West Virginia is rich in natural resources. It is the largest producer of oil and gas east of the Mississippi. In addition, West Virginia is a national leader in providing statewide access to preschool and is ranked first in the Nation for pay equity between college-educated men and women.

West Virginia is home to nationally recognized centers for research and learning, has produced countless veterans, historical figures, scholars, athletes, and many more for whom we are eternally proud.

Like all West Virginians and as a seventh generation West Virginia native, we take special pride in our wild and wonderful State.

Madam Speaker, I ask that we wish a happy birthday to West Virginia.

BRING BACK OUR GIRLS

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

Ms. WILSON of Florida. Madam Speaker, more than 200 girls in Nigeria are still missing. They were brutally kidnapped by the terrorist organization Boko Haram more than 60 days ago. We pray for their return, and we pray for their parents.

We will tweet and tweet and tweet until they are returned. We must put pressure on the Nigerian Government and President Goodluck Jonathan to bring back our girls. I am asking everyone to join our tweet war.

Every morning, at 9 a.m., please tweet a message of support for the rescue of the girls: #bringbackourgirls. We will join the Bring Back Our Girls organization in Nigeria in a tweet war during their tweet time, which is 2 p.m. Nigerian time.

At 9 a.m., every morning, tweet. Let's show the girls that we love them, and we will do all within our power to make sure that they return safely to their families.

Let us show President Jonathan that the entire international community is watching, and we will keep the pressure there. We will not forget them, and we will not rest until they are returned.

Remember, #bringbackourgirls, 9 a.m.

CELEBRATING 100TH ANNIVERSARY OF FLORIDA CITY

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

Mr. GARCIA. Madam Speaker, I rise today to commemorate the 100th anniversary of Florida City. Over the past century, Florida City has grown from a small stop on the road to become the official gateway to paradise.

I would like to recognize the city commission, including Mayor Otis Wallace, who has served as mayor for over 30 years, managing the redevelopment of the city after Hurricane Andrew in 1992; R.S. Shiver, the longest serving municipal elected official in Florida; Avis Brown; Sharon Butler; and Eugene Berry.

These dedicated public servants are just a few of the many lifelong citizens who have tirelessly worked to improve and grow our community.

As we look forward, I know the next 100 years will be filled with success and growth due to the commitment and service of so many over the last 100 years.

□ 0915

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on further consideration of H.R. 4870, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. SMITH of Texas). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 628 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4870.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair?

□ 0916

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 19, 2014, the amendment offered by the gentleman from Minnesota (Mr. ELLISON) had been disposed of, and the bill had been read through page 141, line 4.

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

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

Mr. FRELINGHUYSEN. Madam Chair, as we move towards the finish line and consider the last amendments to our Defense Appropriations bill, large thanks should be extended to the remarkable staff that make up the Defense Subcommittee. I know I join with my ranking member, Mr. VISCLOSKY, and wanted to take time to thank the bipartisan staff of our committee: our clerk, Tom McLemore, whose counterpart is Paul Juola on the minority side. Recognition and thanks go to all of our staff: Tim Prince, Sherry Young, Jennifer Miller, Walter Hearne, Paul Terry, B G Wright, Brook Boyer, Adrienne Ramsay, Megan Rosenbusch, Maureen Holohan, Collin Lee, and Becky Leggiere; from my personal office: Nancy Fox, Steve Wilson, Katie Hazzlett; from Mr. VISCLOSKY's office: Joe DeVot and Jake Whiteside; and all the Appropriations staff and House staff that have made this bill move so smoothly.

I also want to thank all of the Members of the House for their active participation and patience over the last few days. We do not always agree on the substantive issues, but I appreciate the spirit in which all of us debated a variety of issues.

In this regard, I know Mr. VISCLOSKY and I would like to extend our thanks to three members of the Defense Subcommittee who are working on their final bill with us: Mr. OWENS of New York, Mr. KINGSTON of Georgia, Mr. MORAN of Virginia. Their service and contributions have been enormous and their assistance has been deeply appreciated.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman taking the time and would also join him in thanking all of the staff of the subcommittee as well as the full committee. People ought to appreciate the discerning judgment that they bring to their work, their knowledge, their tireless work ethic, and the fact that they are fun to be around. They also are very selfless as far as providing for the protection of our Nation, to ensure also that it is done in as cost-effective a manner as possible.

I appreciate that the chairman enunciated the names of all of our staff because on this subcommittee it is a very seamless and indistinguishable process. The staff understand they are here to help every member of the subcommittee, the full committee, and of this House, whether we agree or not, to ensure that our legislative process and product is as good as it can be.

The final thing I will note is to thank personally the chairman for his leadership on this issue, for his dedication to public service. My father always told me it took a very strong man to be a gentleman. Mr. Chairman, you are the consummate gentleman, and I thank you for that and for your friendship.

Mr. FRELINGHUYSEN. Well, sir, you indeed are a gentleman, too, and it has been a pleasure to work with you. We are blessed with a remarkable staff that has met the needs of every Member of Congress, regardless of political party. We have considered their amendments, and to the extent that we could, we have acted upon them. Thank you so much for your support and all of us. We appreciate the work of our great staff.

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

AMENDMENT OFFERED BY MR. ROHRABACHER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. __. None of the funds made available by this Act may be provided to Pakistan.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Madam Chairman, my amendment would prevent any funds appropriated by this bill from being provided to the Government of Pakistan.

It is reprehensible that our government is still willing to provide military assistance to a known terrorist-supporting state like Pakistan. Since 9/11, Pakistan has received over $28 billion from the United States. This should not continue. It is a farce to believe that our aid, sometimes deceptively labeled as ''reimbursements,'' is buying Pakistan's cooperation in hunting down terrorists.

It was the Pakistani establishment that sheltered Osama bin Laden for years. They continue to jail Dr. Afridi, the man, the heroic man, who helped the CIA locate bin Laden. Why would Pakistan do that if they were on our side?

The abysmal human rights record of the Pakistani Government is shameful. It is even worse because American money contributes to strengthening the security forces which kill and persecute minority groups who are denied their own right of self-determination. This is especially true of the Baloch and Sindhi, two large ethnic minority groups in Pakistan. Our tax dollars equip the Pakistani military, which brutally oppresses the aspirations of both of these people, and both of which have a long history separate from Pakistan.

Pakistan is not an ally, and any assistance we send them only strengthens their ability to act against their own people, against us, and against Afghanistan as we withdraw our military. We cannot buy the friendship of a government whose strategic interests are not aligned with ours. They are allied with terrorists. The Pakistanis, thus, are allied with the terrorist elements and our own ever more dangerous adversary, Communist China. At a time of tight budgets, we should reserve our aid to true friends and allies.

Furthermore, the Appropriations Committee didn't even put an exact dollar figure in this bill for the money that will be going to Pakistan. Instead, they have inserted a placeholder because we have not yet received a formal figure from the administration.

What will happen when we get this formal figure? Well, will we simply serve as a rubber stamp for the administration and insert the number requested into a conference report? Well, I would hope not.

It is our duty as elected Members of the House of Representatives to determine how much and to whom tax dollars will be appropriated. I implore my colleagues to send a message today that we will not send another dime to Pakistan as long as they continue to act belligerently toward the United States and to promote terrorism and repress their own people.

The policy which has us funding Pakistan's military is wrong, and the fact that we can't even debate a precise dollar figure is absurd. It is insane for us to continue to borrow large sums of money from China in order to give to Pakistan, our enemy and a friend of terrorism.

I ask my colleagues to support my amendment and to end this counterproductive use of our limited resources, which has continued for far too long.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I claim the time in opposition.

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

Mr. FRELINGHUYSEN. Madam Chair, the gentleman is correct in one respect: the House does not have, nor does our bill show, any specific amount for Pakistan, but we anticipate the administration will come forward with a figure which may be similar to last year.

There are good reasons that we have invested in what is called the Coalition Support Fund. It allows the Secretary of Defense to reimburse any key cooperating nation for logistical and military support, including access, specialized training to personnel, and procurement and provision of supplies and equipment provided by that nation in connection with the U.S. military operations in Enduring Freedom. Pakistan is one of those nations.

Receipts for reimbursements are submitted by Pakistan and other cooperating nations and are fully vetted by the Pentagon and follow strict criteria to meet the standard for reimbursement. All payments are made in arrears and follow notification to Congress as to what the money has been spent for.

Specifically regarding Pakistan, the Coalition Support Fund remains a critical tool to enable Pakistan to effectively deal with the future challenges emerging from the U.S. drawdown. There will be challenges, no matter what the troop number, and the President has set a troop number at approximately 9,500.

It would be cost-effective. It is a cost-effective tool for the U.S. to remain engaged in the region. We can't turn our back on Pakistan and Afghanistan, particularly because Pakistan is a nuclear-capable nation. We need to keep a functioning relationship with Pakistan. That is essential.

I would be pleased to yield to my ranking, Mr. VISCLOSKY, for any comments that he might make.

This money is essential, and Pakistan has been an ally in getting after some of the worst terrorists in certain parts of Pakistan. They need that assistance, and we should, I think, continue to give it to them.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Madam Chair, I would emphasize the chairman's very first point, and the reason there is not a discrete figure within the legislation is we continue to await that request in the overseas contingency operation fund from the administration.

I will simply add a couple of comments to the points the chairman raised. One, if the funds were prohibited, I believe it would also affect our ability to withdraw from Afghanistan since we traversed through Pakistan's ground lines of communications to transport our equipment back home.

I also think the withdrawal of U.S. assistance would likely polarize Pakistan and exacerbate significant pro- and anti-American rifts within their military and their government generally, and in addition to counterterrorism activity, the fact that Pakistan's nuclear weapons capability provides, I believe, an ample reason for the U.S. to continue to be positively engaged.

I would not disagree with the gentleman that this is a very difficult relationship. There are significant problems with Pakistan—all the more reason to continue to be engaged.

I also rise in opposition to the gentleman's amendment, and I appreciate the chairman yielding.

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

Mr. ROHRABACHER. Madam Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from California (Mr. ROHRABACHER) has 1 minute remaining.

Mr. ROHRABACHER. Madam Chair, when I first came to Congress, I was perhaps Pakistan's best friend in Congress. At that time, of course, we were in the middle of the cold war and the Pakistanis were on our side and India was on the side of the Russians.

Today, the cold war is over and Pakistan has become the friend of our enemies, whether they are radical terrorists or whether it is Communist China. For us now to be borrowing money from China in order to give to Pakistan—because we are still going into debt $500 billion a year. We need to make sure. We have to borrow that money, much of which comes from China, then pass that on to Pakistan, who is basically supporting our enemies.

They still have Dr. Afridi, the man who helped us finger Osama bin Laden, a hero who risked his life for us to

bring justice to the man who slaughtered 3,000 Americans. For us to continue to give that government who holds Dr. Afridi in a dungeon, as we speak, is immoral and is stupid and is counterproductive. We should cut military assistance to Pakistan.

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

□ 0930

Mr. FRELINGHUYSEN. Madam Chair, we need to keep a relationship with Pakistan. There are some issues that have divided us.

When Mr. VISCLOSKY and I were in Pakistan earlier this year, we made it quite evident that we were concerned about some of the things that occurred, including the holding of that doctor whose assistance helped us kill one of those who killed so many of us.

But we need to recognize that holding Pakistan close to us as an ally gives our troops some extra protection, and we need to have that access to Pakistan to make sure that our deployed troops and others there get the assistance they need.

I urge a ''no'' vote on this amendment and yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. STOCKMAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. __. (a) None of the funds made available by this Act may be used to destroy Department of Defense equipment or ammunition in Afghanistan without such equipment or ammunition first being offered to independent states of the former Soviet Union and major non-NATO allies that are willing to pay for transportation of such equipment or ammunition to such states or allies.

(b) For purposes of this section—

(1) the term ''independent state of the former Soviet Union'' has the meaning given the term in section 3 of the FREEDOM Support Act (22 U.S.C. 5801); and

(2) the term ''major non-NATO ally'' has the meaning given the term in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q)).

Mr. STOCKMAN (during the reading). Madam Chair, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

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

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. STOCKMAN. Madam Chair, we are pulling out of Afghanistan. We are chopping up billions and billions of dollars of equipment into little tiny pieces. At the same time, our government is purchasing military equipment for our allies.

This is a terrible waste of money. Our allies have expressed they want to come pick up the equipment. They are paying for it. We don't have to do anything. We don't have to chop it up. We can allow our allies to have it. This is a shameful waste of taxpayers' money. It is in the billions of dollars. I personally think this is a huge waste of money.

I would ask that the Congress would consider this as reasonable. At the same time we are cutting up billions of dollars to military equipment, we turn around in this appropriation and buy the same equipment for our allies.

I would ask that this would be considered and that the point of order that is being proposed, I ask also jurisdiction on why the point of order is in order.

I reserve the balance of my time.

POINT OF ORDER

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

The Acting CHAIR. The gentleman will state his point of order.

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

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this amendment imposes new duties on the Department of Defense.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. STOCKMAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. __. None of the funds made available by this Act may be used for the procurement of weapon systems that contain rare earth materials, metals, magnets, parts, or components that are produced in Cuba, North Korea, the People's Republic of China, or Venezuela.

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

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. STOCKMAN. Madam Chair, currently, right now we have a situation in which some of the countries which we deal with militarily are restricting the rare earth metals—and particularly China. They are asking that we build our sensitive equipment in their country in order to acquire these rare earths.

I would object to that kind of thinking and that kind of ability for our non-friends, in terms of military assistance, to actually have it and develop our own rare earths here in the United States. It is a major mistake, I think, to pursue a policy in which we allow our non-friends to have control over our top secret and also over our rare earths.

I ask a ruling of the Chair for adjudication on that too, and I reserve the balance of my time.

POINT OF ORDER

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

The Acting CHAIR. The gentleman will state his point of order.

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

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair finds that this amendment includes language requiring a new determination of the country of origin of certain parts or components.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. STOCKMAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. __. None of the funds made available by this Act may be used for any activity that would grant de jure or de facto support of

territorial, maritime, or airspace claims made by the People's Republic of China on the international waters or territories of other sovereign nations in the South China, East China, and Yellow Seas.

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

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. STOCKMAN. Madam Chair, with the ever-expanding territorial claims by China and our allies in the areas of Philippines, Japan, and South Korea, I think this amendment would not violate the rules. All it says is that we shouldn't spend money helping Chinese to expand a territorial claim. I think it is reasonable. I also think that it is something we should do. We need to express more concern.

The current leadership in the White House has not really done much in terms of foreign policy. This would be an example to the rest of the world that Congress can speak up and stand up for our allies in the region, particularly those countries surrounding Japan right now where they are having great difficulty with the ever-expanding and, I would suggest, imperialistic attitude of some in the country of mainland China.

This amendment I do not believe violates the rules. I ask the ruling of the Chair to also adjudicate why this is.

I reserve the balance of my time.

POINT OF ORDER

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

The Acting CHAIR. The gentleman will state his point of order.

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

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair finds that this amendment includes language requiring a new determination by a relevant agency of the effects of its activities.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used to enter into any contract after the date of the enactment of this Act for the procurement or production of any non-petroleum based fuel for use as the same purpose or as a drop-in substitute for petroleum.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to offer a cost-saving amendment to the Department of Defense Appropriations Act for the fiscal year 2015.

This is a straightforward amendment that will help bring defense spending priorities in line with the fiscal realities that the United States currently faces.

Specifically, this amendment would prohibit the Department of Defense from wasting precious taxpayer dollars on the purchase of more expensive fuels made out of biofuels that are not cost competitive.

When our country is more than $17 trillion in debt, and every year the Federal Government continues to spend nearly $1 trillion more than it actually has, it is incumbent upon this Congress to get this reckless spending under control and to carefully scrutinize every dollar that is spent.

The Department of Defense has been purchasing biofuels to substitute traditional petroleum-based fuels to run its ships, aircraft, and other vehicles.

The problem is that currently, these fuels are more expensive than traditional fuels.

Until a time when biofuels are cost competitive without any Federal subsidy, no Federal entity should be utilizing this fuel source.

Let me be clear: I support a true all-of-the-above energy strategy which includes renewable energy sources like wind and solar, as well as traditional resources like natural gas and clean coal.

I have nothing against biofuels that do not need significant Federal subsidies to exist in the open market.

Unfortunately, the Department of Defense and other Federal agencies continue to waste precious taxpayer dollars to prop up this industry.

Last year, the Defense Logistics Agency wanted to buy almost 15,000 gallons of biofuel. This year, the Defense Logistics Agency is seeking up to 37 million gallons of biofuel.

Biofuels without Federal subsidies are nearly 15 times more expensive than conventional jet fuel.

The biggest problem with this year's solicitation of nearly 37 million gallons is there is a $27.2 million Federal subsidy to make the biofuel blends ''cost competitive with their conventionally-derived counterparts.''

The purchase of biofuels which are not cost competitive has been so wasteful that a popular news site recently listed the practice on its list of ''Five Insanely Wasteful Projects the Pentagon is Spending Your Money On.''

I will read a brief excerpt from the article:

In a nod toward sustainability, the U.S. Navy has been attempting to create a ''green fleet'' by adopting alternative biofuels.

The catch is that the cleaner fuel costs $26 per gallon, which is much more expensive than the $2.50 the Navy pays for each gallon of petroleum.

Despite reports that there isn't a clear long-term cost benefit of adopting biofuel, the Department of Defense has spent millions on private companies that are developing alternative fuels.

□ 0945

And green projects aren't confined to a single branch of the military; last year, the Air Force paid for 11,000 gallons of biofuel at a rate 10 times higher than the price of regular jet fuel.

Using the military as a vehicle to spend hundreds of millions of dollars on unproven green experiments is clearly a wasteful use of taxpayer money that must be stopped. We all must understand that the number one priority of the United States military—and, indeed, the Federal Government at large—is to defend the Nation from security threats.

I would also like to bring up Admiral Mike Mullen, former Chairman of the Joint Chiefs of Staff. He stated in July of 2010 that:

The biggest threat that we have to our national security is our debt.

Therefore, it is essential that we scrutinize every dollar we appropriate to ensure we are spending our limited resources prudently and judiciously. This amendment will help accomplish this goal.

Madam Chairman, this amendment was carried last year by our newly elected majority whip, STEVE SCALISE; and it was adopted by this body by unanimous consent.

As the Defense Logistics Agency is now proposing to purchase almost 2,500 times more fuel than last year, it only makes sense this agreement is agreed to yet again.

Think about it. Last year, they wanted 15,000 gallons. This year, they want 37 million gallons of Federally subsidized fuel sources, just to meet an unnecessary mandate. This defies common sense, and we should not be wasting millions of dollars of taxpayer money in this manner.

I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I claim the time in opposition to the gentleman's amendment.

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

Mr. VISCLOSKY. Madam Chair, this is perhaps the fourth or fifth debate we have had on biofuels and their limitation relative to the Department of Defense, but I do feel compelled to continue to remind my colleagues that we do have an energy problem in the United States.

I would, I guess, start at the dueling admirals' statements. The gentleman quoted Admiral Mullen from 2010. I would suggest that Admiral Locklear, who is commander of the Pacific Command, stated this year that the most destabilizing problem that we face in the Pacific Basin is climate change and the impact it has on the people and the national security in that part of the world.

I continue to emphasize that we need to keep our options open for the Department of Defense and, I would suggest, for this great Nation.

Indiana, the State in which I live—and have lived all of my life—is a coal State. More steel is produced in the district I represent than any State in the United States. I am very proud of that.

You need carbon to make steel. What we need is a matrix—not only carbon-based fuels, but other types of fuels, including renewables: wind, tidal, solar, hydro, and biofuels.

I would also reference Senator Lugar, who I continue to have a profound respect for. Senator Lugar suggested that energy is a problem economically in the United States. Senator Lugar suggested that it is an environmental problem in the United States.

He said, fundamentally, energy is, most importantly, a national security problem, which is why we ought not to limit the options for the Department of Defense to expand the use of biofuels.

For those reasons, I am opposed to the gentleman's amendment, and I reserve the balance of my time.

Mr. GOSAR. Madam Chair, I think in my statement it is all about balance. When we are talking about 37,000 times more biofuels at this time, I think that is out of whack.

I think the gentleman also has to understand that some of the pollutants that actually are created by some of these biofuels may actually be even worse than what we see with carbons.

The emerging technology shows that the pollutants actually created by burning these may be more insolvent than what we see in petroleum.

I reserve the balance of my time.

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

Mr. GOSAR. Madam Chair, this is common sense. Balance is everything. We have a balance of problems with spending. We have acknowledged that we want to see a proper balance in all the utilizations of energy.

This country can be energy independent. What it means is not picking winners and losers, but actually using a conservative type of balance.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 40 OFFERED BY MR. KILDEE

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used in contravention of section 1034 of title 10, Untied States Code.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Madam Chair, this is an amendment that is actually quite simple. I will only take a moment to explain it.

It simply requires that the use of funds in this legislation not be utilized in contradiction to existing U.S. law. Let me specifically point out the problem that I am trying to make sure is very clear.

As Members of Congress, we are elected to represent our constituents. That includes our constituents that serve in the Armed Forces, so I have been very concerned about reports and experience within my own office that some in the military have reacted unfavorably when servicemembers reach out for assistance from their Member of Congress, and as I said, we have experienced this in my own office.

I know that this is not Department of Defense policy, and I know and am certain that this behavior is being exercised by a very small minority of staff people, but it is entirely unacceptable.

I know for me, if somebody in government—any department—has a problem with me and the communications I have with my own constituents over issues they are having navigating the bureaucracy of government, if anybody has a problem with that, they can talk to me directly. My office is listed. They can call me.

I just want to make sure that this amendment makes it clear that no money can be spent in violation of 10 USC 1034. This is the statute that specifically makes it illegal to retaliate against members of the military for speaking to their Members of Congress.

I want to just reiterate this is based on real experiences that I am having in my office. I have talked to other Members. There have been similar experiences. I don't think it is pervasive, but I want to make the message clear that members of the military and any other constituent has an opportunity to reach out to Members of our Congress. It is important for our constitutional role, our oversight role.

I think this amendment, while perhaps redundant, would speak to that directly.

I hope the House would consider it.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. KILDEE. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding and rise in strong support of his amendment. The committee has a tradition of protecting whistleblowers. In fact, we have accepted, during consideration of the bill, an amendment to do so 2 days ago.

I think most Members probably have encountered an individual who has come into their office and said: I would like to provide you with information that, hopefully, would make our government more efficient and better, but I don't want to get into trouble.

That is who you have in mind. I appreciate that very much and rise in support of it.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. Let me associate myself with the ranking member's comments. Whether somebody comes through our office or if we visit a military installation in the Middle East and somebody comes up with an issue that affects them personally—or their families—they have a right, and we have always put these protections in our bill.

So I commend you. I think it is very much in order.

Mr. KILDEE. Reclaiming my time, I thank the chairman and the ranking member. I know when to quit when I am ahead.

I yield back the balance of my time.

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

The amendment was agreed to.

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

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

Mr. VISCLOSKY. Madam Chair, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

I rise for two reasons. First of all, I want to express my agreement with Mr. MORAN and with members of the committee—perhaps on both sides of the aisle—with respect to our continuing Guantanamo policy.

Guantanamo Bay continues to weaken, in my view, America's standing at a time when we need every tool necessary to protect America's interests around the world, which include promoting democracy and the rule of law.

Our courts, in my view, are more than capable of trying and convicting even the most hardened terrorists—and

have shown themselves fully able to do so.

Civilian courts have convicted 533 individuals on terrorism charges, compared to eight convictions in military commissions; yet on the floor of this House, we continue to deal with this issue as if, somehow, it is keeping Americans safer. At the same time, it undermines American values.

That is not a good policy. Hundreds of terrorists are being held securely in maximum security prisons here in the U.S. I won't list them, but I will include them in the RECORD at a later time.

Keeping these detainees at Guantanamo makes no financial sense. One of my Republican colleagues mentioned a cost of $500,000 per year, per detainee. At a time when we want to be efficient and effective in our use of resources, that seems not to be either.

I now want to speak to a broader issue that concerns me that we have not dealt with in this bill and we did not deal with in the authorization bill.

We need—as a Congress, as a country, as a people—to have the courage to come to grips with rationally passing a defense appropriation bill consistent with the advice of our military leadership and consistent with our willingness to pay the price for what we buy.

I have been in this body 33 years and have always supported funding our military at necessary levels to maintain our security and our freedom, and I will continue to do so.

I have worked with the ranking member for almost all those years. He hasn't been here quite as many years, but almost all those years.

I congratulate the chairman. I am proud of the chairman of the Defense Appropriations Subcommittee, my friend, Mr. FRELINGHUYSEN. I had the opportunity of serving with him for a number of years on the committee. He is a responsible, patriotic, good Member of this House, and will chair this subcommittee in a very responsible fashion. I congratulate him for that.

I have great respect for my dear friend, the ranking member, for his intellect and for his focus and hard work on behalf of making sure our country is strong.

Madam Chair, the ladies and gentlemen of this House and Mr. and Mrs. America should know that we cannot and will not be able to continue to maintain the security of this country if we continue to pass bills with the pretense that we can pay a lot of attention to acquisition and not nearly as much attention to manforce and training and equipping, unless we want to jettison the sequester.

We have to stop pretending that national security, education, infrastructure, or health care can somehow be magically created and maintained without having a physically sustainable overall policy or that we can pretend, both in this appropriation bill and in the authorization bill, that we can simply fund that which the Department of Defense says we don't need and is no longer relevant; but yes, it has consequences for every one of us, including me, if we cut those programs.

So I would urge us, as we pass this bill—and I will vote for this bill—to do so in a context of committing ourselves to having the courage and the wisdom in the years to come to propose and to pass rational security bills.

Madam Chair, I rise for two reasons. First of all to express my agreement with Mr. MORAN and with members of the Committee, perhaps on both sides of the aisle, with respect to our continuing Guantanamo policy.

Guantanamo Bay continues to weaken, in my view, America's standing at a time when we need every tool necessary to protect America's interests around the world, which include promoting democracy and the rule of law. Our courts, in my view, are more than capable of trying and convicting even the most hardened terrorists and have shown themselves fully able to do so.

Civilian courts have convicted 533 individuals on terrorism charges, compared to eight convictions in military commissions. Yet on the Floor of this House we continue to deal with this issue as if somehow it is keeping Americans safer. At the same time, it undermines American values. That is not a good policy. Hundreds of terrorists are being held securely in maximum security prisons here in the U.S. I won't list them, but I'll include them in the RECORD. They include: Faizal Shazhad, the Times Square bomber; Richard Reid, the shoe bomber; and Zacharias Moussaoui, the convicted September 11 conspirator.

Keeping these detainees at Guantanamo makes no financial sense. My Republican colleagues mentioned the cost of over $2 million per year per detainee. At a time when we want to be efficient, effective in our use of resources, that seems not to be either.

I now want to speak to a broader issue that concerns me that we have not dealt with in this bill and we did not deal with in the authorization bill. We need as a Congress, as a country, as a people, to have the courage to come to grips with rationally passing a defense appropriations bill consistent with the advice of our military leadership and consistent with our willingness to pay the price for what we buy. I have been in this body thirty-three years and have always supported funding our military at necessary levels to maintain our security and our freedom. And I will continue to do so. And I worked with the Ranking Member for almost all those years. He hadn't been here quite as many years, but almost all those years.

I congratulate the Chairman. I'm proud of the Chairman of the Defense Appropriations Subcommittee, my friend, Mr. FRELINGHUYSEN. I had the opportunity to serve with him for a number of years on the Committee. He is a responsible, patriotic, good member of this House and will chair this Subcommittee in a very responsible fashion. I congratulate him for that. And my dear friend, the Ranking Member, for whom I have great respect, for his intellect and for his focus and hard work on behalf of making sure our country is strong.

But Ladies and Gentlemen of this House, Mr. and Mrs. America, Mr. Speaker, should know that we cannot and will not be able to continue to maintain the security of this country if we continue to pass bills with the pretense that we could pay a lot of attention to acquisition and not nearly as much attention to man-force and training and equipping unless we want to jettison this sequester. We have to stop pretending that national security or education or infrastructure or health care can somehow be magically created and maintained without having a fiscally sustainable overall policy. Or that we can pretend on a basis both in this appropriations bill and in the authorization bill that we can simply fund that which the Department of Defense says we don't need, is no longer relevant, but, yes, it has consequences, for every one of us, including me, if we cut those programs.

So I would urge us, as we pass this bill—and I'll vote for this bill—but, as we do so, we do so in a context of committing ourselves to having the courage and the wisdom in the years to come to propose and to pass rational security bills.

□ 1000

Mr. VISCLOSKY. I thank the gentleman for his comments, and I especially lend my agreement to his comments relative to the situation at Guantanamo Bay.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Madam Chair, I have amendment No. 153 at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. __. None of the funds made available by this Act may be obligated or expended to the following entities or in contravention of title 18 U.S.C. section 2339-B:

(1) The Government of Iran.
(2) The Government of Syria.
(3) The Palestinian Authority.
(4) Hamas.
(5) The Islamic State of Iraq and Syria.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise to offer a commonsense amendment to the Department of Defense Appropriations Act which will further hold accountable foreign terrorist organizations in addition to those foreign governments that support their efforts.

I will be brief as the cases made against these entities and governments are well-documented.

Iran is possibly the largest known state sponsor of terrorism in the world, and the Obama administration is throwing out the baby with the bathwater in its negotiations with Iran on its nuclear aspirations. Syria has been listed as a state sponsor of terrorism since the State Department list was created in 1979. The ongoing atrocities on the ground in Syria should be more than enough to prohibit foreign assistance to this nation.

Before moving forward, let me say that I recognize that these two nations are already ineligible for most forms of foreign assistance already, but we have seen the Obama administration's track

record in terms of following the letter of the law. It enforces only the laws it agrees with.

Now, speaking to the prohibition of assistance to the Palestinian Authority, on June 2, the Palestinian Authority announced a new unity government, which was supported by the Islamic militant group Hamas.

To quote recent reports:

The merger also appears to skirt, barely, U.S. prohibitions on aid to a Palestinian Government that has ''undue'' Hamas presence or influence.

The Obama administration has worked behind the scenes to suggest terms for the new coalition government that would not trigger the U.S. ban, reasoning that the money helps preserve American leverage.

Republican Senators Mark Kirk and Marco Rubio have called for a suspension and review of U.S. aid, saying the Palestinian announcement shows that Israel ''does not have a viable partner for peace.''

The unity government is an ''end run'' around U.S. restrictions, they said.

I agree with those statements.

With so much blood on its hands, this newly founded coalition of the Palestinian Authority and Hamas is not worthy of U.S. assistance. Just to be clear as day, I have included the Islamic State of Iraq and Syria—again, already listed as a foreign terrorist organization—to this list, in addition to all organizations currently designated by the Secretary of State.

I understand the law, and I understand that the U.S. already has laws to prevent the transfer of assistance to these foreign terrorist organizations. It is just that I am not convinced that the President, his Attorney General, or any other member of his Cabinet Secretaries understands the laws of this Nation the way that I do or will follow those laws as U.S. citizens must. This is just one more attempt to double down on the letter of the law.

I can only hope that the President sees the dangerous ways in which he has jeopardized our Republic's system of checks and balances and that he submits to the rule of law as do all Americans. It is long past time that this Congress checks this President and balances the powers of our national government.

I urge the passage of this amendment, which will hold accountable those governments which are most hostile to the United States, Israel, and their allies.

With that, I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I claim the time in opposition to the gentleman's amendment.

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

Mr. VISCLOSKY. Madam Chair, the gentleman has enumerated a number of terrorist organizations in countries, and I don't think there is a Member of Congress who would suggest that they are up to any good at any moment in time, but the amendment attempts to treat these countries and these organizations with a one-size-fits-all approach. Our Nation's involvement with each one of these entities is reflective of each country's reality and state of affairs, our Nation's interests, national security concerns or lack thereof. I would just provide one example.

If this amendment were to pass, the Department of Defense could provide that the options for any actions in Syria relative to the removal of chemicals and materials of mass destruction would be inhibited, because these moneys are provided through the cooperative threat reduction account, which works to ensure the destruction of Syria's chemical weapons' stockpile, and by necessity, we end up having to work with that government to do this very good work.

For that reason, the practical nature of this begs it, and I am opposed to the gentleman's amendment.

I yield time to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the chairman of the subcommittee.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Madam Chair, I want to make it clear that we are not giving any funds and assistance to the Governments of Iran and Syria. When and if the chemical weapons leave Syria, there may be a third party that we are assisting in terms of getting those chemical weapons out of the region, which I think is a good idea. We are not supporting the Assad regime, I can assure you, and we are certainly not supporting what has been happening in Iran over the last decade.

I do support the continuation of the United States' participation in the Middle East peace efforts. I think we need some progress, and I think this amendment would send the wrong signal to our commitment to that process and would undermine that which we are trying to bring—lasting peace to the area. I think it would be ill-advised, but I can assure you that we are not sending any money to Syria and Iran, so I oppose the amendment.

Mr. VISCLOSKY. I appreciate the chairman's remarks.

Madam Chair, again, I would emphasize my opposition to the gentleman's amendment.

I yield back the balance of my time.

Mr. GOSAR. Madam Chair, I want to remind the gentleman as to the ''one size.'' Really, one size? Terrorism is one size. There is a right and a wrong, and it all starts with big money. There has to be consequences for actions. Therefore, I ask for the adoption of this amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. FRANKS OF ARIZONA

Mr. FRANKS of Arizona. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used to transfer or divest the Electronic Proving Grounds at Fort Huachuca, Arizona.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FRANKS of Arizona. Madam Chair, my amendment would not allow funds to be used to transfer or divest the mission at the Electronic Proving Grounds, or EPG, at Fort Huachuca in Arizona.

EPG is the U.S. Army's primary Command, Control, Communications, Computers, Cyber and Intelligence—or C5I—Developmental Tester. EPG plans, conducts, and analyzes the results of technical tests for C5I systems, signal intelligence, and electronic combat and electronic warfare equipment. EPG has an available area of operation that includes more than 9,000 square miles of public and private lands in and around Fort Huachuca, and its unique interference-free electromagnetic environment makes it the prime location for electronic testing.

Madam Chair, EPG, the Electronic Proving Ground at Fort Huachuca, is a national strategic asset. It can accomplish, in a real open-air environment, what others can only simulate in a closed laboratory environment. EPG gives our C5I systems a place to be tested and simulated in real-world environments, leaving our warfighters with the best tested and the most advanced functioning systems available. Further, this amendment saves money in this fiscally constrained environment as the Department would have to spend millions of dollars to transfer such a mission. There is no reason, therefore, that we should even consider moving such an asset into a closed laboratory.

Madam Chair, I believe this is a commonsense amendment and that it preserves the strategic asset, and it is, ultimately, in the best interests of the national security of the United States of America.

I thank the committee for its time and support of this amendment, and I thank the chairman especially for his indulgence.

I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I claim the time in opposition to the gentleman's amendment.

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

Mr. VISCLOSKY. At the outset of my remarks, Madam Chair, I would not in any way dispute the value or the good work done at the proving grounds in Arizona or the good work of the military and civilian personnel who are there. I would concur in the gentleman's remarks. That is true, though, of the military and civilian employees throughout the Department of Defense, both in our country and around the world.

I would remind our colleagues that, despite the fact of including the overseas contingency account, this bill contains $569.6 billion, which is an astronomical amount of money. It is a finite amount of money despite, as I have also said repeatedly over the last 3 days, infinite amounts of demand.

I do think the gentleman's amendment is contrary to what we are doing as far as conceptually in the bill in that we are trying to stay out of some of these decisions that the Department must make. In the committee, we had discussions about whether or not KC–10s should be moved or retired. We declined to become involved as far as the movement of one airlift wing from a State to another State. Also, I couldn't dispute the gentleman's assertion that we would save money if we didn't spend it on transferring, but I might parenthetically ask the question: perhaps we will save more in the long run in that the Department of Defense may not be wrong in its assertion.

For those reasons, I would respectfully oppose the gentleman's amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. Madam Chair, let me join with the ranking member. Reluctantly, I do oppose it.

I agree that Fort Huachuca is a national asset, and we want to commend you for, obviously, reacting to, perhaps, news that might be on the wire service that there is oftentimes. Sometimes, actually, if there are people who are of the impression that they might be doing something, this is a pretty good way of bringing it to a halt. Traditionally, we oppose these, and, furthermore, there are no funds in the budget for anybody to accomplish this.

For that reason, I am opposing it, but we salute your bringing this to our attention, and I think a message has probably been sent by your strong advocacy.

Mr. VISCLOSKY. I appreciate the gentleman's remarks.

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

Mr. FRANKS of Arizona. I appreciate the comments of both the ranking member and the chairman.

I suppose, Madam Chair, it is important for me just to point out that the underlying predicate of this amendment is the need, in my mind, to protect this country against the potential use of the electromagnetic pulse as an offensive weapon against this country, and this facility in Fort Huachuca is one of our best ways to ascertain the dangers that are involved and to try to find ways to protect this country against that danger.

It is very possible, Madam Chair, that the electromagnetic pulse has become one of the more significant short-term national security threats to this Nation. Enemies across the world are now starting to develop this capability, and I think it is very important for us to make sure that we understand it and that we have the kinds of facilities that can test our vulnerability to the electromagnetic pulse in real-world situations; and even though there are a few others, the Fort Huachuca facility is one of the few that can do that. I believe, in terms of the long-term costs, a major electromagnetic pulse attack on this country could prove astronomically expensive. For that reason, I would encourage a ''yes'' vote.

I yield back the balance of my time.

□ 1015

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

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

Mr. FRANKS of Arizona. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. HUIZENGA OF MICHIGAN

Mr. HUIZENGA of Michigan. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 10002. None of the funds made available by this Act may be used by the Defense Logistics Agency to implement the Small Business Administration interim final rule titled ''Small Business Size Standards; Adoption of 2012 North American Industry Classification System'' (published August 20, 2012, in the Federal Register) with respect to the procurement of footwear.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Madam Chair, I yield myself such time as I may consume.

I rise today to offer an amendment that will ensure a fair and open bidding process to supply our men and women on the front lines one of the most indispensable pieces of equipment that they use every day: their boots, their footwear.

My amendment would prohibit the use of funds by the Defense Logistics Agency to implement the 2012 Small Business Administration's interim rule in regards to footwear, preventing the Defense Logistics Agency from bidding the contract as a small business set-aside.

When the SBA released this new rule back in 2012, there was significant concern that they did not go through the normal rulemaking and public comment processes, and, therefore, more specifically, did not perform due diligence on how the changes would actually affect the footwear industry and the military supply base, which the SBA has even acknowledged.

This rule dramatically changed the competitive landscape amongst companies supplying those Berry-compliant footwear to the U.S. military.

There are very few footwear manufacturers actually located in the United States, and even fewer that manufacturer Berry-compliant footwear for our troops. Any reduction in this industrial base calls for immediate action to rectify the unintended consequences resulting from the SBA's changes to the small business size standards categories governing domestic footwear manufacturing for the U.S. military.

Congress has addressed the rule's impacts on defense procurement in the House report to the fiscal year '14 National Defense Authorization, which expressed concern that the SBA did not follow the normal rulemaking and public comment procedures and has not subsequently addressed the issue with footwear manufacturers.

It then called on the Defense Logistics Agency to use its discretion to maintain the manufacturer base.

This amendment would essentially codify the report language, ensuring that all businesses capable of supplying high-quality footwear to the Defense Department still can.

This amendment promotes competition, and it promotes fairness and consistency in the defense procurement process. And most importantly, it ensures that our men and women in uniform have access, regardless of who makes it, to the best equipment available.

I urge my colleagues to support this vital amendment.

Madam Chair, I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I ask unanimous consent to claim time in opposition to the gentleman's amendment, despite the fact that I do not object to his amendment.

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

There was no objection.

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

Mr. VISCLOSKY. I appreciate the recognition, and I appreciate the gentleman's emphasis on competition.

I also appreciate the fact that he is concerned about the industrial base and manufacturing in the United

States of America. We have seen a collapse in manufacturing employment.

I would just point out for my colleagues, though, that the emphasis relative to the standards the gentleman is concerned about is to try to build that small business base.

I remain disappointed in the Department of Defense because, while they talk about building small businesses, improving that manufacturing base, I don't see many discernible results. In my own district, I had a firm that does very sophisticated technology work, a very small firm. They had to spend more than $1 million cash to go through the evaluation process so they could start to bid on military contracts.

There are not many small businesses with less than 20 employees that have $1 million in cash to go through an approval process so they can start doing business with the Department of Defense, so I share his concerns.

But I also just want to make note that we have to draw the Department's attention to small business manufacturing development in the United States.

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

Mr. HUIZENGA of Michigan. Madam Chair, I would agree with that, those sentiments of my colleague. We do need to make sure that we are maintaining a manufacturing base of not just large, not just medium size, but small companies as well.

I think, in this particular situation though, what we are trying to do is codify report language that identified a problem. The problem is that there is not a manufacturer that is going to be adequately able to supply that vital need of boots to our men and women in uniform, and that is why I put forward this amendment, and I urge passage of it as well.

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

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

The amendment was agreed to.

Mr. FRELINGHUYSEN. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 10 o'clock and 22 minutes a.m.), the House stood in recess.

□ 1120

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 11 o'clock and 20 minutes a.m.

REPORT ON H.R. 4923, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

Mr. SIMPSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 113–486) on the bill making appropriations for energy and water development and related agencies for fiscal year ending September 30, 2015, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

The SPEAKER pro tempore. Pursuant to House Resolution 628 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, 4870.

Will the gentleman from North Carolina (Mr. HOLDING) kindly take the chair.

□ 1121

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, with Mr. HOLDING in the chair.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Michigan (Mr. HUIZENGA) had been disposed of, and the bill had been read through page 141, line 4.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 32 by Ms. LEE of California.

An amendment by Mr. ROHRABACHER of California.

An amendment by Mr. GOSAR of Arizona.

An amendment by Mr. GOSAR of Arizona.

An amendment by Mr. FRANKS of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 32 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 153, noes 260, not voting 18, as follows:

[Roll No. 332]

AYES—153

Amash
Bass
Beatty
Becerra
Benishek
Bentivolio
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Burgess
Capps
Capuano
Cárdenas
Carney
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Courtney
Crowley
Cummings
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Garamendi
Garcia
Gibson
Grayson
Green, Al
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Huelskamp
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kuster
Labrador
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (MI)
Petri
Pingree (ME)
Pocan
Posey
Quigley
Rahall
Rigell
Rohrabacher
Roybal-Allard
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Shea-Porter
Sires
Slaughter
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Veasey
Velázquez
Waters
Waxman
Welch
Wilson (FL)
Yarmuth
Yoho

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Aderholt
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carson (IN)
Carter
Cartwright