today. Here are a few:

Tax relief. Small businesses in America pay some of the highest taxes in the world, and the associated regulations are also an enormous barrier to growth. The average tax compliance cost for employees for small businesses is three times what it is for large businesses. We need to make taxes lower, fairer, more predictable and generally more understandable. We will be voting on a bill of this nature sometime this week.

Freedom from government competition. Too many of our small businesses find themselves pitted against their own government when it comes to doing commercial work like landscaping, construction, and engineering. We should require Federal agencies to use the private sector when providing goods and services that are available in the open marketplace. This gives small businesses in our community a chance to work efficiently and create jobs, and this has been shown to save taxpayers money.

Finally, and most importantly, a jobs-based education policy. A major root cause of our long-term unemployment is the changing nature of the global marketplace. We are competing against developing countries like never before. Competition isn't bad, but we need to be better prepared. In order to maintain a high standard of living, we need cultivate the value-added, knowledge-based innovative sector of our economy. This can only be achieved through education and a new focus on the fields of science, technology, engineering, and math, also known as STEM. STEM jobs, on the average, pay 27 percent more than non-STEM jobs. The only effective long-term way to rebuild the middle class is through education. It's been this way since the dawn of time with better-paying, tax-generating jobs that provide at least those basics of the American Dream: a home, a college education for your children, and a dignified retirement.

Mr. Speaker, there are few tasks more important than helping small businesses put our neighbors and friends back to work in America. Let's join to work on pro-growth policies that will enable them to do just that.

Mr. GRAVES of Georgia. I thank the gentleman from New York.

I appreciate your plea there. Let's get government out of the way. Let's let small business owners do what they do best, and that is dream big and work hard.

Next to share with us is Mr. BARTLETT from Maryland. Thank you.

Mr. BARTLETT. Thank you very much for yielding.

I would like to spend just a couple of minutes putting this discussion in context.

I'm from Maryland. I have been there 51 years now, and for 12 years my wife and I ran a small business, meeting a payroll every Wednesday morning. That's pretty good discipline. I wanted to give you some statistics from Maryland.

Now, we're an average, a little smaller than average State. We have only eight Representatives in the Congress. We have something over 5 million people. In our little State, we have 106,441 small businesses. That is a lot of individual businesses. They have between one and 500 employees, and they totally employ 1,105,200 individuals. Now, this is in a little State like Maryland.

It's interesting to see who employs these people. The top three industries by employment:

Over 157,000 in health care and social assistance. This is one of the most rapidly growing segments of our society, which we have to kind of calm down or we won't be able to afford it;

There are over 135,000 employees in professional, scientific, and technical services. And Maryland is probably either number two or number three in biotech in the whole country, so we're proud of that;

We have 133,000 employees in construction. That's down. We used to have more than that, of course, and we hope we can have more in the future.

According to the Census Bureau, of the small businesses in Maryland, 15,717 are women-owned, and they employ 147,751 employees.

I would just like to note that, before the recent increase in employment in Hispanic small businesses, that women-owned small business are the fastest growing small businesses in our country. They are better employers than men. Men and women are different. Our military has a little trouble figuring that out sometimes, but they are different. They are ranked to be better employers by their employees, so let's give a way to women who are entering the small business community.

In addition to this, to these small businesses, in 2009, Maryland was home to 365,492 sole proprietorships. These are small businesses with one person in them, sole proprietorships.

Many of these self-employed small businesses also benefit from the 20 percent small business tax cut in H.R. 9, which is one of the things we are focusing on this evening, because I understand that we're voting on that tomorrow.

A couple of interesting statistics:

Between '05 and '08, small business created a net total of 63,576 new jobs in Maryland, but in just '08 and '09, we've lost 57,433. So we just are barely up in small business now because of how many of those small businesses we lost.

One of the previous speakers mentioned the Tax Code and how we need to make it simpler and fairer. Let's just talk about the Fair Tax for just a moment.

If we went to the Fair Tax—that's a tax on consumption—then let's repeal the 16th Amendment. Don't give the government any chance to ever come back with a personal income tax again. If we did that, we could have a bigger tax revenue with no increase in tax burden, because the tax burden today is not just the tax as you pay, but the $200 billion that it costs businesses and individuals across their country every year to comply with the code.

I don't know anybody out there who wouldn't be happy to roll that compliance cost into the tax burden so that now the revenues will go up with no increase in tax burden. That's one of the things that we need to do to balance the budget. If we just went to the Fair Tax with no increase in tax burden, we'd have $200 billion a year more money flowing into the U.S. Treasury and small business would be a big part of this.

Mr. GRAVES of Georgia. Thank you. I appreciate your words there.

As I wrap up this segment that we have here this evening, I just want to say thank you to the small business owners across America. You have heard great reports from Members of Congress who are with you, who are fighting with you and fighting for you. We just want to thank you, because every day you're getting up and you're going against some of the greatest pressures and the greatest burdens that a government could ever place on you, but you don't give up.

You get up each day. You put the boots on. You go out and you work hard. You take that dream, that idea, that concept, and you build it into reality, and you are building jobs and you are providing for other families. We want to thank you for that.

While the optimism index is getting lower, the misery index is getting higher. I'm here to tell you Americans have not given up. Small business owners have not given up. In fact, statistics show that if just one out of two businesses across this Nation hire one person in the next 12 months, unemployment would be near zero. That's how close we are, because small business owners haven't given up. I want to thank you for that. I want to applaud you for that. Keep up the great fight.

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

□ 1750

SMALL BUSINESS TAX CUT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Ohio (Mr. CHABOT) is recognized for 28 minutes as the designee of the majority leader.

Mr. CHABOT. Thank you very much, Mr. Speaker. I appreciate that, and I really appreciate Chairman GRAVES making it possible for so many of us who care about small business in this country this evening to take a little time to talk about how important it is and what we ought to be doing to support our small business folks all over the country. After all, 70 percent of the jobs that are created historically in the

American economy aren't the big guys. They're not the huge corporations, although we want them to do well and hire a lot of people. But even though a lot of people think it's the huge corporations that are doing all the hiring, it's really small business folks. It's mom-and-pops places. It's people that have fewer than 500 employees. Oftentimes, fewer than 50. Sometimes it's 5, or even 1. These are the folks that historically have created 70 percent of the jobs.

And, unfortunately, I would argue that this administration and the policies that have been implemented by many of the folks on the other side of the aisle, unfortunately, have made it very challenging to these small businesses to be successful and to hire additional employees. And there's a whole range of issues that we're going to talk about this evening. We have limited time, so I'm going to turn it over to a couple of my colleagues.

I would like to first recognize the gentleman from Arizona, DAVID SCHWEIKERT, who's been a leader in trying to come up with policies that will be supportive for small businesses in this country.

Mr. SCHWEIKERT. Mr. Speaker, to my friend, thank you for yielding me a few minutes here.

One of the reasons I'm standing here is, over the last week we've heard the President talk about what we call the Buffett rule, and the Senate, and its failure to move the Buffett rule—thank heaven. And realizing, for a lot of Americans, they don't understand this is, A, it's absolutely pretend math. But it's also meant as an absolute attack on the entrepreneurs, on the wealth creators and the people that create jobs and economic growth in this country.

So I thought I would do another one of my clocks to try to help folks understand the reality of the math. Think about this. We borrow about $3.5 billion every single day, which is actually an improvement from where we've been, but $3.5 billion every day. There's 1,440 minutes in a day. So we were trying to figure out how do you explain how little the Buffett rule does to help us in our debt crisis but how much damage it will ultimately do to our economic growth.

And where this came from is 2 days ago my phone rang, and I had a gentleman from my district who was absolutely insistent that the Buffett rule would solve the debt problem. So we made a clock. And here it is. If you think about how much we borrow in a single day—that $3.5 billion in a day—how much would the Buffett rule, with our math, how much of that day would it cover of the debt? Remember, 1,440 minutes in a day. It would cover 3½ minutes of borrowing in a day. It's fantasy.

So why does the left, why does this President engage in this sort of political theater? Maybe because it's good politics. But it's really crappy math.

And here's the reality of our future, and this keeps coming back, and why we so desperately have to do those things to get our small businesses to start hiring and growing. But we here in the Federal Government, we here in Congress, are going to have to deal with a reality that's coming at us like a freight train. This year, 63 percent of all of our spending is Medicare, Medicaid, Social Security, interest on the debt, veterans' benefits. In 4½ years—so the 2017 budget—75 percent of all of our spending will be what we call the mandatory—the entitlement.

It is consuming us as a people. Your government is very quickly becoming a health insurer with a shrinking army. We need the President to stop pushing policies that attack our job-creation engines. The fantasy of things like the Buffett rule may be great politics but it's not good for this country.

Mr. CHABOT. I thank the gentleman.

Reclaiming my time, the gentleman mentioned the Buffett rule. And maybe I'll talk about that as well very briefly here because I think the gentleman from Arizona did a great job in showing that this is really all about politics, is all this so-called Buffett rule policy is.

There's a gentleman named Charles Krauthammer who happens to be, I believe, one of the smartest, most interesting political commentators or pundits in the land. I saw him talk about the Buffett rule and what a farce it is the other evening, and he illustrated it a little bit differently but it's the same type of illustration. One that brings it, I think, down to Earth.

He had the numbers run on this from a very reputable organization. And if the dollars were collected on the so-called Buffett tax for the next 250 years—so the next 250 years this tax is collected—and he commented that that is longer than the Republic has been in existence, the United States of America. This is longer than our existence. So you collect it for the next 250 years. Do you know how much we would actually collect from that relative to the deficit, which is what this is supposed to do, pay down the deficit? It wouldn't cover last year's deficit alone. So not one year of the Obama deficit would be covered by the so-called Buffett rule if we collected it for 250 years. So it's nothing but pure politics. Don't be fooled by that.

Now, Mr. Speaker, as small businesses across the country fight to make ends meet and stay out of debt, the Federal Government continues to dig itself into a hole with its exorbitant spending habits. Small businesses are burdened with massive regulations brought on by ObamaCare. They're further plagued by the threat of tax increases—significant tax increases—next year, should the relief from the 2001 and 2003 tax cuts be allowed to expire. And that's what some people, particular those on the other side of the aisle, would like to happen. They would like the tax cuts to go away. In other words, if tax cuts go away, taxes go up. And this wasn't on the very wealthy. It was on virtually all Americans—middle class folks, people that take advantage of the child tax credit, and a whole range of people in the middle. And yes, at upper income levels as well.

So a lot of folks would be hit very hard with this, particularly small business folks, because the so-called wealth in this country, many of them are small business folks. Again, as I mentioned before, 70 percent of the jobs in this country are created by those folks. So if you're trying to bring the unemployment rate down, why put additional burden on the people that are actually creating the jobs?

Mr. Speaker, tax issues are the single most significant set of regulatory burdens for most small businesses. A recent NFIB Research Foundation study—the NFIB, by the way, is the National Federation of Independent Businesses—found that 4 of the top 10 small business problems were tax-related. Just this week, struggling families and businesses were forced to give the government more of their hard-earned money to satisfy the hungry appetite of government bureaucracies.

Mr. Speaker, enough is enough. Confiscatory tax rates and fiscal irresponsibility have got to come to an end. Small businesses across the country are fighting to keep their doors open and keep their lights on. It's shameful for the Federal Government to expect these hardworking taxpayers to foot the bill for GSA excursions to Las Vegas and inept corporate schemes like Solyndra while the backbone of our economy, which is the small businesses, continues to suffer. After all, American small businesses are responsible, as I said before, for 70 percent of the jobs that are created in this country. Why do we want to continue to make life so difficult for them? Why are they the target for the left in this House so often?

The America I know is a Nation where hard work creates opportunities for success. After all, that's what our forefathers were seeking in the first place. At the founding of our Nation, small businessowners came to this land to escape excessive taxation and cumbersome regulation. These were families of farmers and builders, traders, inventors, and merchants. It's disheartening that today it's our very own government that's creating the job-killing taxation and regulation.

Our economy is still struggling to rebound from the worst recession since the Great Depression, and we must support the engine that will propel America forward. This engine has always been fueled by hard work and an economic climate that rewards success.

When I'm back home in my district in greater Cincinnati, I make a point to frequently meet with small businessowners to talk about their successes as well as their struggles. I too often hear that the burden of taxes and regulations, coupled with great uncertainty, is keeping these businesses

from growing, and in many cases forcing many of them to close their doors altogether.

That's why I'm a cosponsor of H.R. 9, the Small Business Tax Cut Act. If passed, this legislation would amend the Internal Revenue Code to allow American businesses a tax deduction of 20 percent. This is common sense. It's a fair bill that would help small businessowners to keep more of what they have earned to invest in expansion and hiring. That's the important thing—hiring Americans who now need those jobs.

□ 1800

We still have over 8 percent that are unemployed. I urge my colleagues to support this critical legislation that will be a shot in the arm to small businesses across the Nation. If there are any of my colleagues that would have any additional things they would like to say, we would welcome them at this time.

May I ask the Speaker how much time we have remaining.

The SPEAKER pro tempore. The gentleman from Ohio has 16 minutes remaining.

Mr. CHABOT. One of the other issues that we haven't covered too much here, and let me talk about this very briefly, is the impact that the high cost of energy, gasoline in particular, what kind of difficulty that's causing small businesses across the country, because I hear this all the time from my small business constituents. It's not surprising that energy prices, and gas prices in particular, have been going up so much. They're double—the gas prices alone at the pump are double what they were when the Obama administration took over, and that's most unfortunate.

But it's really not surprising when you consider the person that President Obama appointed to be the head of energy in this country. The chief mind about energy and what we should do about it is the Secretary of Energy, Steven Chu. Steven Chu a couple of months before President Obama appointed him to that position said that it was his goal, what we ought to try to do, what we ought to strive for, is to raise the price of gasoline in this country, energy costs, prices of gasoline, for example, to European levels. Think of that.

Now they've got approximately, it depends on the country you're talking about, but it's around $9 a gallon—they do liters over there—but it's about $9 a gallon. Now we're not there yet, but, unfortunately, we're well on our way. It's approaching $4 back in my district in Cincinnati. Here in Washington, just the other day, I had to fill up, and it was about $4.50. So we're not quite there yet, but we're approaching that. It's just unbelievable that we're in this state.

But really I guess it shouldn't be surprising when you consider that the person that President Obama put in control of our energy policy here in this country said that it was his goal to get energy prices up to European levels. As I say, unfortunately, we're well on our way.

Those gas prices, that's what the delivery trucks have to pay, the small business folks that are delivering things to towns, or getting products from other manufacturers. When they come in, they cost more. So they can't charge the consumers as much; or if they do, they drive those consumers away. So it's a vicious circle. We need to get energy prices down in this country, and, unfortunately, they're on their way up.

Another, I think, terrible mistake that this administration has made is to basically shut the door on the Keystone pipeline. This is oil sands from Canada, our friendly neighbor to the north. Our largest supplier of petroleum, by the way, is Canada. And this is a pipeline that would mean a significant number of jobs here in the United States, tens of thousands of jobs. And if we ever needed jobs, we know it's now. And those are good-paying jobs. Many of them are union jobs. But the President has decided that, no, we're not going to make this decision until maybe after the election. So tens of thousands of jobs are at risk here.

Canada has been pretty clear about what they're going to do. If we're not going to accept the oil in our country and build the pipeline, it's quite likely that they'll go ahead and build the pipeline through Canada to British Columbia and ship that oil that ought to be going to the U.S. to China, who is one of our biggest competitors in a lot of ways. And if you know anything about China, the environmental controls that they have over there are far weaker than what we have in the United States.

So if your goal is to make sure that you're protecting the environment—and that's what many of the President's allies, the really radical left-wing environmentalists who are fighting against the Keystone pipeline—if you buy their argument, what they're saying is they want to protect the environment by not having that oil come down here and be refined in the gulf. But the controls we have here are much stronger than what they are over in China. So you're not protecting the environment at all or climate change or anything else if you're going to allow them to spew out what they usually do in China when they handle refining and manufacturing oftentimes and a lot of other things.

We all know how the administration supported an organization like Solyndra and how much tax dollars were wasted there. And it goes on and on. So the energy policy in this country by this administration is impacting consumers. It's impacting you and me and anybody who goes and fills up at the gas pump nowadays. But it's also adversely impacting small businesses and job creation.

Another way that this administration, I believe, has made a mistake which is causing these high prices is to continue to keep off limits much of the Outer Continental Shelf. The gulf, the moratorium, was disastrous for jobs in the gulf region after the spill down there; and, yes, it should have been investigated very thoroughly. But a lot of those oil derricks ended up leaving that area. They couldn't hold out with that cost, the expensive capital costs over 6 months' period of time, so they ended up off the coast of Brazil, for example.

And the President famously said, We'll be happy to buy your oil, Brazil. Well, we can look at oil all around the world, but we ought to be self-sufficient. And the President said he was interested in being energy self-sufficient in this country, but his policies are anything but that.

So he continues to put off limits much of the Outer Continental Shelf. We had the disaster in the gulf, and ANWR up in Alaska the administration has continued to put off limits. Now, we need to do all these things in an environmentally safe manner. And we have the ability to do that now. But, again, this administration has shut this down. That's affecting all of us in higher and higher gas prices. So it's long overdue for this administration to take a look, a long hard look, at what their policies are doing to the country and to reconsider this, to allow us to go after oil that we have available to us, clean coal, natural gas, and a whole range of fuels that we have here in this country so we don't have to be buying that from countries that oftentimes don't have our best interests at heart.

It sends a lot of money over to regions and countries where, unfortunately, a lot of terrorism that has endangered the world and endangers us has come from. So those dollars aren't always spent in a way that's going to help the United States. So, it's time for the administration to turn its policies around.

Mr. Speaker, without further ado, I will yield back the balance of my time.

□ 1810

HIGHER EDUCATION AFFORDABILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Connecticut (Mr. COURTNEY) is recognized for 60 minutes as the designee of the minority leader.

Mr. COURTNEY. Mr. Speaker, I appreciate the opportunity to spend some time on the floor this evening. I will be joined by other colleagues, we anticipate, to talk about an issue which is front and center for millions of families all across the country.

As my poster next to me indicates, there is actually a very critical deadline that's approaching this country in terms of the issue of higher education

affordability, about helping families pay for college, one of the biggest challenges that middle class families face today.

Back in 2007, Congress made a very positive, progressive move when it enacted the College Cost Reduction Act, a measure which addressed issues that had been long neglected by prior Congresses in terms of helping students and families pay for college. The College Cost Reduction Act, in particular, took aim at the Stafford student loan program, a loan program that helps lower-income and middle-income students pay for college. It's a program which has been on the books since the 1960s; but over the late 1990s into the early 2000s, the interest rate in the Stafford student loan program had fluttered upwards to 6.8 percent, almost the same levels at what private banks were offering for student loans.

The College Cost Reduction Act in 2007 correctly moved forward to cut the interest rate for that program to make it more affordable for students, again, who are facing ever rising tuition increases in both public and private universities and colleges—2-year programs, you name it—all across the country. As a result of that measure, which passed by a bipartisan vote in this House—we had 77 Republicans who joined the Democratic majority that was in control at that time—it was sent to the Senate. Approximately two dozen Republicans voted in favor of the Stafford student loan program, and it was sent to President Bush, who signed it into law. That measure has helped 15 million students with lower interest rate costs pay for college.

That measure was sunset. It had an expiration date of July 1, 2012. As my poster indicates, that's a date which, today, is 73 days away for families and students who today are trying to budget for next year's school year. That deadline will, in effect, return the interest rate back to where it was back in 2007. It will double the interest rate from 3.4 percent to 6.8 percent unless Congress acts.

President Obama, during his State of the Union Address, alerted this Congress and the Nation to the fact that at a time when student loan debt now exceeds credit card debt and car debt, we must, as a Congress, move quickly to make sure that we lock in that rate at 3.4 percent; otherwise, students who use this program, it's been calculated, will have added debt levels of between $5,000 and $10,000.

Now, in terms of the stakes that exist right now for what that means, this chart—which is from a figure that was produced by the Federal Reserve Bank of New York—shows again, vividly, the challenge that we face as a Nation, that student loan debt now, as I mentioned earlier, exceeds credit card debt. It exceeds car loan debt. For many families, particularly if you're talking about going to a 4-year private college, it literally is like buying a house to try and figure out ways to pay for college.

So if we do not act, if we do not lock in that lower rate of 3.4 percent between now and July 1—the 73-day deadline that we face, literally, as we stand here today—we will, in fact, compound that bar graph which shows, again, rising debt levels for students who are trying to pay for college.

The stakes could not be bigger for our Nation.

Back in the 1980s, America was number one in terms of graduation rates across the world. Today, the national College Board—which tracks this data and has been doing it for decades—reports to us that the U.S. now ranks 12th in the world in terms of graduation rates. That is a dynamic for mediocrity. That is a dynamic that says that our country is not going to be able to produce the workforce that we need for the future in terms of facing all the technological challenges, all the competitive challenges that we face as a Nation. We here in Congress have that power within our hands to at least avoid worsening the situation that, again, has now, in my opinion, reached epidemic, critical proportions in terms of this country's capacity to refresh its workforce.

The Republican majority has leadership which recently talked about this issue. The chairwoman of the Higher Education Subcommittee, when asked last week on a radio program about the issue of student loan debt, basically stated very clearly that she has very little tolerance for people who tell her that they graduate with $200,000 of debt or even $80,000 of debt because there's no reason for that. Well, this morning's Wall Street Journal had a very long story about a couple who are exactly in this predicament, where they are carrying $74,000 of student loan debt, making monthly payments of approximately $900 a month. The headline basically is that student loan debt is deferring marriage and children for young people.

Frankly, that is an issue which is being compounded in terms of young people being able to go out and look for work and not be haunted or burdened—almost smothered and buried—by student loan debt. That affects the vitality of our economy. It affects, really, the career path of many of our young people who, at that point in life, really should be maximizing their attempts to really experiment and to innovate and to be, again, the leaders of a new generation in terms of taking this country to new heights.

This is a sad statement of the priorities of the majority that's controlling this Congress, which, again, at a point where we literally have before us in 73 days a choice to make in terms of whether or not we are going to avoid this explosion in interest rates, we have a leadership which basically says they have no sympathy or tolerance.

You know, as we're sitting here tonight, Capitol Hill is being visited in Members' offices hour after hour by organizations like dental students, nursing students, folks who, again, are very excited about starting their careers and have issues about policy that we're taking up here in their different professions. In each instance, when you asked a dental student, ''Well, what kind of student loan debt do you have?'' or a nurse anesthetist, ''What kind of student loan do you have?''—and they were in my office a couple days ago—in every instance, their debt levels exceeded the levels that the chairwoman of the Higher Education Subcommittee was talking about.

We need a Congress which is not out of touch with middle class families and young people in this country. We need a Congress which is ready to move forward with the need to lock in that lower interest rate so that, again, we do not compound this problem of student loan debt skyrocketing in increases.

There is legislation which is pending, H.R. 3826, a measure which I introduced, and now we have over 120 cosponsors in the House Democratic Caucus—I'm joined here this evening by some of the folks who have joined in that effort—that would lock in that rate, that would say that, You know what? This is a priority that really matters in terms of the future of this country, which is to invest in young people, to help middle class families deal with, again, probably as big a challenge as either buying a home or trying to save and prepare for retirement.

For us, at a time when the Federal Reserve is lending money almost for free, when home mortgage interest rates are about 3.1 percent for a 30-year mortgage and even lower for a variable rate, to say that we are going to stand here and turn our backs and allow interest rates for the Stafford student loan program—one of the workhorse, bedrock programs for middle class families to pay for college—to go from 3.4 percent to 6.8 percent is unconscionable. It is unforgivable. We cannot let this happen.

Here this evening on the floor I've been joined by some Members who agree and have been working hard on this issue back home, getting the word out in their States, and also have cosponsored this legislation and have joined us to talk a little bit about this issue from their perspective.

Congressman CICILLINE from Rhode Island was here first, and I am pleased to yield to my neighbor from Rhode Island. Thank you, sir, for joining us here this evening.

Mr. CICILLINE. I thank the gentleman from Connecticut for his extraordinary leadership on this issue, which is important to Rhode Island, but really important to students all across our country.

I think one of the things that has struck me during this debate about this issue in the last several weeks as we've tried to bring attention to this issue is that this is really a moment in the history of our country where we

need to recognize—maybe more than anytime at least in my lifetime—the urgency of investing in education and of ensuring that young people have access to a quality education.

The idea that we're in a position to prevent interest rates from doubling for those who are benefiting from Stafford loans and that this Congress seems poised not to do anything about it, to me, is, as you said, unconscionable.

There was a report that was done recently, the Georgetown University Center on Education and the Workforce. They found that over the period from 2008 to 2018, about 47 million job openings will be created; and of that, more than 30 million of these jobs will require at least some level of postsecondary education.

So this is the reality for our country, that we have got to realize if we're going to create jobs and be sure that we have young people who have the skills necessary to fill those jobs in this new knowledge economy of the 21st century, we have to make it easier for people to access higher education, not more difficult.

□ 1820

And Congress wisely cut the rate in half from 6.8 percent to 3.4. We have to make sure it stays there.

Now, I come from a State that brought us the great Senator Claiborne Pell, who was the creator of the Pell Grant, which created and continues to create hope and opportunity and access to education for millions and millions of Americans, really unlocking opportunity and keys to success.

We all understand that not only the student benefits from that education, but we all benefit. The community benefits when we have a well-educated group of young people that are making new discoveries, that are finding cures for diseases, that are inventing new products, that are building productive lives to support themselves and their families.

And this is a moment when we have to be sure that we're protecting families from the consequences of this kind of interest rate increase, doubling, as you just said, Representative.

The United States Public Interest Research Group says that without congressional action, borrowers who have taken out the maximum $23,000 in subsidized student loans will see their interest balloon to an additional $5,200 over a 10-year repayment and $11,300 over a 20-year repayment. So this is a huge increase for families, many of whom in my State, where we continue to have very high unemployment, the second highest in the country, where families are struggling with the consequences of the housing crisis and difficulty finding work, this cannot, we cannot allow this to happen. It will cause incredible hardship for families in Rhode Island and my district.

I was recently at Roger Williams University and at several other universities in my district meeting with young people. All were concerned about will Pell Grants continue, will we be able to protect Pell Grants, and what's going to happen when they graduate and have student loans. Are these kinds of interest rates going to be in existence, which are just not affordable to young people.

And the idea that we have 73 days, you know, this is a moment where we can demonstrate we can get something done. My friends on the other side of the aisle don't seem interested in addressing this issue which, for Rhode Islanders, and I know you recently had an event in Connecticut, and I know many of our colleagues around the country doing this, we've got to rally young people to demand that the legislation which you sponsored, H.R. 3826, and which I'm proud to be a cosponsor of, and my Senator, Senator REID on the Senate side is the lead sponsor, we've got to demand that Speaker BOEHNER bring this to the floor for a vote.

Our colleagues need to hear from their families in their districts, from young people all across this country. This is about our own investment in our future as a country, that we benefit from young people who have access to higher education. At a time where our economy is still recovering, we can't allow interest rates to student loans to double.

I'm going to continue to fight very hard. I thank the gentleman for his leadership on this. I hope that we will continue to beat the drums on this for the next 73 days till we force some action here on the floor of the House for the sake of the young people in this country and for the sake of our future as a thriving and prosperous democracy.

I again thank the gentleman for the opportunity to speak to this issue tonight.

Mr. COURTNEY. Thank you, Congressman CICILLINE. And I'm glad you mentioned Senator REID. Actually, we had an event in front of the Capitol a couple of weeks ago where Public Interest Research Group dropped off 130,000 petition signatures from college campuses all across America, and they are going to go out and get even more because, as I said, 15 million college students benefited from that rate cut in 2007; 8 million will be impacted if we do nothing with higher interest rates.

Someone who can speak on this issue as knowledgeably as almost anyone, literally, in the House or Senate, in the U.S. Congress is Congressman BISHOP, again, my neighbor across Long Island Sound in the State of New York. Again, thank you for joining us here tonight, TIM, and I yield to your comments.

Mr. BISHOP of New York. Thank you very much for the opportunity, Congressman COURTNEY. And let me begin by commending you for being the sponsor of H.R. 3826. I'm proud to join you in that effort, and over 100 of our Democratic colleagues have joined in this effort. And I find it both distressing and, frankly, shocking that we don't have a single Member from the other side of the aisle who cares about students and wants to see the student loan rate maintained at 3.4 percent.

Let me start with a statistic that ought to give pause to everyone who cares about the future of our country. We have fallen from first to 15th in the world in the proportion of our population ages 23 through 35 that has a college degree. In an intensely competitive global marketplace, we are going to continue to struggle if we do not have the educated populace that we need to have to compete in that global marketplace. And if we continue to make it more difficult for students to go to college, that's precisely the outcome that we'll have.

And so, at the very moment when we ought to be doing everything that we possibly can to facilitate college enrollment, we are, in fact, in the House of Representatives, being led by people who are taking us in the exact opposite direction.

The student loan issue is crucial. As you say, we have 73 days to act before students take on a significant additional hardship, doubling the interest rate.

But look at what the House Republican budget that has now been passed twice in this Chamber, once before Easter recess and as recently as yesterday, look what it does to higher education. It cuts funding for the Pell Grant program, as Representative CICILLINE said, the core program, the core student financial aid program that came about as a result of the leadership of Senator Pell. It cuts it by $104 billion over 10 years, $104 billion over 10 years at a time when we're trying to facilitate college enrollment.

It will render 18,000 students in my home State of New York ineligible for Pell, students who are eligible for it now who won't be eligible for it next year. Across the country, 400,000 students who are eligible for Pell now won't be eligible for it.

And at the very time that the Republican leadership of the House of Representatives is proposing that, they are also proposing to make it more expensive for students to do the only thing they could do to replace the dollars they're going to lose from Pell, and that's borrow. So we're going to hit them both ways. We're going to take away non-repayable assistance, grant assistance, and then we're going to make it more expensive for them to borrow. And it's just simply wrong.

We ought to be about opportunity in this country. And when I hear a Presidential candidate talk about how the desire to send more students to college is elitist, it, frankly, gives me great pause. And if we look at the history of higher education in this country, before World War II and the GI Bill, it was elitist. And then with the advent of the GI Bill and then the community college, higher education became egalitarian. And it's what built the great

middle class in this country. It is what has allowed us to thrive and become the strongest and most prosperous Nation in the world.

We cannot afford to take a step back; and this dual effort to both diminish Pell, significantly diminish Pell, and then make it more expensive for students to borrow, the consequence of that will be to move us backward at a time when we need to be aggressively charging forward.

Mr. COURTNEY. I thank the gentleman.

Again, someone who's been a leader on this issue, first sponsor after we introduced the bill is Congressman GARY PETERS from Michigan, so we're not all from New England and New York on the floor here this evening because this is a national issue; and thank you for joining us, Congressman PETERS.

Mr. PETERS. Thank you, Mr. COURTNEY, for yielding some time. And you're absolutely right: this is a national issue. Certainly in my home State of Michigan, it is an issue of incredible concern to people and young people and older folks, as well, that have been saddled with these debts over the years that are coming to me saying, you know, How can this happen? How can we be in a situation where interest rates are going to double when you look in the papers and you go to the bank and you see the banks basically pay no interest to anybody if you're trying to save money. The Treasury bonds are at a couple of percent. You've got mortgage rates at 4 percent, and yet these rates are going to be doubling to 6.8 percent.

It just defies logic that we even have to be here debating this for an issue that is so important to millions of Americans who will be impacted either directly or a member of their family that has to deal with these loans and these high costs.

And the thing that is really so tragic and so sad is that it is because of congressional inaction. We have the power to do it. It is very simple for us to make this change, to lock in these rates at 3.4 percent. And yet our colleagues on the other side of the aisle turn a blind eye and refuse to take the action that is necessary to help all of these young people and others that are going to be saddled with these additional costs.

And it's going to have an incredible burden, not just on their families. But it will actually have a major impact on the economy as well. We have all heard stories of folks who have to pay these loan amounts, these monthly payments that are very large and, as a result of that, people are postponing marriage, they're postponing buying a new automobile.

As a gentleman who represents the State of Michigan, I don't want to discourage anybody from purchasing an automobile and having the transportation they need. And yet young people are forced to do that because they have these loans that are now going to become even more expensive.

□ 1830

It also means buying homes and starting to live that American Dream and being able to make those kinds of investments that are being postponed.

So this inaction from Congress, in addition to being a big burden on many families, will actually slow down the economic recovery as well. Our focus here should be about jobs; it should be about the economic activity, strengthening that; and it should be about helping middle class families and working families be able to pursue that American Dream.

Mr. COURTNEY, I think you'll agree that we're kind of facing a perfect storm right now when it comes to this issue—and not just in this interest rate. We're looking at the fact that a growing number of high school seniors are now going into college. We also have increased unemployment and underemployment so that more folks are going back to try to get an education, to get the skills that they need in order to get those jobs. As a result of that, they need to be taking on loans. Otherwise, they aren't going to be able to afford that education. At the same time, we've got folks trying to better themselves and pursue their dreams.

We see college costs continually escalating. It's getting increasingly expensive for most people to be able to afford college. It's certainly not something that most people can do just by writing a check. Their families don't have that kind of money. It is just way too expensive. I know that we heard from one of the Presidential candidates who said this is a government subsidy to have a loan to help children go to school. I know that particular Presidential candidate never had to worry about paying for anything. He had very rich parents. He's very, very wealthy himself. He doesn't really face what most American families face, which is that, in order to pursue a college education today, you need to have a loan. It is very difficult to do it without taking that loan.

So the fact that we are standing here just 73 days away from when nearly every family in America is going to find that it's going to be harder to afford college I think is unconscionable. As we talked about what this means to put this in dollars and cents, this increase from 3.4 to 6.8 percent means it's about $11,000 more for the average family over a 20-year loan. It is $11,000 for an individual to be able to pay that loan back. It makes no sense, as I mentioned in my beginning comments, at a time when Treasury rates are at 2 percent and when mortgage rates are less, that the Federal Government would be charging 6.8 percent to these individuals.

We also know that the affordability of making these payments is becoming more difficult as new graduates are going into a weak employment market right now. Wage levels are lower. In fact, we've seen that the median wage for college graduates has gone down nearly $10,000, since just 2009, to about $37,000. So, with the median wage of $37,000, having an additional cost of $11,000 over the 20-year life of a loan is something that is a huge burden for a family, especially young families, trying to become established and move forward.

I think we have a couple of policy options here as Members of Congress. Certainly, first off, we want to make sure that young people who are going into college have all the facts and understand what sort of obligations they're getting into when they take out these loans and incur these debts. I am, certainly, very pleased with the Consumer Financial Protection Bureau, which we both fought for very aggressively to put into effect here in this country in order to protect people from predatory practices, particularly related to debt, in that it is now launching a new tool to help families.

I would encourage anybody who may be watching tonight to go to the Web site and look at those tools, which will help them really get a better handle on how much they will need to borrow to go to school, how much they'll have to pay back and really what those monthly payments are. If we can, we want to equip folks with information that helps people from getting in trouble, that helps them understand how they have to manage that debt; but while they are doing that, we certainly have to make sure, in addition to that financial literacy, that we're making sure that these costs are not onerous. By doubling this rate in just 73 days, by doubling the rate, it is something that we cannot tolerate.

I hope that we can convince our colleagues on the other side of the aisle that they need to be engaged in this debate, that they need to know that families back home are going to be suffering as a result of our inaction or, I should say, as a result of the unwillingness of some of our colleagues not to do our jobs, which is to stand up for our constituents back home.

So I will say that I am very proud to stand with you on this legislation, H.R. 3826. I certainly hope that as folks are watching here tonight that they will realize they need to contact their individual Members of Congress and make sure that their voices are heard: that they cannot handle additional college tuition loan payments. It is something that they're not going to be able to handle. It's going to put them in a very difficult situation. But with action—if they get on the phone, email, contact their Members of Congress—and in letting their voices be heard, hopefully, in 73 days, we can avoid what is going to be a certain hardship.

Mr. COURTNEY. Mr. PETERS, as to your comment about why this should not be a partisan issue, I just want to reiterate the fact that when we cut the rate back in 2007, 77 Republicans in the House voted with the Democratic majority to implement that law, and

there were over two dozen Republican Senators in the Senate who voted for it. George W. Bush signed it into law.

Ironically, the Stafford student loan program, which we've talked about a lot here this evening—and a lot of people are familiar with it, but some, I think, would be interested to know—was named after a Republican Senator, Robert Stafford from Vermont, who was a passionate advocate for education just like Senator Pell from Rhode Island was. This, again, used to be an issue that was nonpartisan totally. Abraham Lincoln was the force that started land-grant colleges in the middle of the Civil War. I mean, it's amazing to think about that, that he just had such vision during the worst conflict in American history to say, you know, we still need to be investing in the future of this country and so started the land-grant process. Stafford from Vermont was another guy who certainly represented a party that, at that time, would have easily understood the fact that we cannot create new barriers at a time when historic levels of debt are rising to a point which exceed credit card debt and student loan debt.

Mr. BISHOP, in your experience as a college administrator, you know. I mean, we are now in late April, and kids are literally getting notices from colleges in their mailboxes today. People are going to have to start planning in terms of how to pay for college. Again, notices are already being sent out to people, saying, you know, you may or may not have this rate right now. So it's changing family decisions literally by the inaction. Frankly, we should not have to wait 73 days. We should do this this week. We shouldn't go home until this gets done, because families need to have some horizon in terms of planning a decision that literally is almost as big as buying a house.

Then I know, Mr. CICILLINE, you were up on your feet, and I just want to keep contact.

Mr. CICILLINE. I just want to say that I think one of the things that we sort of recognize and are very proud of as Americans is that we have always revered our system of higher education and that we have always understood that people's ability to access education is part of, for many young people, the way they help to realize the American Dream for themselves and their families. We've always prided ourselves as a democracy on this mobility: that no matter who you are, if you want to and if you work hard enough, you can go to college and you can afford to, and then you can build a better life for yourself and your family. This mobility is really a key part of the American success story.

I read recently a piece in The Times about our living in a time now when that mobility is really being threatened, and college access is part of that challenge. If we are going to preserve the mobility that has made this democracy so strong and so great, we have to be sure we protect access to higher education for the young people who are pursuing it.

It's not only that it's going to be this incredible hardship on families, but we're going to be crushing the dreams of many young people. As you said, as they're getting these decisions in the mail, some young people are going to have to decide, you know, I can't go to the college of my choice. I can't pursue this dream I have because I'm not going to be able to afford to pay back these loans at these interest rates.

We're going to be crushing the dreams of young people. As you said, we can fix it. This is easy. This is something we can do by congressional action, and we should do it. We shouldn't wait 73 days. I was always taught—I think we were all taught—that education is the key. I come from a State that understands that. As I said, it's the home of Senator Pell. We understood education to be the key to success as well as the access to education for our own futures and the futures of young people. We've got to fix it. This is wrong. It's going to hurt families. It's going to hurt our economy. We've got to take action.

Mr. BISHOP of New York. I want to pick up on a couple of points but certainly on the point, Congressman COURTNEY, that you made with respect to students who are making decisions right now. I mean, they were notified of their acceptances between April 1 and April 15, and they've got to respond to the colleges that accepted them between May 1 and May 15.

□ 1840

They are making life-altering decisions right now. And we here in the Congress, I believe, have an obligation to give them the information they need to have in order to make informed decisions. If they're going to have a significant additional repayment burden upon graduation, that's going to affect their decisions. If a student has excelled and worked hard and gotten into the college of his or her choice, for them not to be able to accept that offer of admission in part because we haven't given them the information that they need, that's unconscionable.

The other point I would make is that governing is about choosing. What we're talking about here is an increase of $550 a year over the life of a 20-year repayment for 7.5 million students. If anyone walked into this Chamber and proposed a $550 tax increase on an annual basis for 7.5 million people, our friends on the other side of the aisle wouldn't discuss it, wouldn't hear it at all, and yet they are willing to sit silently by while we're going to impose that very kind of payment increase on 7.5 million students.

The last point I would make is that there is this myth that increased availability of student financial aid drives up college costs, and it is one of the arguments that is made. When people argue for reducing access to student aid, they say that if we reduce access to student aid, college costs will at least moderate, if not come down, because that is what is allowing administrators to raise prices. It is a myth that has absolutely no basis in fact. It is insidious, and it is damaging because it drives the kind of decisionmaking or priority-making that we're seeing here in this move to reduce Pell, this move to increase student loan rates.

The principal driver of student costs right now is diminished support from State and local government. We are funding public higher education, per FTE, at the lowest level we have funded it in 25 years. That's what's driving college costs. Seventy percent of the students in this country go to publicly supported colleges. Publicly supported colleges are increasing at a rate of 8½ to 9 percent a year because the funding for FTE from the State government or from local government, in the case of community colleges, is going down. That's what is driving costs. If our response to that increased need is to say that's not bad enough, we're going to make it even worse, we're going to take away Pell, and we're going to make your student loans much more expensive, we're going to rue the day we did that because 5 years from now, 10 years from now, 15 years from now we're not going to have the educated workforce we need to have to drive this country forward.

Mr. COURTNEY. Just for our viewers, FTE is an acronym.

Mr. BISHOP of New York. Full-time equivalent student.

Mr. COURTNEY. Again, a true college administrator.

Mr. CICILLINE. Mr. COURTNEY, I was just wondering. You talked about how the interest rate was cut in half by the prior Congress, which was obviously very important for young people and for families, and how the Stafford Act was created and named after Republicans. So this was done in a bipartisan way, which reminds me that I just finished reading a book called ''An Uncommon Man'' about Senator Pell. In fact, it recounted some of the bipartisanship that existed. I'm wondering what your sense of it is. Why was it that access to higher education seemed to enjoy bipartisan support as recently as a year or two ago when the rate was cut? Certainly the importance of higher education and access to college remains urgent and important. The economy has become more competitive, not less. So what has caused this sort of willingness of my friends on the other side of the aisle to turn their backs on young people? What do you think has changed?

Mr. COURTNEY. Congressman BISHOP was around before the 2006 election and was there when we passed the 2007 College Cost Reduction Act. I believe, frankly, that it is because there was an unprecedented boost in involvement by young people. The 18- to 29-year-old voter turnout in 2006 was a

historic high for a midterm election. Frankly, it did slip in the last cycle.

When I'm out at the University of Connecticut or other State universities in higher education, I tell that story about how in 2006, the issue of higher education was front and center. It was an issue that was a national issue in the 2006 campaign that we put forward to cut the interest rate. And frankly, I think the power of that issue and the message of that election from young voters turning out in record numbers basically kind of shook this place up, and people recognized that they've got to start doing something for higher education. I think in 2010, there was a bit of a slip and this issue kind of lost focus.

Again, I think as we get closer to this incredible doubling of interest rates on July 1—when I talk to people back home when I've done a number of events like you and others have, people greet that with absolute disbelief because they know how mortgage interest rates are, they see what banks are getting from the Federal Reserve, they see what the Treasury bonds are selling for. To say that this one segment of the economy—college students—is going to have a 6.8 percent rate in terms of a loan program is totally unacceptable. That's why, I think, this event we're doing here this evening—and certainly the efforts from PIRG with 130,000 petition signatures—is a way, again, that we can shake this place up again and avoid this catastrophe.

Mr. BISHOP of New York. I would absolutely agree.

I would also observe that when we passed it for 3.4 percent, it was at a time when this Congress was less racked by the partisan antipathy, frankly, that seems to have taken over our Congress. This is an example of that. We have just lived through the last several weeks of perhaps the greatest example of that. We've taken something that historically has sailed through this Congress on a bipartisan basis with little or no objection—the surface transportation bill—and we have been unable to pass the surface transportation bill in this House. It's an embarrassment.

In 2004, I believe it was, or 2005, we passed a surface transportation bill written by Chairman DON YOUNG, Republican of Alaska. It was a very good bill. We passed it with, I think, 30 dissenting votes. And it was written with bipartisan involvement and bipartisan support. That's gone away. I think when we were able to pass the legislation that did the student loan reduction in interest, we had bipartisan support, we had bipartisan involvement. And I hope perhaps this is the issue around which we can coalesce and bring it back, bring back that kind of bipartisan cooperation.

Mr. CICILLINE. I hope that what you're speaking about, kind of the young people of our country, not just the students, but the families of students who are affected—I was at a Portuguese social club recently, and a woman constituent of mine, a single mom, said, I have three children, and this question of what's going to happen to student loans and whether or not their interest rate is going to go up is important.

This is an issue not just for the students but for the whole family. I'm hoping that young people and families who are affected by this issue, which are obviously millions of Americans, will reach out to their Members of Congress and be sure their voices are being heard in this discussion because, I think, that's our only hope that there be sort of a national movement. I know U.S. PIRG is helping to really bring pressure on our Speaker and on our colleagues on the other side of the aisle to take the legislative action that will correct this.

The point we have to really underscore is it's not just for the student; it's for the sake of our country. Our young people are competing not just with a person in Connecticut or New York; they are competing with people all over the world in an increasingly global and competitive economy. We owe it to them to ensure that they have access to the best quality education we can provide. The interest rate doubling on their loans is clearly an impediment to that. We owe it to them, but we owe it to ourselves as a country.

So I thank you again.

Mr. BISHOP of New York. If I may just pick up on that point.

In President Obama's State of the Union address of January 2011, he said that in order for us to win the 21st century, we have to out-build the rest of the world, we have to out-innovate the rest of the world, and we have to out-educate the rest of the world. The innovation piece and the education piece is all about access to higher education.

This is about our future competitiveness. This is about our future economic stability and economic security. It's about filling the jobs that the economy of the 21st century is going to create. The economy of the 21st century is going to create jobs that require post-secondary training. If we make it more difficult for students to access that training, those jobs are going to go unfilled, and our economy is going to continue to struggle.

Mr. COURTNEY. I can give a local example of an employer in our area, which Mr. CICILLINE knows well—and so do you, TIM—which is Electric Boat, which has a new design project where they're going to be hiring about 300-plus new engineers and draftsmen.

□ 1850

They are scouring the countryside trying to find mechanical engineers. Again, these are high-value jobs. The fact of the matter is that it's a struggle out there to get these folks with hard science degrees for, again, really good openings that exist in our economy right now. They're going to get there. There is no question that's going to happen.

The fact of the matter is that opportunities like that are going to definitely continue to grow as this economy heals and recovers. We want to make sure these young people, again, have not been discouraged from having that chance to take hold of that opportunity when that time comes because of really just the indifference of this body to deal with an issue which, again, just goes to the heart of creating opportunity.

This chart, sadly, when we started it, it was 75 days when the rate was going to go up. Obviously, yesterday, it was 74, today is 73. We are going to continue to make sure that this countdown clock is front and center before the people of this country so that they know that here in this body we have control of this issue, direct control of this issue. Many other issues are so complex and affect a small part of the economy and the country. This is a broad-based issue that affects 8 million college students across America that we have a set deadline. Either we do it or we don't and, again, this colloquy this evening, again, I think is going to be part of the effort to build the noise to make sure that we do it.

Mr. BISHOP of New York. I couldn't agree more. Again, I want to commend you for your leadership first in filing the bill, generating over 100 cosponsors that the bill has, organizing this Special Order tonight. This is a very, very important effort.

One last thing I will say. I will say to the students of America, what I have found is the most compelling effort of advocacy that individuals can put forward is to put a human face on the consequences of our failure to act. If the students all across this country could make their Members of Congress aware of what this is going to mean for them, both in terms of their repayment and the future students in terms of the choices they are going to have to make, I think the decision we need to make will become a lot easier for many of our colleagues to make.

Mr. CICILLINE. I too want to thank the gentleman from Connecticut, and I hope that we will all do everything we can to keep this issue alive over the next 73 days. As you said, JOE, it's not something that has a complicated answer. We can fix it.

You have introduced the legislation. Many of us have cosponsored it to fix this problem. I think the more Members of Congress and our colleagues hear from young people and their families about the real-life impact in the coming week in Rhode Island, we are going to organize an event around this and with young people and their families to really put a human face on what the consequences of the doubling of these Stafford loans would be, what the impact would be for families.

If everyone does that, the voices of young people and their families have to

be heard and represented in this Chamber. I really want to salute you for your extraordinary leadership and leading the charge tonight, but also being a leader in our country on this issue.

Mr. COURTNEY. Well, again, I think you are going to have a really powerful event when you do that. Again, I think the media who have been covering this issue, in many instances they either have children in college or they themselves are still carrying student-loan debt. This issue touches really just a huge cross-section of the country.

To say and to point out the fact which, again, a lot of people aren't aware of, interest rates are going to double on July 1 from 3.4 percent to 6.8 percent unless Congress acts. Again, it is something that people just can't even comprehend the fact that at this moment in the economy, when interest rates are so much lower across the board, that this one segment, college students, particularly entering college students, kids who are in high school today, frankly, have almost as much, if not more, at stake than kids who are presently enrolled in college to make sure that this place hears their voices and listens and, most importantly, acts to avoid this totally unwarranted increase in college borrowing costs from a program which has a proud bipartisan history. Thank you both for joining me here this evening.

I look forward to getting a bill signing soon to protect these interest rates.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and April 19 on account of a family medical emergency.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2013 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON WAYS AND MEANS

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to sections 404 of H. Con. Res 34, the House-passed budget resolution for fiscal year 2012, deemed to be in force by H. Res. 287, and 503 of H. Con. Res. 112, the House-passed budget resolution for fiscal year 2013, deemed to be in force by H. Res. 614, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget allocations and aggregates set forth pursuant to the budget for fiscal years 2012 and 2013 as set forth under the provisions of those resolutions. The revision is designated for the Small Business Tax Cut Act of 2012 H.R. 9. A corresponding table is attached.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congressional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolutions, pursuant to sections 101 of H. Con. Res. 34 and section 101 of H. Con. Res. 112.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year		
	2012	2013	2013–2022
Current Aggregates:			
Budget Authority	2,858,503	2,793,848	(1)
Outlays	2,947,662	2,891,589	(1)
Revenues	1,890,365	2,293,339	32,472,564
Change for the Small Business Tax Cut Act (H.R.9):			
Budget Authority	0	0	(1)
Outlays	0	0	(1)
Revenues	−12,526	−32,174	−33,424
Revised Aggregates:			
Budget Authority	2,858,503	2,793,848	(1)
Outlays	2,947,662	2,891,589	(1)
Revenues	1,877,839	2,261,165	32,439,140

(1) Not applicable because annual appropriations Acts for fiscal years 2013 through 2022 will not be considered until future sessions of Congress.

ADJOURNMENT

Mr. COURTNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 19, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5668. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2010 National Guard and Reserve Equipment Appropriation (NGREA) procurment; to the Committee on Armed Services.

5669. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the National Guard Youth Challenge Program Annual Report for Fiscal Year 2011; to the Committee on Armed Services.

5670. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2011 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

5671. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's 2011 annual Report on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures; to the Committee on Energy and Commerce.

5672. A letter from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting the March 2012 Report to Congress on Medicaid and CHIP; to the Committee on Energy and Commerce.

5673. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting Report to Congress: Export and Reexport License Requirements to Temporary Control Items that Provide at Least a Significant Military or Intelligence Advantage to the United States or for Foreign Policy Reasons; to the Committee on Foreign Affairs.

5674. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-07) activities report; to the Committee on Foreign Affairs.

5675. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-134, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5676. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-Powertrain GmbH & Co KG Rotax Reciprocating Engines [Docket No.: FAA-2012-0126; Directorate Identifier 2015-NE-07-AD; Amendment 39-16959; AD 2012-04-03] (RIN: 2120-AA64) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5677. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30830; Amdt. No. 499] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5678. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Authorization to Use Lower Than Standard Takeoff, Approach and Landing Minimums at Military and Foreign Airports; Confirmation of Effective Date [Docket No.: FAA-2012-0007; Amt. No. 135-126] (RIN: 2120-AK02) received March 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5679. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Production Measurement Documents Incorporated by Reference [Docket ID: BSEE-2012-0003] (RIN: 1014-AA01) received March 27, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

5680. A letter from the Vice President, Government Affairs and Corporate Communications, Amtrak, transmitting an addendum to the Fiscal Year 2011 Legislative and Grant Request of February 1, 2012; to the Committee on Transportation and Infrastructure.

5681. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections to Customs and Border Protection Regulations: Petitions For Relief [CBP Dec. 12-07] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5682. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCBP-2010-007] (RIN: 1515-AD86) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5683. A letter from the Acting Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for the Chiricahua Leopard Frog [Docket No. FWS-R2-ES-2010-0085] (RIN: 1018-AX12) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5684. A letter from the Chief, Publications and Regulations Branch, Department of the Treasury, transmitting the Service's final rule — Applicable Federal Rates — Correction to Rev. Rul. 2012-9 (Rev. Rul. 2012-12) received March 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5685. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — Payments by Banks and Other Financial Institutions of United States Savings Bonds and United States Savings Notes (Freedom Shares) Regulations Governing Payment under Special Endorsement of United States Savings Bonds and United States Savings Notes (Freedom Shares) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5686. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — April 2012 (Rev. Rul. 2012-11) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5687. A letter from the Secretary, Department of Health and Human Services, transmitting A report on the Post-Acute Care Payment Reform Demonstration Program, pursuant to 42 U.S.C. 1395b-1 Public Law 109-171, section 5008(c) (120 Stat. 37); jointly to the Committees on Energy and Commerce and Ways and Means.

5688. A letter from the Assistant Secretary, Department of Defense, transmitting proposed legislation, titled ''National Defense Authorization Act for Fiscal Year 2013''; jointly to the Committees on Foreign Affairs, Veterans' Affairs, Ways and Means, Energy and Commerce, Armed Services, Education and the Workforce, House Administration, and Oversight and Government Reform.

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. ROSS of Florida (for himself, Mr. SMITH of Texas, Mr. COBLE, and Mr. PETERSON):

H.R. 4377. A bill to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, 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. CROWLEY:

H.R. 4378. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. STARK (for himself, Mr. LEWIS of Georgia, Ms. MOORE, Ms. LEE of California, Mr. MCDERMOTT, Ms. WOOLSEY, Ms. SCHAKOWSKY, Ms. DELAURO, Mrs. MALONEY, Mr. JACKSON of Illinois, Ms. RICHARDSON, Ms. NORTON, Mr. CONYERS, Mr. DAVIS of Illinois, and Mr. RUSH):

H.R. 4379. A bill to amend title IV of the Social Security Act to permit States to exempt single parents with children under 60 months of age from TANF participation rate requirements; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, 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. YOUNG of Indiana:

H.R. 4380. A bill to suspend temporarily the duty on capacitor grade homopolymer polypropylene resin in primary form; to the Committee on Ways and Means.

By Mr. TIPTON:

H.R. 4381. A bill to direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all onshore Federal lands managed by the Department of the Interior and the Forest Service; to the Committee on Natural Resources.

By Mr. COFFMAN of Colorado:

H.R. 4382. A bill to ensure Federal oil and natural gas lease sales occur, eliminate redundant leasing bureaucracy, and provide leasing certainty; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 4383. A bill to streamline the application for permits to drill process and increase funds for energy project permit processing, and for other purposes; to the Committee on Natural Resources, 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. VAN HOLLEN (for himself and Mr. BRALEY of Iowa):

H.R. 4384. A bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the Food and Drug Administration allows brand names to do so; to the Committee on Energy and Commerce.

By Mr. ROKITA (for himself, Mr. GOWDY, Mr. QUAYLE, Mr. SCHWEIKERT, Mrs. BACHMANN, Mr. WILSON of South Carolina, Mr. CHAFFETZ, Mr. MCHENRY, Mr. ROONEY, Mr. HENSARLING, Mr. ROE of Tennessee, Mr. DUNCAN of South Carolina, Mr. GRAVES of Georgia, Mr. GOHMERT, Mr. MULVANEY, Mr. HUIZENGA of Michigan, Mr. FLORES, Mr. HARRIS, Mr. YODER, Mr. HUELSKAMP, Mr. FLEMING, Mr. MCCLINTOCK, Mr. MANZULLO, and Mr. AKIN):

H.R. 4385. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Education and the Workforce.

By Mr. LAMBORN (for himself, Mr. CHABOT, Mr. ROKITA, Mr. MULVANEY, Mrs. MYRICK, Mr. HARRIS, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. MANZULLO, Mr. DUNCAN of South Carolina, and Mr. HUIZENGA of Michigan):

H.R. 4386. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the adjustment for disaster funding; to the Committee on the Budget.

By Mr. POMPEO (for himself, Ms. JENKINS, Mr. YODER, and Mr. HUELSKAMP):

H.R. 4387. A bill to allow for a reasonable compliance deadline for certain States subject to the Cross-State Air Pollution Rule; to the Committee on Energy and Commerce.

By Mr. RIGELL (for himself, Mr. LANDRY, Mr. GRIFFIN of Arkansas, Mr. HARRIS, Mr. WALSH of Illinois, Mr. CLEAVER, Mr. ROSS of Florida, Mr. MULVANEY, Mr. THORNBERRY, Mr. LABRADOR, Mr. JOHNSON of Illinois, Mr. SIMPSON, Mr. ROKITA, Mr. MILLER of Florida, Mr. YOUNG of Indiana, Mr. REED, Mr. RIBBLE, Mr. DESJARLAIS, Mr. BUCSHON, Mr. GOWDY, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. GINGREY of Georgia, Mr. LANKFORD, Mr. CANSECO, Mrs. HARTZLER, and Mr. CONAWAY):

H.R. 4388. A bill to state that nothing in the Authorization for Use of Military Force or the National Defense Authorization Act for Fiscal Year 2012 shall be construed to deny the availability of the writ of habeas corpus for any person who is detained in the United States pursuant to the Authorization for Use of Military Force in a court ordained or established by or under Article III of the Constitution; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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. COSTA (for himself, Mr. THOMPSON of California, Mr. HERGER, Mr. DANIEL E. LUNGREN of California, Mr. MCCLINTOCK, Ms. MATSUI, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. LEE of California, Mr. GARAMENDI, Mr. MCNERNEY, Ms. SPEIER, Mr. STARK, Ms. ESHOO, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. CARDOZA, Mr. DENHAM, Mr. NUNES, Mr. BACA, Mr. CALVERT, Mrs. BONO MACK, Mr. CAMPBELL, Mr. BILBRAY, Mr. HUNTER, Mr. MCCARTHY of California, Mrs. CAPPS, Mr. GALLEGLY, Mr. MCKEON, Mr. DREIER, Mr. SHERMAN, Mr. BERMAN, Mr. SCHIFF, Mr. WAXMAN, Mr. BECERRA, Ms. CHU, Ms. BASS of California, Ms. ROYBAL-ALLARD, Ms. WATERS, Ms. HAHN, Ms. RICHARDSON, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. ROHRABACHER, Ms. LORETTA SANCHEZ of California, Mr. ISSA, Mr. FILNER, and Mrs. DAVIS of California):

H.R. 4389. A bill to designate the facility of the United States Postal Service located at

19 East Merced Street in Fowler, California, as the ''Cecil E. Bolt Post Office''; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA:

H.R. 4390. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Ms. HOCHUL:

H.R. 4391. A bill to require the Commodity Futures Trading Commission to take certain actions to reduce excessive speculation in energy markets; to the Committee on Agriculture.

By Mr. HONDA:

H.R. 4392. A bill to extend the temporary suspension of duty on subassemblies for instruments or apparatus for measuring or checking electrical quantities; to the Committee on Ways and Means.

By Mr. HONDA:

H.R. 4393. A bill to extend the temporary suspension of duty on parts or accessories of instruments or apparatus for measuring or checking electrical quantities; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 4394. A bill to provide incentives to encourage financial institutions and small businesses to provide continuing financial education to customers, borrowers, and employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Small Business, 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. LANCE:

H.R. 4395. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new procedures and requirements for the registration of cosmetic product manufacturing establishments, the submission of cosmetic product and ingredient statements, and the reporting of serious and unexpected cosmetic product adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself and Mr. GOSAR):

H.R. 4396. A bill to extend Forest Service and the Bureau of Land Management stewardship end result contracting authority, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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 Mrs. MALONEY:

H.R. 4397. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for expenses paid for household and dependent care services necessary for gainful employment and to increase, and make refundable, the credit for such expenses; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4398. A bill to provide grants to States in order to prevent racial profiling; to the Committee on Transportation and Infrastructure.

By Mr. YODER:

H.R. 4399. A bill to amend the Legislative Reorganization Act of 1946 to reduce the rates of pay of Members of Congress by 5 percent and eliminate future cost-of-living adjustments in such rates of pay; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. PAULSEN (for himself, Mr. KIND, Mr. NEAL, Mr. DUFFY, Mr. TIBERI, Ms. MOORE, Mr. SHIMKUS, and Mr. ELLISON):

H. Con. Res. 116. Concurrent resolution expressing the sense of the Congress that tax-exempt fraternal benefit societies have historically and continue to provide critical benefits to Americans and United States communities; to the Committee on Ways and Means.

By Mr. CHANDLER (for himself, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. YARMUTH, Mr. DAVIS of Kentucky, and Mr. GUTHRIE):

H. Res. 622. A resolution congratulating the University of Kentucky Wildcats on winning the 2012 National Collegiate Athletic Association (NCAA) Men's Division I basketball championship; 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. ROSS of Florida:

H.R. 4377.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 1 and 8, including, but not limited to, Clauses 1, 3 and 18 of Section 8.

By Mr. CROWLEY:

H.R. 4378.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. STARK:

H.R. 4379.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of article I of the Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. YOUNG of Indiana:

H.R. 4380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. TIPTON:

H.R. 4381.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. COFFMAN of Colorado:

H.R. 4382.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution.

By Mr. LAMBORN:

H.R. 4383.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. VAN HOLLEN:

H.R. 4384.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ROKITA:

H.R. 4385.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States that states ''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. 4386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. POMPEO:

H.R. 4387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. RIGELL:

H.R. 4388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 2: The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

Article I, Section 8, Clause 1: The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 11: To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

By Mr. COSTA:

H.R. 4389.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 7 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 4390.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, 1 and 8.

By Ms. HOCHUL:

H.R. 4391.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. HONDA:

H.R. 4392.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 4393.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 4394.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LANCE:

H.R. 4395.

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. LUJÁN:

H.R. 4396.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8

By Mrs. MALONEY:

H.R. 4397.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. NORTON:

H.R. 4398.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. YODER:

H.R. 4399.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 6: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

This clause is appropriate given that the legislation affects the level of compensation the members of their respective houses shall receive.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. RYAN of Ohio and Mr. POSEY.
H.R. 374: Mr. GOODLATTE and Mr. GOWDY.
H.R. 511: Ms. CASTOR of Florida.
H.R. 531: Mr. CARSON of Indiana, Mr. JACKSON of Illinois, Ms. BORDALLO, Mr. BACA, Mr. TOWNS, and Mr. KILDEE.
H.R. 709: Mr. HINOJOSA.
H.R. 860: Mr. CRAWFORD.
H.R. 881: Mr. ROONEY.
H.R. 891: Mr. MCGOVERN.
H.R. 904: Mr. PAULSEN.
H.R. 973: Mr. BARTLETT.
H.R. 1006: Mr. GRIFFIN of Arkansas and Mr. QUAYLE.
H.R. 1092: Mr. PLATTS.
H.R. 1195: Mr. BRALEY of Iowa, Ms. LEE of California, Mr. BLUMENAUER, Mr. FILNER, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. COFFMAN of Colorado, Mr. CHANDLER, Mr. SMITH of New Jersey, and Mr. SHERMAN.
H.R. 1348: Mr. HOLDEN.
H.R. 1398: Mrs. CAPITO.
H.R. 1416: Mr. LOEBSACK.
H.R. 1418: Ms. ROYBAL-ALLARD.
H.R. 1513: Mr. HOLDEN.
H.R. 1580: Mr. COBLE, Mr. GARDNER, and Mrs. MYRICK.
H.R. 1648: Ms. BONAMICI.
H.R. 1653: Mr. CAMPBELL.
H.R. 1666: Mr. RANGEL.
H.R. 1733: Mr. KUCINICH and Mr. BLUMENAUER.
H.R. 1744: Mr. HALL.
H.R. 1860: Mr. JOHNSON of Georgia and Mr. MEEKS.
H.R. 1946: Mr. ANDREWS.
H.R. 1971: Ms. HERRERA BEUTLER and Mr. YOUNG of Indiana.
H.R. 2010: Mr. POSEY.
H.R. 2051: Mr. SCHOCK.
H.R. 2052: Ms. RICHARDSON.
H.R. 2077: Mr. MARCHANT.
H.R. 2104: Mr. HIGGINS, Mr. SCHIFF, Mr. PAULSEN, Mr. TURNER of Ohio, Mr. BISHOP of New York, Mr. CHANDLER, Mr. PETERSON, and Mr. ROSKAM.
H.R. 2108: Mr. KING of New York and Mr. MURPHY of Connecticut.
H.R. 2239: Mr. PRICE of North Carolina and Mr. PERLMUTTER.
H.R. 2288: Mr. PRICE of North Carolina, and Mr. HASTINGS of Florida.
H.R. 2311: Mr. LATHAM and Mr. HINCHEY.
H.R. 2335: Ms. FOXX and Mr. LATHAM.
H.R. 2489: Mr. TONKO.
H.R. 2492: Mr. CRITZ.
H.R. 2498: Mr. HASTINGS of Florida and Mr. MICHAUD.
H.R. 2505: Mr. PETERSON.
H.R. 2559: Mrs. CAPPS.
H.R. 2569: Mr. TURNER of New York.
H.R. 2595: Mr. ELLISON.
H.R. 2600: Mr. WALDEN.
H.R. 2607: Mr. OLVER and Ms. ROYBAL-ALLARD.
H.R. 2649: Mr. HARRIS, Mr. DAVID SCOTT of Georgia, and Ms. BONAMICI.
H.R. 2674: Mr. MCGOVERN.
H.R. 2696: Mr. CONNOLLY of Virginia and Mr. MICHAUD.
H.R. 2697: Mr. GIBSON and Mr. MCGOVERN.
H.R. 2758: Mr. GRIJALVA.
H.R. 2787: Mr. HINCHEY, Mr. ELLISON, and Mr. MURPHY of Pennsylvania.
H.R. 2810: Mr. REHBERG.
H.R. 2966: Mr. GUINTA.
H.R. 2977: Mr. BRADY of Pennsylvania.
H.R. 3032: Mr. PLATTS.
H.R. 3059: Mr. GARDNER and Mr. GRIFFITH of Virginia.
H.R. 3086: Ms. ROS-LEHTINEN, Mr. STARK, Mr. PETERSON, and Ms. EDWARDS.
H.R. 3088: Mr. HASTINGS of Florida and Mr. ELLISON.
H.R. 3192: Mr. WELCH, Ms. RICHARDSON, and Ms. CHU.
H.R. 3219: Mr. LUETKEMEYER.
H.R. 3307: Mr. KILDEE.
H.R. 3399: Mr. PETERSON.
H.R. 3418: Mr. KUCINICH.
H.R. 3443: Mr. SHIMKUS.
H.R. 3461: Mr. NUNNELEE, Mr. CHABOT, Mr. MILLER of Florida, Mr. KELLY, Mr. HINCHEY, Mr. WALBERG, Mr. CLEAVER, Mr. PETERS, Mr. SOUTHERLAND, Mr. NEUGEBAUER, and Mr. KING of Iowa.
H.R. 3462: Mr. PETERS.
H.R. 3522: Ms. ZOE LOFGREN of California, Mr. ANDREWS, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. MCGOVERN, Mr. CLEAVER, Ms. LINDA T. SÁNCHEZ of California, and Mr. GONZALEZ.
H.R. 3541: Mr. BENISHEK.
H.R. 3553: Mr. HINCHEY.
H.R. 3554: Mr. HINCHEY.
H.R. 3555: Mr. BLUMENAUER and Mr. HINCHEY.
H.R. 3590: Mr. PASCRELL.
H.R. 3661: Mr. FARR, Mr. CAPUANO, Mrs. DAVIS of California, Mr. CLARKE of Michigan, Mr. MEEHAN, Ms. DELAURO, Mr. HONDA, and Mr. MCNERNEY.
H.R. 3691: Mr. PETERSON.
H.R. 3766: Mr. GERLACH and Mr. SENSENBRENNER.
H.R. 3768: Mr. ROSS of Florida.
H.R. 3792: Mr. GENE GREEN of Texas.
H.R. 3808: Mr. MCKEON.
H.R. 3826: Mr. MCNERNEY.
H.R. 3839: Mr. REYES.
H.R. 3848: Mr. AKIN, Mr. ROE of Tennessee, Mr. COLE, Mr. SESSIONS, and Mr. ROGERS of Alabama.
H.R. 3984: Ms. WOOLSEY.
H.R. 3991: Mr. PAUL.
H.R. 3994: Mr. LANKFORD.
H.R. 4082: Mr. OLVER.
H.R. 4094: Mr. GOODLATTE.
H.R. 4103: Mr. OLVER, Ms HANABUSA, and Ms. BORDALLO.
H.R. 4133: Mr. COLE, Mrs. MCMORRIS RODGERS, Mr. POSEY, Mr. MARCHANT, Mr. RYAN of Wisconsin, Ms. HIRONO, Mr. ROONEY, Mr. MCCAUL, Mr. YOUNG of Indiana, Mr. WESTMORELAND, Mr. CHANDLER, Mr. WOMACK, Mr. TURNER of New York, Mr. SCHWEIKERT, Mr. BARTLETT, Mr. TERRY, Mr. FLAKE, Mr. FLEISCHMANN, Mr. KLINE, Mr. MCCOTTER, Mrs. ELLMERS, Mr. OLSON, Mr. DUFFY, Mr. CARTER, Ms. HAYWORTH, Mr. CLEAVER, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. TIBERI, Mr. HASTINGS of Washington, Mr. REED, Mr. WALBERG, and Ms. FOXX.
H.R. 4134: Mrs. LUMMIS, Mr. FARR, Mr. BOREN, Mr. BOUSTANY, Mr. HARPER, Mr. WELCH, and Mr. LATHAM.
H.R. 4155: Mr. NUGENT.
H.R. 4157: Mr. WOMACK, Mr. PETRI, Mr. PENCE, Mr. HANNA, and Mr. NUGENT.
H.R. 4160: Mr. BISHOP of Utah.
H.R. 4169: Mr. HONDA.
H.R. 4170: Mr. RANGEL.
H.R. 4173: Mr. MORAN, Mr. SCOTT of Virginia, Ms. BASS of California, Mr. OLVER, Mr. HOLT, and Ms. SLAUGHTER.
H.R. 4196: Mr. LATHAM, Mr. REYES, Mr. LUJÁN, Mr. MCHENRY, Mr. HIGGINS, Mr. RYAN of Ohio, Mrs. MILLER of Michigan, Ms. JENKINS, Mr. KLINE, and Mr. GARDNER.
H.R. 4200: Mr. SCHOCK.
H.R. 4215: Mr. JONES, Mr. BUTTERFIELD, Mr. DESJARLAIS, Mr. FORTENBERRY, Mr. GERLACH, and Mr. YOUNG of Indiana.
H.R. 4225: Mr. PASCRELL.
H.R. 4229: Mr. MILLER of Florida, Mr. KING of New York, Mr. KLINE, Mr. HARRIS, Mr. LAMBORN, and Mr. DOLD.
H.R. 4236: Mr. LATHAM.
H.R. 4248: Mr. VISCLOSKY.
H.R. 4278: Mr. THOMPSON of Pennsylvania, Mr. BISHOP of Georgia, Mr. GOSAR, Mr. JONES, and Mr. CANSECO.
H.R. 4301: Mr. RIBBLE, Mr. ROE of Tennessee, Mr. FLEMING, Mr. KINGSTON, and Mr. ROKITA.
H.R. 4304: Mr. SCOTT of South Carolina.
H.R. 4315: Mr. OLVER.
H.R. 4332: Mr. MATHESON.
H.R. 4342: Mr. COHEN, Mr. SHIMKUS, and Mr. OLSON.
H.J. Res. 104: Mr. LUCAS.
H.J. Res. 107: Mr. HUIZENGA of Michigan.
H. Con. Res. 40: Ms. HAHN and Ms. MOORE.
H. Con. Res. 107: Mr. BURTON of Indiana and Mr. COFFMAN of Colorado.
H. Con. Res. 110: Mr. LANDRY and Mr. ROONEY.
H. Res. 59: Mr. SHERMAN.
H. Res. 137: Mr. YODER.
H. Res. 152: Mrs. ELLMERS.
H. Res. 262: Mr. LUETKEMEYER.
H. Res. 271: Mr. GRIFFIN of Arkansas.
H. Res. 507: Mr. NUNNELEE.
H. Res. 583: Ms. WATERS.
H. Res. 608: Mr. PASCRELL.
H. Res. 613: Mr. BLUMENAUER.
H. Res. 618: Ms. BORDALLO and Ms. RICHARDSON.

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. 3993: Mr. GIBSON.