

is well. Those are America's true treasures, and those are the treasures that I am trying to preserve.

We have to go further in changing the culture of spending and not expending funds for any purpose simply because we think of it or because we say good things can be done. Better things can be done when the taxpayers keep their own money.

□ 1945

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. This is an amendment that affects a project in my hometown of Bremerton, Washington.

The downtown Bremerton library building opened in August 1938. Now, that may sound recent, but, remember, Washington has only been a State since 1889. The building was funded under the Works Progress Administration. The WPA was one of Franklin Roosevelt's principal public works programs that helped America recover from the Great Depression. The building is constructed in an art deco style which was a signature style during the twenties and thirties and a favorite today of preservationists across the country. The building has a large rotunda with skylights. Because of its distinctive style, the library remains one of the most attractive buildings in downtown Bremerton. Like many art deco buildings, the library has a very bright color, in this case a vibrant yellow.

The downtown Bremerton library was constructed on land that has housed a library for nearly a hundred years. When this library opened in 1938, it served as the main library. The City of Bremerton and Kitsap County combined their library system in 1955. In 1978, a new headquarters library was built for the regional system and the downtown library became a branch library.

The library in downtown Bremerton has been undergoing rehabilitation for the last 1½ years. The city invested \$100,000 last year in general fund money and \$100,000 from its community development block grant funds. These were matched with \$100,000 from Kitsap County and \$100,000 from the Gates Foundation. The moneys were spent replacing windows and doors, remodeling bathrooms, rebuilding the roof and other structural improvements which brought the building, to a reasonable degree at least, up to current building codes and took care of pressing life/safety concerns. This year, the city is spending an additional \$200,000 in general fund money to replace the existing heating, cooling and air ventilation system, to remove asbestos from the heating plant and associated piping, replace much of the building's plumbing, and to rewire the entire building for additional electrical capacity and other modern communication equipment.

When I was a kid growing up in Bremerton, Washington, this was the library that I used to go to with my mother and father and my younger brother, Les. Bremerton is a city where we have the Puget Sound Naval Shipyard, probably the most effective and productive shipyard in the United States. We have about 10,000 workers working there, and we have thousands of sailors who are home-ported in Bremerton and at the Trident submarine base at Bangor. I would like to think that this facility would be available to those men and women serving us in the military and for all of those thousands of government employees who work in the Kitsap County area. This is a good project. The money that we are providing, \$150,000, will be matched by the city of Bremerton. They've already put in a lot of additional money. And this is a partnership. This is one of those good projects where there's a partnership.

I urge my colleagues to strongly oppose this amendment and to support this worthy project.

I would also say, again, to the gentleman, this is such a dramatic reversal, what we have done on this side of the aisle on earmarks from the comparison when the other side took power. In 1994, there were about a thousand earmarks. In 2006, there were 13,000 earmarks.

The other thing I would suggest, too, it's one thing to go after the projects of your colleagues, but the President has what we would call earmarks, executive branch earmarks in this budget. If the gentleman was evenhanded in his approach, and I think he has been very fair in how he has selected these projects, but if he was evenhanded, he would go after some of the things that the President requests. As I said, the Preserve America Program is almost identical to Save America's Treasures, but I don't notice the gentleman offering an amendment on that particular project. No, I don't want to incentivize him, but I guess we can't because there is a unanimous consent agreement.

But, again, I appreciate what the gentleman is saying, and it is important. Dealing with the entitlements where two-thirds of our spending is has got to be done, and I hope that we can approach those problems just the same way as the gentleman from Kansas (Mr. TIAHRT) and I have approached this problem, with approving only one in ten of the projects that were requested from our colleagues.

Again, it is our power. Don't give up Congress's power of the Constitution, which is the power of the purse. That would be a tragic mistake that would haunt this House for many years.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

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

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. ANDREWS) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1612. An act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes.

S. Con. Res. 25. Concurrent resolution condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ANDREWS:

At the end of the bill (before the short title), add the following new section:

SEC. 4 ____ None of the funds made available in this Act may be used to plan, design, study, or construct, for the purpose of harvesting timber by private entities or individuals, a forest development road in the Tongass National Forest.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, I yield myself 2½ minutes.

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

Mr. ANDREWS. Mr. Chairman, the gentleman from Alaska, who no doubt will oppose this amendment, is a principled and fierce advocate for his constituents. And over the years, the taxpayers of the country have financed the construction of 5,000 miles of roads

which facilitate industrial and community activity in his district which he strongly and understandably believes in.

I respectfully submit, Mr. Chairman, that we have financed this enough. Since 1982, the taxpayers of the country have expended over \$1 billion to finance the construction and maintenance of these 5,000 miles of roads. The economic result of this investment has been an average annual net loss of \$40 million a year. I believe that this is not sustainable. Yes, jobs have been created, and this is very important for anyone in anyone's district. But the average cost of this job creation has been \$200,000 per job.

Now, this amendment does not say that the existing roads cannot be used. It does not say that the existing roads cannot be maintained. It does not say that the existing roads cannot be used for the purposes for which they were originally intended, for development and commerce. What this amendment does say, Mr. Chairman, is that we will not invest more money in more roads. We will not invest more money at a rate of \$40 million a year to extend this system.

For reasons of fiscal good sense, for reasons of environmental good sense, for a precious national resource, I believe that this House should revert to the language which is included in last year's bill and prevent the expenditure of more funds for the extension of this 5,000-mile road system in order to save the public money and in order to preserve this important national treasure.

This is a bipartisan amendment. I am pleased that my friend from Ohio (Mr. CHABOT) is my cosponsor. It has received bipartisan support in the past. I would respectfully ask my colleagues to vote "yes."

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

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, speaking to my point of order, this amendment constitutes legislation on an appropriations bill in violation of clause 2(c) of rule XXI because it will impose substantial new duties on the Secretary of Agriculture. Under Deschler's Precedents, volume 8, chapter 26, section 50, where an amendment seeks to impose on a Federal official substantial duties that are different from or in addition to those already contemplated in law, then it is considered legislative in nature and violates clause 2(c) of rule XXI.

Moreover, under Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation or exception therefrom might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make investigations, compile evidence or make judgments or determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(c) of rule XXI.

This amendment will require the Secretary of Agriculture to make investigations and compile evidence not otherwise required under existing law, as well as make a substantive determination not required by any law applicable to his authority. See 8 Deschler's Precedents, chapter 26, section 52.38.

The amendment bars planning and studying of certain roads, those used for timber harvesting by individuals or private entities in the Tongass National Forest. Roads used for other purposes and by other entities are not affected. In addition, the amendment bars the use of funds to "construct" such a road. Under volume 23 of the U.S. Code, section 101(a)(c), "construction" is defined to include reconstruction of roads. This definition is reflected in the Forest Service budget, which differentiates between construction/reconstruction of roads and maintenance of roads. This is also reflected in the road provisions affecting all roads, including those in the Tongass National Forest. I cite pages 7-36, 7-33 and 4-115, "Road and Bridge Construction/Reconstruction," of the draft proposed Tongass Forest Plan relating to roads to reflect this understanding. Therefore, this amendment will apply to not only proposed roads but also to the 3,653 miles of permanent roads already in the Tongass National Forest. Some of these roads are not currently used for timber harvesting but could be in the future.

Under the National Forests Roads and Trails Act (16 U.S.C. 532-538), the U.S. Forest Service constructs forest development roads "within and near" national forests that "will permit maximum economy in harvesting timber from such lands tributary to such roads and at the same time meet the requirements for protection, development and management thereof, and for the utilization of the other resources thereof."

Under the current Forest Service Transportation Planning Handbook and the Tongass Forest Plan, the Secretary does not identify or track roads by the character of their use nor is such a determination required for reconstruction of existing roads. A road in a national forest may have multiple purposes, including recreation access, subsistence hunting access, vehicle use for emergencies, travel routes, utility maintenance or egress to Forest Service ranger stations or other structures.

Moreover, a road could be used for timbering operations by multiple participants, including the Forest Service itself, the State of Alaska, local governments, mining corporations with mining permits, private contractors or Native Alaskan tribal entities. According to the Forest Service, these landowners take between 80 million and 100 million board feet of timber from their lands in a year.

□ 2000

Some of these users would not be barred by the Chabot amendment. No

current law requires the Secretary to differentiate between users of Forest Service roads. In support of this assertion, I quote from a recent letter from Under Secretary of Agriculture for Natural Resources and the Environment: "Because the Forest Service does not distinguish roads on the basis of who uses them, implementation of the proposed Chabot amendment on the Tongass National Forest would require new processes, policies and additional work to ensure that, if the Forest Service is spending funding on roads, such roads are not utilized by individuals or private entities in support of harvesting timber on Federal or non-Federal lands."

Under the terms of the amendment, the Forest Service would have to make an initial determination that the road proposed for construction or reconstruction would not be used for impermissible uses by impermissible people. For existing roads proposed for reconstruction, this would mean first monitoring the road to see how it is used and by whom over some period of time.

In addition, the Secretary would also have to monitor and enforce compliance with the limitation after the road is built or reconstructed. Enforcing this restriction would be burdensome. The Tongass National Forest, and the Nation's largest public forest, is 16.7 million acres, approximately the size of the State of West Virginia. It is comprised of scattered lands located along the mountains of Alaska's southeastern coast, and portions are remote and difficult to get to.

Within the forest are approximately 128,000 acres of State, Alaska Native Corporation and private land are accessed only through the Tongass National Forest roads. According to the Forest Service, 3,653 miles of permanent miles of roads have been constructed in the Forest, and these roads are used for travel, forest management, recreation, subsistence access, remote community connections, as well as the timber harvest.

Only 570 Forest Service personnel are assigned to the forest, one employee for every 45,000 acres. The majority of these employees do office work and are not out in the field, so the Secretary would have to make substantial hires and reassign these personnel to patrol roads. I cite eight Deschler's Precedents, Chapter 26, section 52.22 regarding the imposition of duty to monitor actions of recipients as transforming a limitation amendment into legislation.

For those reasons, I ask you to sustain my point of order.

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

Mr. ANDREWS. Mr. Chairman, I do.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. ANDREWS. I would simply urge the Chair to overrule to the point of order on the grounds that precedent, that identical language was found to be in order in the last Congress.

The Acting CHAIRMAN. Do any other Members wish to be heard on this point of order?

The Chair will rule.

The amendment turns on the purpose of the Forest Service in preparing for or building a road. If the justification for the road includes the harvest of timber by private entities, the limitation would apply. If not, the limitation would not apply. Nothing on the face of the amendment would require the Forest Service to monitor continuing use of the road.

As noted in volume 8 of Deschler's Precedents, section 51.13, a limitation may deny the availability of funds even if resulting in circumstances suggesting a change in applicability of law. It is also possible to restrict funds even if contracts may be left unsatisfied as a result.

The fact that this amendment requires those who would plan a road to know the purposes for which they are doing so is not a new duty or determination but, rather, a mere incident of the limitation. Second-order consequences do not render the amendment a violation of clause 2 of rule XXI.

The point of order is overruled.

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

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Alaska is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I first want to compliment the gentleman from New Jersey, and the gentleman, Mr. CHABOT, of Ohio. This was sprung on me 2 years ago, and I was quite upset, and I'm still upset, but you are being gentlemen about it.

I will return that favor. Last time, it was very unhappy and very ugly.

But, again, I urge my colleagues to vote against this. Let's be clear about this amendment. This amendment is not about fiscal responsibility, in all due respects. It's a giveaway to the radical and environmental groups that want to treat the Tongass and all southeast Alaska as their taxpayer subsidized playground.

The problem with the timber harvest program is that environmental groups have purposely driven up the costs of managing it by filing multiple, multiple frivolous lawsuits and appeals. Now that they have successfully created the problem, they're offering a solution: target a Member of Congress unfamiliar with Alaska and the Tongass, and express concern that the Tongass timber program has become uneconomical and should not be funded by the taxpayer, request that they offer an amendment, threaten Members with negative score on their annual report cards for failing to support the amendment.

This is like a personal injury lawyer who sues lawyers over living, and then complains to Congress about the high

cost of medical care. As long as you are talking about taxpayer dollars and fiscal conservatism, it should be noted that the lawsuits and appeals responsible for the high cost of doing business in the Tongass are all funded by the American taxpayer under the Equal Access to Justice Act, which says if you are an environmental fundraising group in the ninth circuit, you file lawsuits by piece work and get your money back for every one you file.

This is the "taxpayer waste" we should be discussing here today, taxpayers waste. If not for the never-ending onslaught of frivolous, taxpayer-funded lawsuits and appeals, the U.S. Forest Service could be managing a timber program at a net profit.

In addition to putting a Federal stamp of approval on these groups' antics, a "yes" vote on this amendment will cripple what's left, what's left of the several hundred Alaskan jobs. At one time, I had 15,000 jobs in my State that's been taken away. You have outsourced them.

The timber industry supports the best-paying year-found jobs in southeast Alaska, or they did. Even though environmentalists have already succeeded locking up over 96 percent of the Tongass, and eliminating most of these jobs, they are now after the remaining 4 percent, the last few hundred jobs, 15,000 versus 400, and this is America? This is nothing economic. This is economic terrorism. What's worse, the American taxpayer has been paying for it.

If supporters of this amendment would like to join me in restricting the frivolous timber appeals and lawsuits filed by the environmental trial lawyers against every timber sale and every road in the Tongass, we could lower the cost of timber harvest and return the profit to the taxpayer.

Very frankly, I believe this amendment is a job-killing bill, supposedly protecting taxpayers, but it's about fooling them. It's about forcing my constituents out of work and removing people from the Tongass so the environmentalists have a 17 million acre taxpayer subsidized playground for themselves.

I want to remind people, I have been through this in 1980. This Congress took away 16.5 million acres of Tongass. They took it all away but 10 percent. We were told there would be peace in the valley, yet same groups, same trial lawyers, same environmental groups are trying to take that last 4 percent away, 400 jobs, out the drain.

Each one of you were talking about how bad the economy is in the United States, how you outsourced your jobs, you and your industrial States, and yet you are doing this to the State of Alaska, the jobs that Alaskans have. It's a disservice to this body to continue to pander to a group that knows nothing about it other than the fact they want their playground. It's the wrong thing to do to us.

I know the why the two gentlemen are introducing this amendment. I understand it. But think of what you are doing to your Americans. The workers are left. Let us manage the timber. We would have had a profitable area, but asked by your supporters of this amendment have stopped our ability to manage the forest in a profitable way and driven those jobs overseas, into Canada, into South America, where they defoliated the forests.

We have done a disservice to a renewable resource, a terrible disservice to a renewable resource. This Congress has not managed its force, because they want to supposedly protect the trees, and those trees are dead trees, my good friends, they are dead. They should be harvested.

All I am asking is not to impose this on them so we can get that little, final 4 percent available for the Alaskan workers and for this Nation. That's not asking much. I am urging my colleagues to vote, very strongly, a no on this amendment. It's the wrong thing to do. It's the wrong thing to do for this Nation, wrong thing to do for the State of Alaska, but it's the wrong thing to do for the Americans of this great Nation.

Mr. ANDREWS. Mr. Chairman, I first appreciate the very respectful manner which our friend from Alaska carried on the debate.

I yield the balance of our time to my friend from Ohio, who is the cosponsor of this amendment, Mr. CHABOT.

Mr. CHABOT. I want to once again commend the gentleman for offering his leadership on offering this amendment this year.

Mr. Chairman, since 1982, the Forest Service has lost nearly \$1 billion subsidizing private timber in the Tongass National Forest. That's a \$40 million loss every year. If anyone wonders why our national debt is as large as it is, and it's currently about \$8.8 trillion, yes, that's with a "T," trillion, one needs to look knew further than taxpayer boondoggles like this one. They add up.

There are thousands of miles of roads in the Tongass. The Forest Service acknowledges that existing roads are "sufficient to satisfy local demand for roaded recreation, substance, and community connectivity needs and demands in most districts." Yet year after year, the Forest Service spends millions of tax dollars building roads for private timber companies that, by the Agency's own admission, aren't really necessary.

To make matters worse, the Forest Service has a nationwide road and maintenance backlog of about \$10 billion, tens of millions of which are in the Tongass. Incredibly, the Forest Service isn't maintaining existing roads, yet they want to build more, even though they admit that there are already enough. Does that make any sense? Of course not.

This is a simple, straightforward amendment. It would simply prohibit

the Forest Service from building logging roads for timber companies subsidized by the American taxpayer in the Tongass. It does not stop timber companies from building their own roads.

I know that there are some who want you to believe differently, but this amendment has nothing to do with the roadless rule or interfering with the Tongass land management plan. It is everything to do with good government.

Opponents of this amendment will argue that the massive losses in the Tongass are due to litigation. Taxpayer dollars are ending up in the pockets of trial lawyers. I am not usually accused of being a darling of the trial lawyers but they did a study to find out how much of the appeals and litigation cost was a factor. Only 2 percent of cost was because of litigation.

Opponents of this amendment have argued many things in the past. The fact is that there are now only 200 jobs, and every single job, as the gentleman from New Jersey mentioned, is costing the taxpayer \$200,000 in subsidies for each one of these. It makes absolutely no sense. That's why groups like Citizens Against Government Waste, the National Taxpayers Union are strongly in favor of this amendment, because they know that it makes no sense anymore to have tax dollars going in the amounts that they have been going. We spent almost \$1 billion now subsidizing the building of roads in the Tongass.

Again, I am not opposed to logging when it's done on the timber company's dime. But in this case, they are using the American taxpayer to subsidize these 200 jobs at the tune of \$200,000 per job. That just makes no sense, and that's why I strongly urge my colleagues to support this amendment.

I want to once again thank the gentleman from New Jersey for his leadership on this amendment.

Mr. ANDREWS. Mr. Chairman, I would urge a "yes" vote, and I yield back the balance of our time.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. TIAHRT. Mr. Chairman, I oppose this amendment. I am also a fiscal conservative, but I think this amendment is misdirected. We should not limit the funds to do proper forest management on the Tongass.

Some limited road building is needed to take care of the land. The Tongass National Forest is, indeed, a wonderful place. But under the existing forest management, approximately 90 percent of the 16.8 million acre forest, over 15 million acres is roadless and undeveloped.

Only 4 percent of the forest is suitable for commercial timber harvest, and only half of that area is within the inventoried roadless areas.

The amendment would prevent the Forest Service from doing road maintenance

on a large area of southeast Alaska. Most of these communities have no road access to the outside world, but they need the Forest Service roads to get around during their daily activities.

This amendment would also harm a variety of forestry, recreation and wildlife conservation activities by preventing the proper road maintenance. The existing forest plan allows timber harvest on only 300,000 acres, only about 2 percent of the more than 15 million total acres of roadless area on the forest.

I have a letter here from the United States Department of Agriculture, and it's from a person called the forest supervisor up in Tongass. He said we have heard the figure today that there was \$40 million lost each year. He says from fiscal year 2005 to 2006, the Tongass spent \$2.4 million less on roads, reducing the level from \$10 million to \$7.8 million; from 2006 to 2007, the program reduced further to \$6.1 million. All told, over the past 3 years, the forest has cut spending by \$4.1 million to less than 50 percent.

So I don't know where the \$40 million per year figure came from when they are only spending \$6.1 million this year on the roads. In addition, when you add up all the jobs, according to the Forest Service, it's about 1,000 jobs that are at risk with this legislation.

This, by also prohibiting roads, also makes the forest more vulnerable to forest fires. So if you love the forest, if you love the bounty, if you love the beauty, then oppose this amendment.

Mr. Chairman, I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. I thank the gentleman for his comments.

I would ask the authors of this amendment if they would respond to the question.

Will you respond, Mr. CHABOT and Mr. ANDREWS?

I am going to introduce legislation to allow the forest to be sold to the State of Alaska. If you are fiscally conservative, we will raise about \$4.5 billion, we will pay you for it.

Then we can manage it as we should manage it, because right now it's not being managed. When I introduce that bill, are you willing to get on my bill to sell that forest to the State of Alaska so we could manage it as it should be managed.

Would you be willing to sponsor that bill?

□ 2015

Mr. ANDREWS. If the gentleman would yield, I, of course, could not commit to a bill I haven't read. But I will say this. If there are sound management environment principles, it's an issue I'd have to take under consideration.

Mr. YOUNG of Alaska. I appreciate that because it's very simple to say the Tongass will be sold at fair market value to the State of Alaska. And I think that would solve our problem.

Mr. ANDREWS. If the gentleman would yield, I would certainly have an open mind to his idea should he introduce such a bill.

Mr. CHABOT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Ohio.

Mr. CHABOT. The gentleman from Alaska has so many years of distinguished work and experience in this House that he if he offered a bill like that, I would certainly be willing to closely read that bill and seriously consider cosponsoring it.

Mr. YOUNG of Alaska. Again, I just hope you understand, this is a national forest. It only has 4 percent available. A national forest that has 4 percent. And the gentleman, the ranking member, has mentioned the fact that there's no \$40 million being spent.

And by the way, this is on national land because the comment was made about the roads could be built by the persons that's doing the logging. That's true. But if it's built by that person, those roads are no longer available to the general public. And what has happened, we've built a network of roads on Prince Wales Island primarily that provide, for all the local communities, communications capability that tie in with the ferries. Those roads still belong to the United States, just not the State of Alaska. They're part of the United States road system.

And so I'm just suggesting that these roads, if it was done by just a contractor, then that right wouldn't be there. Those roads would have to be pulled up, put to rest back to the original contour.

So, again, I know who's asking you to do this. I understand it. But it's really being a little disingenuous. In fact, the roads themselves are in a different area that was on private land. This is on Federal land, not private land.

And so I respectfully again ask for a "no" vote on this amendment because it's the wrong thing to do for the State of Alaska and for the United States.

Mr. TIAHRT. Mr. Chairman, I also would request my colleagues to vote "no" on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARY G. MILLER of California:

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

TITLE VI — ADDITIONAL GENERAL PROVISIONS

SEC. 601. No funds made available by this Act may be obligated or expended to conduct the San Gabriel Watershed and Mountains Special Resource Study (authorized by the San Gabriel River Watershed Study Act (Public Law 108-42)) in the cities of Diamond Bar, La Habra, Industry, Chino Hills, and the community of Rowland Heights in Los Angeles County, California (as defined by the following boundaries: the City of Industry on the north, Orange County on the south, the City of Diamond Bar and California State Route 57 on the east, and the City of La Habra Heights and Schabarum Regional Park on the west.).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I rise to offer an amendment to restrict funding in this bill from being used to conduct the San Gabriel River Watershed and Mountains Special Resource Study in certain cities within my Congressional district and one neighboring city.

The difference between my amendment and the other amendments, everybody's been trying to strike funding in somebody else's district. I'm saying, don't spend it in my district.

This amendment is simple. It only affects communities within my district who do not want to be subject to a Federal National Park Service study.

I appreciated Mr. DICKS' support of this amendment last year when the House passed it by voice vote and urge the House continued support of this amendment.

In 2003, Congress authorized the National Park Service Watershed and Mountains Special Resource Study to survey the San Gabriel River and its tributaries and the San Gabriel Mountains, north of and including the city of Santa Fe Springs to determine if any resources are available to National Park Service designation.

Let me be clear. My district is not in the San Gabriel Mountains nor does it contain tributaries, and it is not north of Santa Fe Springs. It is east of this area that is authorized to be studied.

I did not oppose the original authorization of this study because, according to my interpretation of the language, my district would not be affected. However, it appears that the NPS has interpreted this language too broadly.

I strongly believe that the inclusion of cities in my district in the NPS study went beyond the scope of the Congressional authorization.

Several cities have contacted me and the National Park Service in extreme opposition to their inclusion in this special resource study. I have reached out to the NPS on numerous occasions to ask them to remove these cities from the study. They have refused.

I come to the floor today to ask that you support efforts to ensure that cities are not forced to be part of a study that was not intended to include them.

This amendment does not affect any other city in the study other than those in my district (plus the City of Industry) that have asked to be excluded. If other Members want their cities to continue to be included in the study, then the amendment will not affect them.

The bottom line is that I represent these cities, and they have told me they do not want to be included in this study.

The cities in the 42nd Congressional District, which I represent, have worked hard to address the challenges associated with rapid pace of growth in our region, including finding innovative solutions to manage future development, alleviate traffic congestion and preserve open space.

These cities are in the best position to make decisions regarding land use within their boundaries, and I am opposed to any Federal action that may compromise the local authority in the future.

The results of the study could ultimately be used to compromise the ability of local governments to decide what is best for their communities. Land management responsibilities and decision making should be made at the local level where officials have a clear understanding of community needs.

Existing land-use management by local municipalities is preferable to Federal involvement in a rapidly growing region.

I urge my colleagues to support my efforts to protect the communities that I represent by removing them from this study. A vote in favor of this amendment is a vote for local control and against Federal intervention where it is not welcomed or needed.

Once again, I ask my colleagues to support this simple, straightforward amendment to ensure the Federal Government does not reach beyond congressional intent.

Mr. DICKS. Mr. Chairman, I reluctantly rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DICKS. The gentleman is correct. Last year, when Mr. TAYLOR was chairman and I was the ranking member, Mr. TAYLOR wanted to accept this amendment, and I went along with Mr. TAYLOR.

However, this year, I am the chairman, and the Congresswoman, Ms. SOLIS, is concerned about this amendment and is opposed to it.

And let me just give you a little text of what she said. This amendment is based on a fundamentally flawed understanding of the study process incorporated in the legislation which she authored, which was signed into law on July 1, 2003, and would result in a change in the study design.

The San Gabriel River Watershed Study Act was signed into law on July

1, 2003, after a lengthy effort to build consensus, an effort which included outreach to and coordination with all the members of the San Gabriel Valley delegation, including representatives of Diamond Bar, La Habra, Industry, Chino Hills and the unincorporated areas of Los Angeles County and the community of Rowland Heights. As a result of this effort, the legislation passed the U.S. House of Representatives with broad support.

Congressman RADANOVICH noted in a letter to the editor on August 4, 2002, that, "legislative process works best when those with differing views get together to resolve those differences and arrive at solutions that are responsible, workable and widely acceptable. That is what happened in this instance." The process by which this legislation was drafted and enacted was iterative and compromising. In fact, upon passage, Representative Pombo noted that this bill enjoys the broad support of both the majority and the minority and urged his colleagues to support it.

During this process, the boundaries of the study were clearly defined. According to the legislative text, the Secretary of the Interior shall conduct a special resource study of the following areas: the San Gabriel River and its tributaries north of and including the City of Santa Fe Springs, and the San Gabriel Mountains within the territory of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, as defined in section 32603 (c)(1)(c) of the State of California Public Resource Code.

This study was directed to be done in consultation with Federal, State and local governments, including the San Gabriel and Lower Los Angeles River and Mountain Conservancy and other appropriate Federal, State and local government entities. These areas were chosen for their importance in the regional watershed.

During consideration of this legislation, the Department of Interior recognized the need for this study. It noted that:

"The watershed of the San Gabriel River contains important natural resources which are disappearing throughout Los Angeles County. Continuous greenbelt corridors provided by the river serve as a habitat for breeding, feeding, resting or migration birds and mammals, which allows migration to take place throughout developed areas. The rugged terrain of the higher reaches of the watershed contain different vegetations, including rock outcroppings and vegetation native to the Pacific Coast foothills. This area also has a rich cultural heritage, which is evident by the large number of historically significant properties within the proposed study area. Among them is the Mission San Gabriel Archangel, founded in 1771 by the Spanish missionaries who were moving up the coast of California."

The Department of the Interior also noted that this study would have to examine a number of alternatives for protecting resources in the area. Specifically, the Department of the Interior stated:

“Alternatives to Federal management of resources are often considered in a special resource study for this type of area including national trail designations, national heritage area designations, and the provision of technical assistance to State and local governments for conservation of rivers, trails, natural areas and cultural resources. A study of an area where land ownership and jurisdictional boundaries are as complex as they are in the San Gabriel River Watershed would likely emphasize public-private partnerships.”

What I can't do here, because the gentleman and the gentlelady from California have not been able to work this out, I can't accept this amendment when the gentlelady is in opposition to it. And I think what she's basically saying is that you should not be able to take out all of your jurisdictions from this study because they need to be in there to do a comprehensive study. That's how I view it.

Mr. GARY G. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. GARY G. MILLER of California. Just so that we make sure the record is straight, and I appreciate your courtesy and your time and I do understand the situation you're in.

When Mr. Pombo made that statement, it was accurate because he came to me and I said, is my district included in this area; and they said, no, it would not be. And based on that understanding I said, well, then, I support what she's doing because if she wants to do it in her district, I have no problem with that. Then after the fact, when the amendment came last year and we agreed to it, Mr. Pombo also said that he did not believe my district should have been in there originally.

But I understand your situation. I understand your courtesy, and all I can do is ask for support of my amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The amendment was rejected.

AMENDMENT OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. GINNY BROWN-WAITE of Florida:

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

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. The amount otherwise provided by this Act for “NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES—NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION” is reduced by \$32,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer this amendment today to cut the pay raise that is included in the bill for the National Endowment For the Arts.

Mr. Chairman, we have many problems facing us in Congress today. We have a Federal deficit of \$8.8 trillion. We still haven't built the fence along the border, and we still don't have enough people out there protecting our borders. Yet, my colleagues on the other side of the aisle are pushing forward bills that would amount to the largest tax increase for Americans in American history.

As a matter of fact, in my district, in Florida, it will mean about a \$2,400 tax increase, not this year, but in the future years, in 2 years, when some of the tax breaks expire. That's \$2,400 more that my constituents will have to pay.

And now we hear that they want to fluff up the National Endowment For the Arts by almost \$36 million more. That's more than last year. This is the same public tax dollar funded National Endowment of the Arts that boasts that they are the largest funding organization for arts in the United States, using our tax dollars, of course.

This is the same NEA that provided a grant for the production of the Dinner Party, which is a 140-foot triangle depicting the imagined genitalia of 39 historically important women, including Susan B. Anthony and Georgia O'Keefe.

This, Mr. Chairman, is the same NEA that provided a grant for a program entitled, “Not For Republicans,” which addressed several topics, including sex with Newt Gingrich's mom. To the average American taxpayer, this is not art. This is smut.

The National Endowment of the Arts has funded works of art, and I put “art” in quotes, that are so controversial, offending and downright disgusting that, quite honestly, I could not mention them on the House floor.

□ 2030

And for their work in promoting this smut, the leadership, the Democrat leadership, now wants to reward the NEA by giving them a \$36 million raise over last year and a \$32 million raise over what the President has requested. That's right. The NEA was funded at \$125 million last year, the President requested \$128 million dollars; yet in this bill, in the Interior Appropriations bill, we see that the NEA will be funded at \$160 million dollars.

How many Americans get almost a 40 percent pay raise for offending most of the Nation? This is the case of rewarding bad behavior with tax dollars.

My amendment strikes only the increase included in this bill and brings the funding back in line with the President's request of \$128 million. Again, let me remind my colleagues that this is a \$3 million increase if we go back to the President's level.

Mr. Chairman, Americans need art in their lives and I recognize art is subjective enjoyment. Whenever possible, back in my district, I support the arts, but I do it with my dollars, not with tax dollars, where the average American does not agree with some of the “art” that is being funded with their tax dollars. Americans are tired of wasteful Washington spending and are unwilling to pay for this so-called art with their tax dollars.

Don't reward the National Endowment for polishing trash and call it art. Vote in favor of my amendment to bring NEA funding back to the President's level of \$128 million. Again, that is even \$3 million more than last year.

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

Mr. DICKS. Mr. Chairman, I move to strike the last word.

I would be delighted to yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I love the introducer of this amendment, but I don't love her amendment. It would reduce a much-needed funding increase for the National Endowment for the Arts from \$160 million in the bill to the President's requested level of \$128 million.

I first want to compliment the chairman and ranking member again for putting together a good bill that adequately funds our key priorities. Our national parks, the environment, and the arts receive strong support, and the bill takes a critical step to addressing climate change and global warming.

We owe both of you a debt of gratitude for your good work here.

The NEA has been shortchanged for too long, and it is time to ensure that it has the resources necessary to carry out its mission of supporting excellence in the arts, bringing the arts to all Americans, and providing leadership in arts education. With much-needed incremental increases since 2001, the NEA has developed widely popular programs, including the Big Read and Shakespeare in American communities, to encourage Americans to participate in cultural experiences. What is impressive is that it is in every community practically in the country: large communities, small communities, urban communities, rural communities.

The arts improve the lives of so many people including children, the elderly, and those on limited budgets who might otherwise not have the opportunity to see some very beautiful, spiritual, and enriching performances. Federal funding helps enable talented

individuals to pursue careers in the arts.

Besides the obvious cultural benefit, the economic impact of the arts is real and impressive. As of January, 2007, there were 2.7 million people employed by over 546,000 arts-centric businesses, which represent 2 percent of our Nation's total employment.

In Connecticut's Fourth Congressional District, there are 2,841 arts businesses that employ 14,711 individuals. Last year all 435 congressional districts received at least one grant. For every dollar of Federal investment, each grant typically leveraged \$7 of State and private investment.

I grew up in an arts family. My parents, both performing actors, met in the theater. Listening to my father play the piano each night and hearing stories from their days on the stage gave me a profound appreciation for creative expression, an appreciation that I know so many of my constituents and I share and love.

With that I would urge defeat of this amendment. We are spending a meager amount, candidly, on the arts on the Federal level. This is a noble attempt by the chairman of the committee to do what needs to be done, and I hope that we maintain what is in the budget.

I thank the gentleman for yielding.

Mr. DICKS. Mr. Chairman, reclaiming my time, I thank the gentleman from Connecticut for his strong statement in support of the funding for the National Endowment for the Arts.

I would point out to my colleagues that in 1993 we had a \$176 million budget for the NEA. That was cut by almost 50 percent, and over time this budget has been built back up. We have had many votes on this. The Slaughter-Dicks amendment has been voted on many times by the Congress and in strong support of the National Endowment for the Arts.

Now, we didn't do this frivolously. Mr. REGULA, when he was chairman, and I worked together and came up with some guidelines for the NEA. And I think the NEA has done a better job under Bill Ivey, Dana Joya, Jane Alexander, who have all been outstanding leaders of the Endowment.

This is important for the education of our children. This is also important because, as the gentleman from Connecticut mentioned, all 435 districts received a project. And when I was first on the committee, it was the big cities that got funding for the National Endowment for the Arts. That is no longer the case.

Also, it is a very major economic tool. The gentlewoman from New York has pointed out many times how the funding for the arts has caused a tremendous economic expansion in the country. And I think it is a very important point.

So let's continue to support the National Endowment for the Arts. I wouldn't want you all to go home and have to explain why you made this terrible, outrageously big cut on the arts.

But I just wanted to say that this is an important amendment. These groups all over the country are excited about Congress stepping up and increasing the funding.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I yield myself the balance of my time.

I believe that our constituents would much rather support the arts with their dollars instead of channeling this additional increase through Washington where Lord only knows of that dollar that gets up sent up here how much actually goes back into the District for the arts. Yes, my district has received some funds. But, additionally, they don't want to have the concurrent tax increase that goes along with the increase in spending.

The amount that the President has requested certainly is sufficient for the National Endowment for the Arts, and I encourage the Members' support for this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Chairman, this seems a familiar job for both Mr. DICKS and me and certainly for our co-chair, Mr. SHAYS.

For a while, we thought we were over the years of mugwumpery when people thought the National Endowment for the Arts was something that they could kill without any cause. And as has been pointed out several times, the last 2 years, it has passed by voice vote, but it has certainly come back with a vengeance this year.

Let me talk about something for a minute that I don't believe has been discussed today, and that is the effect on our school children of art. We know for a fact that every school child in secondary school that has art for 4 years goes up 57 points on their verbal SATs, and we know it is attributable to art. We know that the days that art is in the schools that there is no absenteeism. We know that children that learn to create don't destroy. We know that in developing minds, the effect that art and dance and movement have on that. As a matter of fact, I think the University of California Davis has done extensive study showing the correlation between studying a keyboard and computers, between studying modern dance and math. We have all seen it over and over again. And we worry all the time about, one, how are we going to keep our children in school and, second, how are we going to make better students of them? This is cheap at the price, Mr. Chairman.

And Ms. GINNY BROWN-WAITE was saying that her district didn't get much back. I happen to have the figures here. As of January, 2007, her district is home to 967 arts-related businesses that employ 2,565 people who will be really sorry if she is successful here tonight.

Let me repeat again what we have said today because it has gone up exponentially every year. In 1992, we had \$36.8 billion coming back into the Treasury. In the year 2000, we had \$53.2 billion, with an audience expenditure of \$80.8 billion. In 2005, which are the last figures we have, \$63.1 billion organization expenditures and \$1.31 billion audience expenditures. And if somebody can tell me one other thing that we do in this Congress that costs us less than \$200 million that brings that kind of return back into the Federal Treasury, I will be astonished. I have been asking that for years. Nobody has ever come up with anything that is even close.

It is so important that we maintain these programs. It is so important that in the small communities that the regional theatres are kept alive. It is seriously important that children in all parts of this country are exposed to education through music and dance, that they are able to develop their own talents. But, moreover, I want to go back to what I said at the beginning. We know the effect of art on the developing brain. It is so important that many governors make sure that babies born in their States go home from the hospital with a CD of Mozart. We should try to make sure that we can continue this. It is important. Even to this day, even with this increase, we will not be up to the amount of money that we had in this budget when I came here in 1987.

Mr. DICKS. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, if we were just at a cost-of-living increase, we would be at \$259.2 million. We are at 160. We are fighting to get back to where we were, but we have got a long ways to go.

Ms. SLAUGHTER. And, reclaiming my time, the return we get on it is enormous, Mr. Chairman, not just in money to the Treasury, which, of course, is important; not just in the myriad of jobs that it creates in every single district because that is terribly important too; but it is important because it says who we are. We work in a work of art, frankly, but it is the artists that have gone before us that tell us who we were, and it is the artists who will tell us who we are now, who we are going to be.

Mr. Chairman, I yield back the balance of my time.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

I yield to the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I am sure that the gentlewoman from New York did not mean to misquote me. I did not say my district did not receive very much money. I said my district does receive some money, but I did not say that they did not receive very much money. I just wanted to make sure that the record was corrected on that.

And, yes, thankfully, I do have an arts community that is alive and well. And I have communities that will support that arts community. But what we don't want to see is digging ourselves further in the "let's just pile more money on various agencies" model, which only will drive up our deficit. That was the point that I was trying to make.

If my constituents have a choice of maybe encouraging their friends and neighbors to go to an event to increase the revenue, but we are sending the money up here to Washington only to have it sent back with this increase. They would prefer to have that money generated at the local level.

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this amendment and would like to thank Representative DICKS for providing over \$320 million for the National Endowment for the Arts and National Endowment for the Humanities.

Our contributions to the arts and humanities are the standard by which our history as a society will be measured. A strong public commitment to the arts and humanities, along with a dedication to freedom, is the hallmark of great civilizations. History has shown that religious and political freedoms go hand in hand with greater artistic and literary activity, and that the societies that flourish and have a lasting influence on humanity are those that encourage free expression in all of its forms. This is a lesson that resonates with people of every age, background, and belief, and one that we can guarantee our children learn.

Our support for the arts and humanities also has a profound impact on our economy. In my Congressional District, there are close to 2,000 arts-related businesses, providing more than 9,000 jobs. This creates a substantial economic impact. Nationally, the arts industry generates \$134 billion in economic activity, sustaining over 5.7 million jobs.

Even more significant is the return on the investment for the American taxpayer. While the federal government spent just over \$250 million on the NEA and NEH in Fiscal Year 2007, it collected over \$24.4 billion in tax revenue related to the arts industry. Federal funding for the NEA and NEH is crucial to the arts community, helping leverage more state, local, and private funds. Clearly, the numbers show that investment in the arts is important not only to our national identity, but also to our national economy.

Mr. Chairman, we must act decisively to commit ourselves to our national heritage and culture, by voting to properly fund the NEA and NEH. I urge my colleagues to support creativity and reflection, to support our economy, and to support the continued growth and expression of democracy in its fullest form by rejecting this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Florida will be postponed.

□ 2045

AMENDMENT NO. 51 OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 51 offered by Mr. CAMPBELL of California:

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

None of the funds in this Act may be used for Wetzel County Courthouse, New Martinsville, West Virginia.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, this amendment is dealing with an earmark for \$140,000 for the Wetzel County Courthouse in New Martinsville, West Virginia.

Now, Mr. Chairman, I actually looked up on a Web site to see the Wetzel County Courthouse, and it is a building that was built sometime between 1900 and 1902, and it looks like a very fine historic building. I actually am personally into historic preservation. I personally support, through charitable contributions, the preservation of various historic buildings around California, actually, and around the Nation.

I believe that we ought to keep our historic buildings and keep them up and appreciate them and treasure that history that we, as a fairly young country, are just beginning to build. So that's not why I am proposing to strike this earmark from this bill.

It's not that this isn't a historic building; it clearly is. It's not that perhaps it requires some renovation; I don't know, but perhaps it does. But the question is, is this really the sort of thing upon which we should be spending our scarce Federal tax dollars?

Let me point out again that this is a county courthouse. It's not a Federal courthouse; it is a county courthouse in West Virginia. Now, I'm sure that there are taxes, property taxes, whatever, in that county, and perhaps those tax dollars, if the local magistrates felt it was appropriate, could be used for this, or perhaps city dollars in that city or that area, or perhaps State dollars, or perhaps charitable dollars, a preservation society is set up or becomes set up, or whatever, to support this courthouse.

But it just seems completely inappropriate to me, Mr. Chairman, that we are spending scarce Federal dollars on this sort of thing. Now, I have a county courthouse in my county; it was built

around the same time. It's old also. I'm sure we could use \$140,000 for it. I'm sure we could use \$140,000 for any number of county courthouses that are old and historic across this country. Are we going to fund them all? Is it the Federal taxpayers' responsibility to restore them all or to make some contribution to them all? I really don't think so.

And it's not, as I say, that perhaps this isn't a need, but I just don't think it's appropriate to spend Federal tax dollars on this sort of very local objective and local project that has no Federal nexus.

Now, my friends on the other side of the aisle spent a lot of time the last few days talking about PAYGO. But one of the things to point out is that this bill is not subject, the entire bill basically, all of the spending in the budget is not subject to PAYGO because there is a 4.5 percent increase in total spending in this appropriations bill that we're debating tonight. And there is no offset for that 4.5 percent. There is no other spending that is reduced by 4.5 percent. So every dollar we spend on this bill tonight is a dollar that adds to the deficit. Every single dollar contributes to further raiding the Social Security surplus.

So the question is, is this \$140,000 that we believe we should increase the Federal deficit by \$140,000 for this courthouse, should we raid the Social Security surplus by an additional \$140,000 for this courthouse, or should we not spend the taxpayers' money on something like this local project?

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

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Thank you, Mr. Chairman.

Mr. Chairman, I appreciate the opportunity the gentleman offering the amendment gives me to speak in favor of the funding for the Wetzel County Courthouse.

This amendment, Mr. Chairman, would strike funding needed to repair the Wetzel County Courthouse, a very valuable historic structure in that community. It was built, Mr. Chairman, in the first decade of the 20th century. This courthouse is listed on the National Historic Register, and this courthouse serves as the centerpiece for New Martinsville's efforts to preserve its legacy and expand new tourism opportunities.

Wetzel County, Mr. Chairman, is one of the smallest counties in my district, and the county has very limited funds available for capital improvements and repairs to its structures. They need this grant to help protect this important historic property.

Finally, Mr. Chairman, it's important to note that the Wetzel County Courthouse is not just a historic building, however historic and what a grand legacy it has in the county; it still

functions as a courthouse and a county office complex.

Mr. Chairman, I urge a "no" vote on the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. MOLLOHAN. I will yield to the gentleman from Washington.

Mr. DICKS. I want to rise in strong support of the gentleman's project. Our committee looked at it very carefully. We think it is an outstanding project and one that deserves to be funded.

I urge a "no" vote on the Campbell amendment.

Mr. MOLLOHAN. Mr. Chairman, I thank you and Mr. TIAHRT both for your careful review of this project and the opportunity to input it in the process.

Mr. Chairman, I yield back the balance of my time.

Mr. CAMPBELL of California. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIRMAN. The gentleman from California has 1 minute remaining.

Mr. CAMPBELL of California. Thank you, Mr. Chairman.

If I may continue, then, I appreciate the comments from the gentleman from West Virginia. And I frankly don't dispute or have any basis upon which to dispute anything the gentleman said, but that wasn't my point. My point was that it is not appropriate to use Federal funds for this sort of thing, regardless of how great the local community may find this to be a local need.

The Federal tax dollars cannot support every little local project, every local need, every historic building everywhere that we need.

To close, I would like to quote, if I could, Mr. Chairman, Thomas Jefferson, just to let people know that this is not a new issue. And he said, "Have you considered all the consequences of our proposition respecting post roads? I view it as a source of boundless patronage to the executive, jobbing to Members of Congress and their friends, and a bottomless abyss of public money. You will begin by only appropriating the surplus of post office revenues, but other revenues will soon be called into their aid. And it will be a scene of eternal scramble among the Members as to who can get the most money wasted in their State. And they will always get the most who are the meanest."

Thomas Jefferson is right. I would ask you to support this amendment.

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

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

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 31 OFFERED BY MS. HARMAN

Ms. HARMAN. Mr. Chairman, I have an amendment at the desk on behalf of Mr. UPTON, Mr. LIPINSKI, Mr. INGLIS of South Carolina and me.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 31 Offered by Ms. HARMAN:
At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISION

SEC. 601. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the "ENERGY STAR" or "Federal Energy Management Program" designation.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. HARMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HARMAN. Thank you, Mr. Chairman.

This is a bipartisan amendment offered by Mr. UPTON, Mr. LIPINSKI, Mr. INGLIS and me. We've offered it to every appropriations bill so far and it's been accepted by voice vote to every appropriations bill so far. We're hopeful that the excellent chairman of the Interior Appropriations Subcommittee will accept it in this case.

I do want to commend him, by the way, for putting a superb bill on the House floor, especially in support of the arts and several other projects that I consider very significant.

At any rate, our amendment, bipartisan amendment, asks the government to set an example for the rest of the country by purchasing energy-efficient light bulbs. Existing law requires Federal agencies to buy products that meet Department of Energy, Energy Star or Federal Energy Management Program standards. This amendment adds teeth and says that no fund shall be expended unless this occurs.

Mr. Chairman, it takes about 18 seconds to change a light bulb. In 18 seconds, each of us can change our energy future by changing that light bulb to one of these Energy Star or energy-efficient light bulbs. I'm sure that my co-author, Mr. UPTON, will offer more specifics on this right now.

Mr. Chairman, I'm pleased to yield to Mr. UPTON.

Mr. UPTON. Mr. Chairman, I might say that, as the gentlelady said, we've offered this amendment that has passed on every appropriation bill thus far.

We know the Federal Government is the largest purchaser of light bulbs in the world. By requiring that only Energy Star light bulbs are purchased, beginning October 1, in fact, we know that we will save the taxpayers hundreds of millions of dollars this next year in terms of energy savings.

We also know that if every home did what the Federal Government is going

to do, based on the testimony that we had in the Energy and Air Quality Subcommittee, we would save as a Nation \$65 billion, billion, B-as-in-big, kilowatt hours of electricity, which is the equivalent of 80 coal-fire electric plants every single year.

This is a good amendment. It has been bipartisan. We've appreciated the relationship that we've had with the chairman and ranking members of not only the full committee but the subcommittee. I would like to think that we would be able to pass this amendment again by a voice vote and make a stand that in fact the entire government is going to be saving billions of dollars at the end of the day based on the amendment that we're offering today.

Mr. DICKS. Will the gentlelady from California yield?

Ms. HARMAN. I would be happy to yield to the chairman.

Mr. DICKS. We are prepared to accept this amendment. We spent \$52 million in EPA's budget for the Energy Star Program, so we agree with you that this is a worthy cause. Energy conservation is a big part of our initial effort on climate change and global warming. I appreciate your leadership on this important issue, and we're prepared to accept the amendment.

Mr. TIAHRT. Will the gentlelady yield?

Ms. HARMAN. I would be happy to yield.

Mr. TIAHRT. I want to congratulate the gentlewoman from California and the gentleman from Michigan for bringing this amendment here. The Energy Star Program has been a very successful program, and it has saved the American taxpayers many, many dollars already. I think this program, again, will get into the billions. It's something that we need to have as part of an overall comprehensive energy plan.

So I commend them on their amendment and encourage the passage of it by voice.

Ms. HARMAN. Reclaiming my time, I would like to thank both the chairman and the ranking minority member and my partner, Mr. UPTON, for our work together. This is a good example of the Federal Government setting a good example and a bipartisanship working in this House. I'm very pleased to be a part of it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. HARMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAMPBELL of California:

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

None of the funds in this Act may be used for the Conte Anadromous Fish Laboratory.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Thank you, Mr. Chairman.

What this amendment proposes to do is basically to strike \$150,000 of an earmark that is in the bill to provide equipment for the anadromous fish research in Falls Turner, Massachusetts.

Now, again, I did look up, even though I didn't look up the pronunciation, I did look up enough to know that anadromous fish spend their lives in salt water but migrate to fresh water to reproduce, like salmon. And I'm sure that studying their habits, or whatever this is going to study, is a worthy, I'm going to presume, at least, that it is a worthy intellectual exercise and that perhaps it has value for researchers or people studying fish or whatever it is. And again, like in the last amendment that I offered, that is not my point in proposing that we not use tax dollars to fund this.

□ 2100

But my point instead is with limited tax dollars, limited to \$3 trillion, but limited nonetheless, of Federal tax dollars, with a deficit that we have that all of these appropriations bills will increase, not decrease, with the fact that we are still raiding Social Security surplus, is buying equipment for this study in this place something that should command \$150,000 of taxpayers' money?

Again, as I mentioned before, I have heard Members on the other side of the aisle constantly refer to their PAYGO as how they are attempting to be fiscally responsible. But yet this bill increases spending by 4.5 percent over last year. There is no PAYGO there. There is no other appropriations bill that is reduced by 4.5 percent to save this money. There are no structural reforms in the entitlement programs, which we all know are scheduled for disaster, to save this money.

So this \$150,000 is not just an amorphous \$150,000 in a gigantic budget that means nothing. It is a real \$150,000 that is using taxpayers' money but will increase the deficit and further raid the Social Security surplus by \$150,000.

So the question before the body is not whether this research is interesting, or even whether it is useful to some people. But the question is, is it worth increasing the deficit by \$150,000 to fund this? Is this sort of research the sort of thing the Federal Government should be involved in? If we are involved in this, why are we not involved in many, many other forms of research that are going on in my district or the district of every other Member who is

here? The reason is because we can't afford to do that.

So I would respectfully suggest that we strike this money.

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I rise in opposition to the amendment by the gentleman from California that would cut valuable research at the Silvio Conte Anadromous Fisheries Laboratory. It is a Federal fisheries laboratory now under the jurisdiction of the U.S. Geological Survey, though when it was built a couple of decades ago, it was under the aegis of the Fish and Wildlife Service. So it is a Federal function in the first place.

This research benefits commercial fisheries and sports fishermen across the Nation. As we now know, the word "anadromous" describes any fish species, such as the Atlantic salmon, that is spawned in fresh water but spends the majority of its adult life in salt water before returning to fresh water streams or lakes to spawn and then die.

In the Northeast, as in many other areas of the United States, during the 1800s, dams which altered the stream flow sometimes completely stopped the process of spawning, and pollution degraded the water quality and ended up virtually destroying this fish species that must navigate hundreds of miles of man-made obstructions in order to reach their spawning grounds.

That is exactly what happened to the Atlantic salmon, which was a major sports fishery and commercial fishery in Colonial times in all of the rivers from the Hudson River northward along the coast which included the Housatonic, the Connecticut, the Kennebec, the Androscoggin and the Merrimac Rivers, those being probably the more major rivers up that way.

Ironically, the Silvio Conte Anadromous Fish Research Lab was established by Congressman Silvio Conte. For those who served with Congressman Conte, he was a Republican ranking member of the Appropriations Committee for all of the years of the 1980s and well into the 1990s, at least a couple of years into the 1990s. He was remembered as quite a remarkable gentleman and quite a remarkable and colorful figure within the Republican Party.

This fisheries research laboratory was created in response to the disappearance of the Atlantic salmon in these Northeastern rivers and the strong regional desire to see a restoration of those salmon runs as a great sports fishery.

The premier laboratory for research on Atlantic salmon and other anadromous fish in the eastern part of this country, at least, I am not sure how one deals with that on the western

coast, but on the eastern coast, has been this laboratory in Turners Falls, Massachusetts.

The lab performed the basic and applied research for the improvement of fish passages, for the health and preservation of endangered fish species, and ultimately for the economy and the environment of the Connecticut River watershed, and by connection to the other watersheds where the restoration of the Atlantic salmon has been attempted.

It has been somewhat successful, not wholly successful. The salmon runs are not what they were. A few hundred salmon return to each of these rivers each year. But that is how the thing got started.

The research at the Silvio Conte Fisheries Laboratory improves the understanding of the impact of dams, the effect of the altered flows in the water quality, the various effects of pollution, contaminants on the ecology and migration success of anadromous fish species, and also on the genetics of all those species.

The research includes testing of fish passage designs to facilitate the movement of migratory fish over major dams. And the research is valuable to the region.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to my friend from Massachusetts. He said that so beautifully. I want to hear more.

Mr. OLVER. Mr. Chairman, the research is valuable to regional professionals and policy makers who are involved in the management of sport and commercial fisheries and are attempting to stop and reverse declines in those commercial fish populations across the country.

By the way, the \$150,000 that is involved in this amendment is for the acquisition of scientific equipment necessary to this research, which has impacts up and down the eastern coast of the United States for all of the anadromous fisheries. But it was centered in the Atlantic salmon by Congressman Conte.

So I urge the rejection of the amendment by the gentleman from California.

Mr. DICKS. Mr. Chairman, reclaiming my time, I would just like to add that I served with Silvio Conte. He was the ranking Republican member of the Appropriations Committee. I had the chance to pursue anadromous fish in Alaska in Mr. YOUNG's district with Mr. Conte. There was no more avid fisherman than Silvio Conte. But he wasn't just a fisherman who liked to catch fish. He was also someone who cared about the resource and wanted to see the resource restored in the Atlantic States.

Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I am sure that the gentleman from Alaska (Mr. YOUNG) would remember that Silvio Conte has a very plush hunting lodge

named for him somewhere in the Kodiak, I think it is, that I am sure you have visited, Mr. YOUNG.

Mr. DICKS. Mr. Chairman, reclaiming my time, I wanted Mr. CAMPBELL to know all this history so that tonight he will just say, how could I have done it? How could I have done it to old Silvio? Let's have a "no" vote on this amendment.

Mr. Chairman, I yield back my time.

□ 2115

Mr. CAMPBELL of California. Mr. Chairman, I appreciate the gentleman from Massachusetts' reasoned defense of this. We are just going to have to disagree. He said in part of his comments that this is something which is of great interest to commercial fishermen and sports fishermen, so it begs the question of, is that what we are in the business of doing with Federal tax dollars, in increasing the deficit, et cetera, in order to provide research and information for sports fishermen and commercial fishermen? I happen to think we are not.

Mr. Chairman, I yield the balance of my time, except for 15 seconds, to my friend the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I remember serving with Silvio Conte, and he did love fish, but he also didn't like some of the boondoggle subsidies. You will recall he used to go to the floor with a pig's nose on every year and talk about the subsidy to beekeepers. So he saw some things that weren't supposed to be utilized for Federal funding, and the gentleman understands that.

I would just say, if we are worried about endangered species in the Northeast, maybe we could restore at least one Republican in Massachusetts in the name of Silvio Conte.

Mr. CAMPBELL of California. Reclaiming my time, I guess perhaps Silvio Conte might have said this same thing, but in 1822, President James Monroe said that Federal money should be limited to "great national works only, since if it were unlimited, it would be liable to abuse and might be productive of evil."

Mr. Chairman, I would ask for support of this amendment.

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

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

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

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I yield to Mr. FOSSELLA.

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman for yielding. I

would like to engage Mr. DICKS in a colloquy.

Mr. Chairman, I would like to thank the chairman and the ranking member, Mr. TIAHRT, for their willingness to work on an important issue to my district in Staten Island.

In recent years, forests in Staten Island and other parts of New York, yes, New York City does have forests, have been under attack by the Asian Longhorned Beetle. The beetle has already eliminated 8,400 trees and, according to a recent New York Times article, Federal and State officials are expecting to eliminate 10,000 trees on Staten Island and Pralls Island due to the infestation of this invasive species. This does not include the additional 13,000 trees that are going to be sprayed with pesticides. In the United States, 35 percent of all urban trees are at risk, at a combined replacement value of \$669 billion.

An infested silver maple tree located on a private wooded lot in Bloomfield in Staten Island is the first evidence of Asian Longhorned Beetle found. It was detected on March 22nd of this year. Thankfully, its early detection gives hope that the threat can be contained before it spreads to the nearby Staten Island Greenbelt Forest. However, without having the proper control mechanism in place by the July hatching period, Staten Island's 2,800 acre Greenbelt is in peril.

In May of this year, after the discovery of this on Staten Island, I wrote to the Secretary of Agriculture urging him to direct the U.S. Forest Service to develop a plan to address the Asian Longhorned Beetle in New York City.

The Greenbelt is one of the largest natural areas within the five boroughs of New York City and provides the most extensive system of connected trails within it. In contrast to other parks, such as Central Park and Prospect Park, the Greenbelt is maintained in a more natural state, both in the forested hills and the low-lying wetlands, and provides New York City residents a place to camp without having to drive 2 hours or more upstate.

In 2001, the United States Department of Agriculture forecast that the Asian Longhorned Beetle would be eliminated by 2009, but, unfortunately, due to a lack of funding, the Department of Agriculture now estimates it will take at least until 2033 to eradicate this 1½ inch beast. These funding setbacks reveal that the beetle will not only stick around in areas in which they currently reside, but they will also spread to new urban forest areas.

The bill before us today increases the Cooperative Lands Forest Health Management program by \$9 million over the President's request of \$47 million. With these additional funds, it is my hope that the United States Forest Service will dedicate some of these additional resources to fighting the beetle and eventually eliminate it from our forests.

Mr. Chairman, this is an urgent and serious problem for Staten Island and

the rest of New York City's forests. I look forward to working with you to make sure the Forest Service has the necessary funding to eliminate this beetle and protect the trees that have thus far survived the beetle but may not be able to live much longer.

I would like you to be willing to work on this issue.

Mr. DICKS. Mr. Chairman, reclaiming my time, I would like to thank Mr. FOSSELLA for joining with me in this colloquy today and for bringing up this issue of national importance. The Asian Longhorned Beetle not only impacts forests in the northeast but also has been discovered until several cities, like Chicago. Invasive species like the Asian Longhorned Beetle are a serious problem, and I will urge the Department of Agriculture and the Forest Service to develop a plan to control the beetle. I also recommend using portions of the additional funding in the development of this plan.

AMENDMENT NO. 4 OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. CONAWAY: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order against the amendment.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I will attempt to be mercifully brief. My amendment would simply do this: Our rules and the way we function here would prevent all of the hard work that goes on in attempting to reduce spending. All of the efforts on behalf of many of my colleagues to actually trim things out of this spending plan really, they labored in vain. Because the mechanics of the system are that should we prevail in any of these votes later on tonight or tomorrow to actually reduce spending, then that money stays within the 302(b) category and is reallocated at some other point in the future and does not really reduce spending.

I understand this is a futile effort and the point of order will be sustained, so I don't intend to push it further than this, simply to use this time to bring my colleagues' attention to a failure in our system to in effect protect us from ourselves.

I have a standalone bill that would mechanically allow that any reductions in the spending that occur as a result of the hard work here in this Chamber on this bill that would go against the deficit to reduce the deficit, or should we ever get back into a surplus circumstance, would actually increase that surplus.

So, Mr. Chairman, I bring this to the attention of my colleagues. I do not intend to push it to a vote.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

An amendment by Mr. KING of Iowa.

An amendment by Mr. PETERSON of Pennsylvania.

An amendment by Mr. CONAWAY of Texas.

An amendment by Mr. BISHOP of Utah.

An amendment by Mr. BARTON of Texas.

Amendment No. 7 by Ms. EDDIE BERNICE JOHNSON of Texas.

Amendment No. 13 by Mr. DENT of Pennsylvania.

An amendment by Mr. PEARCE of New Mexico.

Amendment No. 34 by Mr. HENSARLING of Texas.

Amendment No. 44 by Mr. HENSARLING of Texas.

Amendment No. 56 by Mr. HENSARLING of Texas.

Amendment No. 74 by Mr. HENSARLING of Texas.

An amendment by Mr. ANDREWS of New Jersey.

Postponed votes on other amendments will be taken at a later time.

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

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 156, noes 274, not voting 7, as follows:

[Roll No. 551]

AYES—156

Aderholt	Fox	Murphy, Patrick
Akin	Franks (AZ)	Musgrave
Alexander	Gallegly	Myrick
Bachmann	Garrett (NJ)	Neugebauer
Bachus	Gillmor	Nunes
Baker	Gingrey	Paul
Barrett (SC)	Gohmert	Pearce
Barrow	Goode	Pence
Bartlett (MD)	Goodlatte	Peterson (PA)
Barton (TX)	Graves	Petri
Bilbray	Hall (TX)	Pickering
Bilirakis	Hastert	Pitts
Bishop (UT)	Hastings (WA)	Poe
Blackburn	Hayes	Porter
Blunt	Heller	Price (GA)
Boehner	Hensarling	Pryce (OH)
Bonner	Herger	Putnam
Bono	Hoekstra	Radanovich
Boozman	Hulshof	Regula
Brady (TX)	Hunter	Renzi
Brown (SC)	Inglis (SC)	Rogers (AL)
Brown-Waite,	Issa	Rogers (KY)
Ginny	Johnson (IL)	Rogers (MI)
Buchanan	Johnson, Sam	Rohrabacher
Burgess	Jones (NC)	Roskam
Burton (IN)	Jordan	Royce
Buyer	Keller	Ryan (WI)
Calvert	King (IA)	Sali
Camp (MI)	Kingston	Schmidt
Campbell (CA)	Kline (MN)	Sensenbrenner
Cannon	Lamborn	Shadeeg
Cantor	Lewis (CA)	Shimkus
Capito	Lewis (KY)	Shuler
Carter	Linder	Shuster
Chabot	Lucas	Smith (NE)
Coble	Lungren, Daniel	Smith (TX)
Cole (OK)	E.	Souder
Conaway	Mack	Stearns
Crenshaw	Manzullo	Sullivan
Culberson	Marchant	Tancredo
Davis, David	McCarthy (CA)	Terry
Deal (GA)	McCaul (TX)	Thornberry
Doolittle	McCotter	Tiaht
Drake	McCrery	Tiberi
Dreier	McHenry	Upton
Duncan	McKeon	Walberg
Ellsworth	McMorris	Wamp
Emerson	Rodgers	Weldon (FL)
Everett	Mica	Westmoreland
Fallin	Miller (FL)	Wicker
Feeney	Miller (MI)	Wilson (SC)
Flake	Miller, Gary	Young (AK)
Forbes	Moran (KS)	Young (FL)

NOES—274

Abercrombie	Cleaver	Ferguson
Ackerman	Clyburn	Filner
Allen	Cohen	Fortenberry
Altmire	Conyers	Fortuño
Andrews	Cooper	Fossella
Arcuri	Costa	Frank (MA)
Baca	Costello	Frelinghuysen
Baird	Courtney	Gerlach
Baldwin	Cramer	Giffords
Bean	Crowley	Gillibrand
Becerra	Cubin	Gonzalez
Berkley	Cuellar	Gordon
Berman	Cummings	Granger
Berry	Davis (AL)	Green, Al
Biggert	Davis (CA)	Green, Gene
Bishop (GA)	Davis (IL)	Grijalva
Bishop (NY)	Davis, Lincoln	Gutierrez
Blumenauer	Davis, Tom	Hall (NY)
Bordallo	DeFazio	Hare
Boren	DeGette	Harman
Boswell	Delahunt	Hastings (FL)
Boucher	DeLauro	Hereth Sandlin
Boustany	Dent	Higgins
Boyd (FL)	Diaz-Balart, L.	Hill
Boyd (KS)	Diaz-Balart, M.	Hinchey
Brady (PA)	Dicks	Hinojosa
Braley (IA)	Dingell	Hirono
Brown, Corrine	Doggett	Hobson
Butterfield	Donnelly	Hodes
Capps	Doyle	Holden
Capuano	Edwards	Holt
Cardoza	Ehlers	Honda
Carnahan	Ellison	Hookey
Carney	Emanuel	Hoyer
Carson	Engel	Inslee
Castle	English (PA)	Israel
Castor	Eshoo	Jackson (IL)
Chandler	Etheridge	Jackson-Lee
Christensen	Faleomavaega	(TX)
Clarke	Farr	Jefferson
Clay	Fattah	Jindal

Johnson (GA)	Miller, George	Shays
Johnson, E. B.	Mitchell	Shea-Porter
Jones (OH)	Mollohan	Sherman
Kagen	Moore (KS)	Simpson
Kanjorski	Moore (WI)	Sires
Kaptur	Moran (VA)	Skelton
Kennedy	Murphy (CT)	Slaughter
Kildee	Murphy, Tim	Smith (NJ)
Kilpatrick	Murtha	Smith (WA)
Kind	Nadler	Snyder
King (NY)	Napolitano	Solis
Kirk	Neal (MA)	Space
Klein (FL)	Norton	Spratt
Knollenberg	Oberstar	Stark
Kucinich	Obey	Stupak
Kuhl (NY)	Olver	Sutton
LaHood	Pallone	Tanner
Lampson	Pascarell	Tauscher
Langevin	Pastor	Taylor
Lantos	Perlmutter	Thompson (CA)
Larsen (WA)	Peterson (MN)	Thompson (MS)
Larson (CT)	Platts	Tierney
Latham	Pomeroy	Towns
LaTourette	Price (NC)	Turner
Lee	Rahall	Udall (CO)
Levin	Ramstad	Udall (NM)
Lewis (GA)	Rangel	Van Hollen
Lipinski	Rehberg	Velázquez
LoBiondo	Reichert	Visclosky
Loebuck	Reyes	Walden (OR)
Lofgren, Zoe	Reynolds	Walsh (NY)
Lowe	Rodriguez	Walz (MN)
Lynch	Ros-Lehtinen	Wasserman
Maloney (NY)	Ross	Schultz
Markey	Rothman	Waters
Marshall	Roybal-Allard	Watson
Matheson	Ruppersberger	Watt
Matsui	Rush	Waxman
McCarthy (NY)	Ryan (OH)	Weiner
McCollum (MN)	Salazar	Welch (VT)
McDermott	Sánchez, Linda	Weller
McGovern	T.	Wexler
McHugh	Sanchez, Loretta	Whitfield
McIntyre	Sarbanes	Wilson (NM)
McNerney	Saxton	Wilson (OH)
McNulty	Schakowsky	Wolf
Meehan	Schiff	Woolsey
Meek (FL)	Schwartz	Wu
Meeks (NY)	Scott (GA)	Wynn
Melancon	Scott (VA)	Yarmuth
Michaud	Serrano	
Miller (NC)	Sestak	

NOT VOTING—7

Davis (KY)	Mahoney (FL)	Sessions
Davis, Jo Ann	Ortiz	
Gilchrest	Payne	

□ 2141

Mr. CRAMER and Mr. ALTMIRE changed their vote from “aye” to “no.”

Mr. BAKER and Mr. RADANOVICH changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. HULSHOF was allowed to speak out of order.)

IN MEMORY OF THE LATE HONORABLE WILLIAM HUNGATE

Mr. HULSHOF. Mr. Chairman, this past Friday, the great State of Missouri and the country lost a truly distinguished man, Congressman Bill Hungate, a man who previously represented the very seat that I am now privileged to currently occupy passed away.

Bill Hungate was a devoted husband and father. He was a decorated soldier. He was a talented and thoughtful jurist, and a gifted author and musician. But above all else, he was a man dedicated to public service.

After earning his bachelor's degree from the University of Missouri in 1943, Bill answered the country's call at the onset of World War II and enlisted in the Army. He fought bravely in the European theater over the course of the