

and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 558 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3074.

□ 1240

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. WEINER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 2 by the gentleman from Ohio (Mr. TURNER) had been disposed of and the bill had been read through page 82, line 13.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House today, which is at the desk.

Mr. OLVER. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 94, line 9, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of that portion of the bill is as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, \$59,700,000, to remain available until September 30, 2010: *Provided*, That of the total amount provided in this heading \$27,710,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note), of which up to \$990,000 is for technical assistance, and: *Provided further*, That

\$31,000,000 shall be made available for capacity building, for Community Development and affordable Housing for the Local Initiatives Support Corporation and the Enterprise Foundation for activities authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997.

HOMELESS ASSISTANCE GRANTS (INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,560,990,000, of which \$1,540,990,000 shall remain available until September 30, 2010, and of which \$20,000,000 shall remain available until expended: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary of Housing and Urban Development shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to \$8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That \$2,475,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2008.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701(q)), and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, \$734,580,000, to remain available until September 30, 2011, of which up to \$603,900,000 shall be for capital advance and project-based rental assistance awards: *Provided*, That, of the amount provided under this heading, up to \$59,400,000 shall be for

service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to \$24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary of Housing and Urban Development: *Provided further*, That of the amount made available under this heading, \$20,000,000 shall be available to the Secretary only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That \$1,980,000 of the total amount made available under this heading shall be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, \$236,610,000 to remain available until September 30, 2011: *Provided*, That \$990,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading \$74,745,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary of Housing and Urban Development may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1(f)(2)) in State-aided, non-insured rental housing projects, \$27,600,000, to remain available until expended.

RENT SUPPLEMENT
(RESCISSION)

Of the amounts made available under the heading "Rent Supplement" in Public Law 98-63 for amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, \$27,600,000 is rescinded.

FLEXIBLE SUBSIDY FUND
(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2007, and any collections made during fiscal year 2008 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$16,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2008 so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than \$0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2008 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION
MUTUAL MORTGAGE INSURANCE PROGRAM
ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2008, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$185,000,000,000.

During fiscal year 2008, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act (12 U.S.C. 1709), shall not exceed \$50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$351,450,000, of which not to exceed \$347,490,000 shall be transferred to the appropriation for "Salaries and Expenses"; and not to exceed \$3,960,000 shall be transferred

to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, \$77,400,000, of which \$25,550,000 shall be transferred to the Working Capital Fund, and of which up to \$5,000,000 shall be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed \$65,500,000,000 on or before April 1, 2008, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, \$8,712,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed \$45,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(1), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000, of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary of Housing and Urban Development and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$229,086,000, of which \$209,286,000 shall be transferred to the appropriation for "Salaries and Expenses"; and of which \$19,800,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$78,111,000, of which \$15,692,000 shall be transferred to the Working Capital Fund: *Provided*, That to the extent guaranteed loan commitments exceed \$8,426,000,000 on or before April 1, 2008, an additional \$1,980 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments over \$8,426,000,000 (including a pro rata amount for any increment below \$1,000,000), but in no case shall funds made available by this proviso exceed \$14,400,000.

GOVERNMENT NATIONAL MORTGAGE
ASSOCIATION
GUARANTEES OF MORTGAGE-BACKED SECURITIES
LOAN GUARANTEE PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$200,000,000,000, to remain available until September 30, 2009.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$10,700,000, shall be transferred to the appropriation for "Salaries and Expenses".

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies

relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$58,087,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided under this heading, \$5,000,000 shall be for the Partnership for Advancing Technology in Housing Initiative: *Provided further*, That of the funds made available under this heading, \$22,394,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That activities for the Partnership for Advancing Technology in Housing Initiative shall be administered by the Office of Policy Development and Research.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, \$45,540,000, to remain available until September 30, 2009, of which \$20,180,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary of Housing and Urban Development may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

AMENDMENT NO. 6 OFFERED BY MR. AL GREEN
OF TEXAS

Mr. AL GREEN of Texas. 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. 6 offered by Mr. AL GREEN of Texas:

Page 94, line 16, after the dollar amount, insert "(increased by \$5,820,000)".

Page 94, line 18, after the dollar amount, insert "(increased by \$5,820,000)".

Page 99, line 18, after the dollar amount, insert "(reduced by \$5,820,000)".

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

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I would like to thank Chairman OBEY, Subcommittee Chairman OLVER, and Ranking Members LEWIS and KNOLLENBERG. I also would like to thank them especially for their leadership.

Mr. Chairman, we understand that budgetary constraints are necessary and that budget challenges are a reality, just as invidious discrimination in housing is a reality. This is why Congress passed the Fair Housing Act of 1968.

The Fair Housing Act prohibits housing discrimination not just on race, color and national origin, but also on religious, sexual status, disability and familial status. However, nearly 40 years after the passage of this act, 4 million fair housing violations occur annually, tens of thousands of complaints are filed, and most violations aren't investigated.

Violations occur in the rental market when qualified renters are denied housing based upon invidious discrimination. Violations occur in the purchase market when qualified buyers are denied loans, pay more for loans, or are steered to the subprime market when they qualify for prime loans.

This is why we need to fund the Fair Housing Initiative Program to the level authorized of \$26 million. The Fair Housing Initiative Program allows for testing. This will allow us to have persons who are equally qualified, perhaps one is disabled and one is not, to go out and seek a loan or a rental property. If the disabled person is denied, and the person that follows who is not disabled receives the loan or the property, then we are gathering the empirical data necessary to show that the discrimination exists.

Mr. Chairman, my amendment would add \$5.82 million to the bill to bring it to the \$26 million authorized level.

Mr. Chairman, the need is there, the authorization exists, and the time to act is here. Let us keep the American dream alive for all persons who are qualified. Let's do our part on our watch to prevent invidious discrimination in housing.

I yield to the gentleman from Massachusetts.

Mr. OLVER. I thank the gentleman for yielding.

Mr. Chairman, I understand that the gentleman is going to withdraw this amendment. Is that the gentleman's intention?

Mr. AL GREEN of Texas. Mr. Chairman, it is. My hope is that the gentleman and I would be able to work together to see if there is some means by which it can be accommodated.

□ 1245

Mr. OLVER. If the gentleman will continue to yield, I thank the gentleman for that willingness to withdraw his amendment and for highlighting the issue that we have before us.

We simply could not increase this amount this year because of the budget constraints. The budget proposal here is the same as the 2007 enacted budget and slightly above the budget request by the administration. And the offset, the offset is in a place where there really isn't money to take from the offset to do this.

I appreciate the gentleman's willingness to withdraw the amendment and will be happy to work with him to try to find money in conference.

Mr. AL GREEN of Texas. I thank the chairman, and I look forward to work-

ing with the chairman so that we may seek an accommodation in conference.

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

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF LEAD HAZARD CONTROL
LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852), \$130,000,000, to remain available until September 30, 2009, of which \$8,712,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 (42 U.S.C. 3547): *Provided further*, That of the total amount made available under this heading, \$48,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs, as identified by the Secretary of Housing and Urban Development as having: (1) the highest number of occupied pre-1940 units of rental housing; and (2) a disproportionately high number of documented cases of lead-poisoned children: *Provided further*, That each grantee receiving funds under the previous proviso shall target those privately owned units and multifamily buildings that are occupied by low-income families as defined under section 3(b)(2) of the United States Housing Act of 1937: *Provided further*, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: *Provided further*, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. 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. SLAUGHTER:

Page 95, line 8, after the dollar amount, insert "(increased by \$10,000,000)".

Page 95, line 9, after the dollar amount, insert "(increased by \$10,000,000)".

Page 97, line 11, after the first dollar amount, insert "(reduced by \$10,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the

gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, first I want to give my thanks to Chairman OLVER and to Mr. KNOLLENBERG for doing a wonderful job on this bill.

I intend to withdraw this amendment, but if I can just take a moment or two to discuss the importance of HUD's Office of Lead Hazard Control, I would like to do that.

The funding is crucial in reaching our goal of eliminating childhood lead poisoning nationwide by 2010. The grants provided by HUD's Office of Lead Hazard Control allow cities and States to correct serious lead hazard in low-income and high-risk homes.

Make no mistake, Mr. Chairman, this is not just an isolated problem. Lead poisoning affects over 250,000 American children under the age of 5 each and every year. High levels of lead in the blood have been linked to childhood asthma, brain damage, hearing loss, hyperactivity, developmental delays, and in extreme cases, exposure to lead has caused seizures, comas, and even death.

Mr. Chairman, this is simply unacceptable.

In my district alone, over 2,000 children fall victim to lead poisoning every year. Over half of all the homes in Niagara and Erie counties were built before 1950 and are therefore very likely to contain lead. And just in Erie County, 1,000 children have unsafe lead levels in their blood.

The city of Rochester is among the top 10 cities in the United States with the worst lead paint problems. In 2004, 900 children in Monroe County were reported to have high blood lead levels. We have a city ordinance in effect to try to deal with that, but we have not enough money obviously to take action.

The grants are so important. They are targeted to help the most vulnerable of our citizens, children under 5 years of age. But in order to be more effective, they have to have adequate funding. Since the bill before us only funds the Office of Lead Hazard Control at \$130 million, we wanted to put in this amendment.

But I commend the chairman for putting together this thoughtful and solid bill, and I hope we can work together in conference to try to do more.

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

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of clause 18, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MICA of Florida.

An amendment by Mrs. BACHMANN of Minnesota.

An amendment by Mr. FLAKE of Arizona.

An amendment by Mr. FLAKE of Arizona.

An amendment by Mr. CHABOT of Ohio.

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

AMENDMENT OFFERED BY MR. MICA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MICA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MICA:

Page 18, beginning on line 9, strike the colon and all that follows through line 21 and insert a period.

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 201, noes 217, not voting 18, as follows:

[Roll No. 691]

AYES—201

Aderholt	Ehlers	Kuhl (NY)
Akin	Emerson	LaHood
Alexander	English (PA)	Lamborn
Bachmann	Everett	Latham
Baker	Falin	LaTourette
Barrett (SC)	Feeney	Lewis (CA)
Barrow	Ferguson	Lewis (KY)
Bartlett (MD)	Flake	Linder
Barton (TX)	Forbes	LoBiondo
Biggart	Fortenberry	Lucas
Bilbray	Fortuno	Lungren, Daniel
Bilirakis	Fossella	E.
Blackburn	Fox	Mack
Blunt	Franks (AZ)	Manzullo
Boehner	Frelinghuysen	Marchant
Bonner	Gallely	McCarthy (CA)
Bono	Garrett (NJ)	McCaul (TX)
Boozman	Gerlach	McCotter
Boustany	Giffords	McCreery
Boyd (KS)	Gillmor	McHenry
Brady (TX)	Gingrey	McHugh
Brown-Waite,	Gohmert	McIntyre
Ginny	Goode	McKeon
Buchanan	Goodlatte	McMorris
Burgess	Granger	Rodgers
Burton (IN)	Graves	Mica
Buyer	Hall (TX)	Miller (FL)
Calvert	Hastert	Miller (MI)
Camp (MI)	Hastings (WA)	Miller, Gary
Campbell (CA)	Hayes	Moore (KS)
Cannon	Heller	Moran (KS)
Cantor	Hensarling	Murphy, Tim
Capito	Herger	Musgrave
Carter	Hobson	Neugebauer
Castle	Hoekstra	Nunes
Chabot	Hulshof	Paul
Coble	Hunter	Peterson (PA)
Conaway	Inglis (SC)	Petri
Crenshaw	Issa	Pickering
Culberson	Jindal	Pitts
Davis (KY)	Johnson (GA)	Platts
Davis, David	Johnson (IL)	Poe
Davis, Lincoln	Johnson, Sam	Porter
Davis, Tom	Jones (NC)	Price (GA)
Deal (GA)	Jordan	Pryce (OH)
Dent	Keller	Putnam
Diaz-Balart, L.	King (IA)	Radanovich
Diaz-Balart, M.	King (NY)	Ramstad
Doolittle	Kingston	Regula
Drake	Kirk	Rehberg
Dreier	Kline (MN)	Reichert
Duncan	Knollenberg	Renzi

Reynolds	Shadegg	Turner	Melancon	Pearce	Space
Rogers (AL)	Shays	Udall (CO)	Myrick	Pence	Young (AK)
Rogers (KY)	Shimkus	Upton			
Rogers (MI)	Shuster	Walberg			
Rohrabacher	Simpson	Walden (OR)			
Ros-Lehtinen	Smith (NE)	Walsh (NY)			
Roskam	Smith (NJ)	Wamp			
Royce	Smith (TX)	Weldon (FL)			
Rush	Souder	Weller			
Ryan (WI)	Stearns	Westmoreland			
Salazar	Sullivan	Whitfield			
Sali	Tancredo	Wicker			
Saxton	Terry	Wilson (NM)			
Schmidt	Thornberry	Wilson (SC)			
Sensenbrenner	Tiahrt	Wolf			
Sessions	Tiberi	Young (FL)			

NOES—217

Abercrombie	Green, Al	Norton
Ackerman	Green, Gene	Oberstar
Allen	Grijalva	Obey
Altmire	Gutierrez	Olver
Andrews	Hall (NY)	Ortiz
Arcuri	Hare	Pallone
Baca	Harman	Pascrell
Baird	Hastings (FL)	Pastor
Baldwin	Herseht Sandlin	Payne
Bean	Hill	Perlmutter
Becerra	Hinche	Peterson (MN)
Berkley	Hinojosa	Pomeroy
Berman	Hirono	Price (NC)
Berry	Hodes	Rahall
Bishop (GA)	Holden	Rangel
Bishop (NY)	Holt	Reyes
Blumenauer	Hooley	Rodriguez
Bordallo	Hoyer	Ross
Boren	Inslee	Rothman
Boswell	Israel	Roybal-Allard
Boucher	Jackson (IL)	Ruppersberger
Boyd (FL)	Jackson-Lee	Ryan (OH)
Brady (PA)	(TX)	Sanchez, Linda
Braley (IA)	Jefferson	T.
Brown, Corrine	Johnson, E. B.	Sanchez, Loretta
Butterfield	Jones (OH)	Sarbanes
Capps	Kagen	Schakowsky
Capuano	Kanjorski	Schiff
Cardoza	Kaptur	Schwartz
Carnahan	Kennedy	Scott (GA)
Carney	Kildee	Scott (VA)
Carson	Kilpatrick	Serrano
Castor	Kind	Sestak
Chandler	Klein (FL)	Shea-Porter
Christensen	Kucinich	Sherman
Clay	Lampson	Shuler
Cleaver	Langevin	Sires
Clyburn	Lantos	Skelton
Cohen	Larsen (WA)	Slaughter
Conyers	Larson (CT)	Smith (WA)
Cooper	Lee	Snyder
Costa	Levin	Solis
Costello	Lewis (GA)	Spratt
Courtney	Lipinski	Stark
Cramer	Loebsack	Stupak
Crowley	Lofgren, Zoe	Sutton
Cuellar	Lowe	Tanner
Cummings	Lynch	Tauscher
Davis (AL)	Mahoney (FL)	Taylor
Davis (CA)	Maloney (NY)	Thompson (CA)
DeFazio	Markey	Thompson (MS)
DeGette	Matheson	Tierney
Delahunt	Matsui	Towns
DeLauro	McCarthy (NY)	Udall (NM)
Dicks	McCollum (MN)	Van Hollen
Dingell	McDermott	Velázquez
Doggett	McGovern	Visclosky
Donnelly	McNulty	Walz (MN)
Doyle	Meek (FL)	Wasserman
Edwards	Meeke (NY)	Schultz
Ellison	Michaud	Waters
Ellsworth	Miller (NC)	Watson
Emanuel	Miller, George	Watt
Engel	Mitchell	Waxman
Eshoo	Mollohan	Weiner
Etheridge	Moore (WI)	Welch (VT)
Faleomavaega	Moran (VA)	Wexler
Farr	Murphy (CT)	Wilson (OH)
Fattah	Murphy, Patrick	Woolsey
Flaker	Murtha	Wu
Frank (MA)	Nadler	Wynn
Gillibrand	Napolitano	Yarmuth
Gonzalez	Neal (MA)	
Gordon		

NOT VOTING—18

Bachus	Cubin	Honda
Bishop (UT)	Davis (IL)	Marshall
Brown (SC)	Davis, Jo Ann	
Clarke	Gilchrest	
Cole (OK)	Higgins	

Melancon	Pearce	Space
Myrick	Pence	Young (AK)

□ 1314

Mrs. GILLIBRAND, Ms. ZOE LOFGREN of California, Mr. GRIJALVA, Ms. WATERS, and Messrs. HODES, GUTIERREZ and PERLMUTTER changed their vote from “aye” to “no.”

Mr. EVERETT changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. BACHMANN

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Minnesota (Mrs. BACHMANN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. BACHMANN:

Page 38, line 10, after the dollar amount, insert “(reduced by \$106,000,000)”.

Page 83, line 16, after the dollar amount, insert “(increased by \$106,000,000)”.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. The Chair reminds Members this is a 2-minute vote and will be followed by 2-minute votes. Please remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 110, noes 308, not voting 18, as follows:

[Roll No. 692]

AYES—110

Aderholt	Feeney	Miller (FL)
Akin	Flake	Miller, Gary
Bachmann	Fortuno	Musgrave
Baker	Fox	Neugebauer
Barrett (SC)	Franks (AZ)	Paul
Barrow	Gallely	Pearce
Bartlett (MD)	Gillmor	Poe
Barton (TX)	Gingrey	Pomeroy
Biggart	Granger	Porter
Bilbray	Graves	Price (GA)
Bilirakis	Hall (TX)	Pryce (OH)
Blackburn	Hastings (WA)	Putnam
Blunt	Heller	Ramstad
Boehner	Hensarling	Reichert
Bonner	Herger	Renzi
Bono	Hulshof	Rogers (KY)
Boustany	Issa	Rogers (MI)
Brady (TX)	Johnson, Sam	Ros-Lehtinen
Buchanan	Jones (NC)	Ryan (WI)
Burgess	Jordan	Sali
Burton (IN)	Keller	Sensenbrenner
Camp (MI)	King (IA)	Sessions
Campbell (CA)	Kline (MN)	Shadegg
Cannon	Lamborn	Smith (NE)
Carter	Lewis (KY)	Smith (TX)
Conaway	Linder	Souder
Culberson	Lungren, Daniel	Tancredo
Davis (KY)	E.	Terry
Davis, David	Mack	Thornberry
Davis, Lincoln	Mahoney (FL)	Tiahrt
Deal (GA)	Marchant	Tiberi
Diaz-Balart, M.	McCarthy (CA)	Walden (OR)
Doolittle	McCaul (TX)	Weldon (FL)
Drake	McCreery	Westmoreland
Dreier	McHenry	Wilson (NM)
Ellison	McKeon	Wilson (SC)
Ellsworth	McMorris	
Everett	Rodgers	

NOES—308

Abercrombie	Gillibrand	Moore (KS)	Wasserman	Welch (VT)	Woolsey	Baird	Gonzalez	Mitchell
Ackerman	Gohmert	Moore (WI)	Schultz	Weller	Wu	Baldwin	Goode	Mollohan
Alexander	Gonzalez	Moran (KS)	Waters	Wexler	Wynn	Barrow	Goodlatte	Moore (KS)
Allen	Goode	Moran (VA)	Watson	Whitfield	Yarmuth	Bean	Gordon	Moore (WI)
Altmire	Goodlatte	Murphy (CT)	Watt	Wicker	Young (FL)	Becerra	Green, Al	Moran (KS)
Andrews	Gordon	Murphy, Patrick	Waxman	Wilson (OH)		Berkley	Green, Gene	Moran (VA)
Arcuri	Green, Al	Murphy, Tim	Weiner	Wolf		Berman	Grijalva	Murphy (CT)
Baca	Green, Gene	Murtha				Berry	Gutierrez	Murphy, Patrick
Baird	Grijalva	Nadler	Bachus	Cubin	Myrick	Bishop (GA)	Hall (NY)	Murphy, Tim
Baldwin	Gutierrez	Napolitano	Bishop (UT)	Davis, Jo Ann	Pence	Bishop (NY)	Hare	Murtha
Bean	Hall (NY)	Neal (MA)	Boyd (FL)	Gilchrest	Peterson (MN)	Blumenauer	Harman	Nadler
Becerra	Hare	Norton	Brown (SC)	Higgins	Peterson (PA)	Bordallo	Hastert	Napolitano
Berkley	Harman	Nunes	Cardoza	Honda	Space	Boren	Hastings (FL)	Neal (MA)
Berman	Hastert	Oberstar	Carloza	Marshall	Young (AK)	Boswell	Hayes	Norton
Berry	Hastings (FL)	Obey	Clarke			Boucher	Herseth Sandlin	Oberstar
Bishop (GA)	Hayes	Olver				Boyd (FL)	Hill	Obey
Bishop (NY)	Herseth Sandlin	Ortiz				Boyd (KS)	Hinchev	Olver
Blumenauer	Hill	Pallone				Brady (PA)	Hinojosa	Ortiz
Boozman	Hinchev	Pascrell				Braley (IA)	Hirono	Pallone
Bordallo	Hinojosa	Pastor				Brown, Corrine	Hobson	Pascrell
Boren	Hirono	Payne				Brown-Waite,	Hodes	Pastor
Boswell	Hobson	Perlmutter				Castle	Hoekstra	Payne
Boucher	Hodes	Petri				Castor	Holden	Perlmutter
Boyd (KS)	Hoekstra	Pickering				Chandler	Holt	Peterson (MN)
Brady (PA)	Holden	Pitts				Christensen	Hoolley	Pickering
Braley (IA)	Holt	Platts				Cole	Hoyer	Pitts
Brown, Corrine	Hoolley	Price (NC)				Camp (MI)	Hulshof	Platts
Brown-Waite,	Hoyer	Radanovich				Capito	Hunter	Pomeroy
Castor	Hunter	Rahall				Capps	Inglis (SC)	Porter
Butterfield	Inglis (SC)	Rangel				Capuano	Insee	Price (NC)
Buyer	Insee	Regula				Cardoza	Israel	Pryce (OH)
Calvert	Israel	Rehberg				Carnahan	Carney	Putnam
Cantor	Jackson (IL)	Reyes				Carnehan	Carson	Rahall
Capito	Jackson-Lee	Reynolds				Carson	Carson	Rangel
Capps	(TX)	Rodriguez				Carson	Carson	Regula
Capuano	Jefferson	Rogers (AL)				Castle	Castor	Rehberg
Carnahan	Jindal	Rohrabacher				Castor	Castor	Renzi
Carney	Johnson (GA)	Roskam				Castor	Castor	Reyes
Carson	Johnson (IL)	Ross				Chabot	Chabot	Reynolds
Castle	Johnson, E. B.	Rothman				Chandler	Chandler	Rodriguez
Castor	Jones (OH)	Roybal-Allard				Christensen	Christensen	Rogers (AL)
Chabot	Kagen	Royce				Clay	Clay	Rogers (MI)
Chandler	Kanjorski	Ruppersberger				Cleaver	Cleaver	Ros-Lehtinen
Christensen	Kaptur	Rush				Clyburn	Clyburn	Roskam
Clay	Kennedy	Ryan (OH)				Coble	Coble	Ross
Cleaver	Kildee	Salazar				Cohen	Cohen	Rothman
Clyburn	Kilpatrick	Sánchez, Linda				Cole (OK)	Cole (OK)	Roybal-Allard
Coble	Kind	T.				Conyers	Conyers	Ruppersberger
Cohen	King (NY)	Sanchez, Loretta				Cooper	Cooper	Rush
Cole (OK)	Kingston	Sarbanes				Costa	Costa	Ryan (OH)
Conyers	Kirk	Saxton				Costello	Costello	Salazar
Cooper	Klein (FL)	Schakowsky				Courtney	Courtney	Sánchez, Linda
Costa	Knollenberg	Schiff				Cramer	Cramer	T.
Costello	Kucinich	Schmidt				Crenshaw	Crenshaw	Sanchez, Loretta
Courtney	Kuhl (NY)	Schwartz				Crowley	Crowley	Sarbanes
Cramer	LaHood	Scott (GA)				Cuellar	Cuellar	Saxton
Crenshaw	Lampson	Scott (VA)				Cummings	Cummings	Schakowsky
Crowley	Langevin	Serrano				Davis (AL)	Davis (AL)	Schiff
Cuellar	Lantos	Sestak				Davis (CA)	Davis (CA)	Schmidt
Cummings	Larsen (WA)	Shays				Davis (KY)	Davis (KY)	Schwartz
Davis (AL)	Larson (CT)	Shea-Porter				Davis, Lincoln	Davis, Lincoln	Scott (GA)
Davis (CA)	Latham	Sherman				Davis, Tom	Davis, Tom	Scott (VA)
Davis (IL)	LaTourette	Shimkus				DeFazio	DeFazio	Serrano
Davis, Tom	Lee	Shuler				DeGette	DeGette	Lee
DeFazio	Levin	Shuster				Delahunt	Delahunt	Levin
DeGette	Lewis (CA)	Simpson				Dent	Dent	Lewis (CA)
Delahunt	Lewis (GA)	Sires				Diaz-Balart, L.	Diaz-Balart, L.	Lewis (GA)
DeLauro	Lipinski	Skelton				Dicks	Dicks	Shimkus
Dent	LoBiondo	Slaughter				Dingell	Dingell	Shuler
Diaz-Balart, L.	Loeback	Smith (NJ)				Doggett	Doggett	Shuster
Dicks	Lofgren, Zoe	Smith (WA)				Donnelly	Donnelly	Simpson
Dingell	Lowey	Snyder				Doyle	Doyle	Sires
Doggett	Lucas	Solís				Duncan	Duncan	Skelton
Donnelly	Lynch	Spratt				Doyle	Doyle	Slaughter
Doyle	Maloney (NY)	Stark				Duncan	Duncan	Smith (NE)
Duncan	Manzullo	Stearns				Edwards	Edwards	Smith (NJ)
Edwards	Markey	Stupak				Ehlers	Ehlers	Smith (WA)
Ehlers	Matheson	Sullivan				Emanuel	Emanuel	Snyder
Emanuel	Matsui	Sutton				Emerson	Emerson	Solis
Emerson	McCarthy (NY)	Tanner				Engel	Engel	Souder
Engel	McColum (MN)	Tauscher				English (PA)	English (PA)	Spratt
English (PA)	McCotter	Taylor				Eshoo	Eshoo	Stark
Eshoo	McDermott	Thompson (CA)				Etheridge	Etheridge	Stearns
Etheridge	McGovern	Thompson (MS)				Faleomavaega	Faleomavaega	Stupak
Faleomavaega	McHugh	Tierney				Fallin	Fallin	Sullivan
Fallin	McIntyre	Turner				Farr	Farr	Sutton
Farr	McNerney	Turner				Fattah	Fattah	Tanner
Fattah	McNulty	Udall (CO)				Ferguson	Ferguson	Tauscher
Ferguson	Meek (FL)	Udall (NM)				Filner	Filner	Taylor
Filner	Meeks (NY)	Upton				Fortenberry	Fortenberry	Thompson (CA)
Forbes	Melancon	Van Hollen				Fortuño	Fortuño	Thompson (MS)
Fortenberry	Mica	Velázquez				Fossella	Fossella	Tiahart
Fossella	Michaud	Visclosky				Frank (MA)	Frank (MA)	Tiberi
Frank (MA)	Miller (MI)	Walberg				Frelinghuysen	Frelinghuysen	Tierney
Frelinghuysen	Miller (NC)	Walsh (NY)				Gallely	Gallely	Towns
Garrett (NJ)	Miller, George	Walz (MN)				Garrett (NJ)	Garrett (NJ)	Turner
Gerlach	Mitchell	Wamp				Gillibrand	Gillibrand	Udall (CO)
Giffords	Mollohan					Gillmor	Gillmor	Udall (NM)
						Gohmert	Gohmert	Upton

NOT VOTING—18

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining.

□ 1320

So the amendment was rejected.
The result of the vote was announced as above recorded.

ANNOUNCEMENT OFFERED BY MR. FLAKE
The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.
The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:
Page 38, strike line 5 and all that follows through page 41, line 18.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 94, noes 328, not voting 14, as follows:

[Roll No. 693]

AYES—94

Akin	Duncan	Mica
Bachmann	Everett	Miller (FL)
Baker	Feeney	Miller, Gary
Barrett (SC)	Flake	Musgrave
Bartlett (MD)	Forbes	Neugebauer
Barton (TX)	Fox	Nunes
Biggett	Franks (AZ)	Paul
Bilbray	Gingrey	Pearce
Bilirakis	Granger	Peterson (PA)
Blackburn	Graves	Petri
Blunt	Hall (TX)	Poe
Boehner	Hastings (WA)	Price (GA)
Bonner	Heller	Radanovich
Bono	Hensarling	Ramstad
Boozman	Herger	Reichert
Boustany	Issa	Rogers (KY)
Brady (TX)	Johnson, Sam	Rohrabacher
Buchanan	Jordan	Royce
Burgess	Keller	Ryan (WI)
Burton (IN)	Kingston	Sali
Campbell (CA)	Kline (MN)	Sensenbrenner
Cannon	Lamborn	Sessions
Cantor	Lewis (KY)	Shadegg
Carter	Linder	Smith (TX)
Chabot	Lungren, Daniel	Tancredo
Conaway	E.	Terry
Culberson	Mack	Thornberry
Davis, David	Marchant	Wamp
Deal (GA)	McCarthy (CA)	Weldon (FL)
Doolittle	McCrery	Westmoreland
Drake	McHenry	Wilson (SC)
Dreier	McKeon	

NOES—328

Abercrombie	Alexander	Andrews
Ackerman	Allen	Arcuri
Aderholt	Altmire	Baca

Van Hollen Waters Wicker
 Velázquez Watson Wilson (NM)
 Visclosky Watt Wilson (OH)
 Walberg Waxman Wolf
 Walden (OR) Weiner Woolsey
 Walsh (NY) Welch (VT) Wu
 Walz (MN) Weller Wynn
 Wasserman Wexler Yarmuth
 Schultz Whitfield Young (FL)

NOT VOTING—14

Bachus Davis, Jo Ann Myrick
 Bishop (UT) Gilchrest Pence
 Brown (SC) Higgins Space
 Clarke Honda Young (AK)
 Cubin Marshall

□ 1325

Mr. SMITH of Nebraska changed his vote from “aye” to “no.”

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE: Page 41, line 26, after the dollar amount, insert “(reduced by \$425,000,000)”.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 104, noes 312, not voting 20, as follows:

[Roll No. 694]
 AYES—104

Akin Everett Mica
 Bachmann Feeney Miller (FL)
 Baker Flake Miller, Gary
 Barrett (SC) Forbes Musgrave
 Bartlett (MD) Foxx Neugebauer
 Barton (TX) Franks (AZ)
 Bilbray Gallegly Paul
 Bilirakis Gingrey Pearce
 Blackburn Granger Peterson (PA)
 Blunt Graves Petri
 Boehner Hall (TX) Poe
 Bonner Hastings (WA) Price (GA)
 Bono Heller Radanovich
 Boozman Hensarling Ramstad
 Boustany Herger Reichert
 Brady (TX) Inglis (SC) Rogers (KY)
 Buchanan Issa Rohrabacher
 Burgess Johnson, Sam Royce
 Burton (IN) Jones (NC) Ryan (WI)
 Buyer Jordan Sali
 Campbell (CA) Keller Sensenbrenner
 Cannon King (IA) Sessions
 Cantor Kingston Shadegg
 Carter Kline (MN) Smith (NE)
 Chabot Lamborn Smith (TX)
 Coble Lewis (KY) Stearns
 Conaway Linder Sullivan
 Culberson Lungren, Daniel Tancredo
 Davis (KY) E. Terry
 Davis, David Mack Thornberry
 Deal (GA) Tiberi Marchant
 Doolittle McCarthy (CA) Wamp
 Drake McCrery Weldon (FL)
 Dreier McHenry Westmoreland
 Duncan McKeon Wilson (SC)

NOES—312

Ackerman Allen Arcuri
 Aderholt Altmire Baca
 Alexander Andrews Baird

Baldwin Barrow
 Bean
 Becerra Berkley
 Berman Hastings (FL)
 Berry Hayes
 Biggert Herseth Sandlin
 Bishop (GA) Hill
 Bishop (NY) Hinchey
 Blumenauer Hinojosa
 Bordallo Hirono
 Boren Hobson
 Boswell Hodes
 Boucher Hoekstra
 Boyd (FL) Holden
 Boyda (KS) Holt
 Brady (PA) Hooley
 Braley (IA) Hoyer
 Brown, Corrine Hulshof
 Brown-Waite, Hunter
 Ginny Inslie
 Butterfield Israel
 Calvert Jackson (IL)
 Camp (MI) Jackson-Lee (TX)
 Capito Jefferson
 Capps Jindal
 Capuano Johnson (GA)
 Cardoza Johnson (IL)
 Carnahan Johnson, E. B.
 Carney Jones (OH)
 Carson Kagen
 Castle Kanjorski
 Castor Kennedy
 Chandler Kildee
 Christensen Kilpatrick
 Clay Kind
 Clyburn King (NY)
 Cohen Kirk
 Cole (OK) Klein (FL)
 Conyers Knollenberg
 Cooper Kucinich
 Costa Kuhl (NY)
 Costello LaHood
 Courtney Lampson
 Cramer Langevin
 Crenshaw Schiff
 Crowley Schmidt
 Cuellar Larsen (WA)
 Cummings Larson (CT)
 Davis (AL) Latham
 Davis (CA) LaTourrette
 Davis (IL) Lee
 Davis, Lincoln Levin
 Davis, Tom Lewis (CA)
 DeFazio Lewis (GA)
 DeGette Lipinski
 Delahunt LoBiondo
 DeLauro Loeb sack
 Dent Lofgren, Zoe
 Diaz-Balart, L. Lowey
 Diaz-Balart, M. Lucas
 Dicks Lynch
 Dingell Mahoney (FL)
 Doggett Maloney (NY)
 Donnelly Manzullo
 Doyle Markey
 Edwards Matheson
 Ehlers Matsui
 Ellsworth McCarthy (NY)
 Emanuel McCaul (TX)
 Emerson McCollum (MN)
 Engel McCotter
 English (PA) McDermott
 Eshoo McGovern
 Etheridge McHugh
 Faleomavaega McIntyre
 Fallin McMorris
 Farr Rodgers
 Fattah McNerney
 Ferguson McNulty
 Filner Meeke (FL)
 Fortenberry Meeke (NY)
 Fortuondo Melancon
 Fossella Michaud
 Frank (MA) Miller (MI)
 Frelinghuysen Miller (NC)
 Garrett (NJ) Miller, George
 Gerlach Mitchell
 Giffords Mollohan
 Gillibrand Moore (KS)
 Gillmor Moore (WI)
 Gohmert Moran (KS)
 Gonzalez Moran (VA)
 Goode Murphy (CT)
 Goodlatte Murphy, Patrick
 Gordon Murphy, Tim
 Green, Al Murtha
 Green, Gene Nadler

Napolitano Wilson (OH) Wynn
 Neal (MA) Wolf Yarmuth
 Norton Woolsey Young (FL)
 Oberstar Wu
 Obey
 Olver
 Ortiz
 Pallone
 Pascrell
 Pastor
 Payne
 Perlmutter
 Peterson (MN)
 Pickering
 Pitts
 Platts
 Pomeroy
 Porter
 Price (NC)
 Pryce (OH)
 Putnam
 Rahall
 Rangel
 Regula
 Rehberg
 Renzi
 Reyes
 Reynolds
 Rodriguez
 Rogers (AL)
 Rogers (MI)
 Ros-Lehtinen
 Roskam
 Ross
 Rothman
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Salazar
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz
 Scott (GA)
 Scott (VA)
 Serrano
 Sestak
 Shays
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NJ)
 Smith (WA)
 Snyder
 Solis
 Souder
 Spratt
 Stark
 Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Thompson (CA)
 Thompson (MS)
 Tiahrt
 Tierney
 Towns
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden (OR)
 Walsh (NY)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Weiner
 Welch (VT)
 Weller

NOT VOTING—20

Abercrombie Davis, Jo Ann Marshall
 Bachus Ellison Myrick
 Bishop (UT) Gilchrest Pence
 Brown (SC) Hare Space
 Clarke Higgins Waxman
 Cleaver Honda Young (AK)
 Cubin Kaptur

□ 1328

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHABOT

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CHABOT: Page 61, line 10, after the dollar amount, insert “(reduced by \$330,000,000)”. Page 61, line 12, after the dollar amount, insert “(reduced by \$330,000,000)”. Page 61, line 16, after the dollar amount, insert “(reduced by \$330,000,000)”.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 121, noes 300, not voting 15, as follows:

[Roll No. 695]
 AYES—121

Akin Gingrey Moran (KS)
 Bachmann Gohmert Murphy, Patrick
 Barrett (SC) Goode Musgrave
 Bartlett (MD) Goodlatte Neugebauer
 Barton (TX) Graves Nunes
 Bilbray Hall (TX) Paul
 Blackburn Hastert Pearce
 Boehner Hastings (WA) Peterson (PA)
 Boozman Heller Petri
 Brady (TX) Hensarling Pickering
 Brown-Waite, Herger Pitts
 Ginny Hunter Poe
 Burton (IN) Issa Price (GA)
 Calvert Johnson (IL) Putnam
 Camp (MI) Johnson, Sam Radanovich
 Campbell (CA) Jordan Reynolds
 Cannon Keller Rogers (KY)
 Cantor King (IA) Rogers (MI)
 Chabot King (NY) Rohrabacher
 Coble Kingston Roskam
 Conaway Kirk Royce
 Crenshaw Kline (MN) Ryan (WI)
 Culberson Lamborn Sali
 Davis, David Latham Schmidt
 Davis, Tom Lewis (CA) Schwartz
 Deal (GA) Lewis (KY) Sensenbrenner
 Doolittle Linder Sessions
 Drake Lungren, Daniel Shadegg
 Dreier E. Shuster
 Duncan Mack Smith (NE)
 Everett Manzullo Smith (TX)
 Feeney Marchant Stearns
 Flake McCarthy (CA) Sullivan
 Forbes McCaul (TX) Tancredo
 Fossella McHenry Thornberry
 Foxx McKeon Tiahrt
 Franks (AZ) Miller (FL) Walberg
 Gallegly Miller, Gary Wamp
 Garrett (NJ) Miller, Gary Weldon (FL)

Weller
Westmoreland

Wicker
Wilson (SC)

Wolf
Young (FL)

Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman
Schultz
Waters
Watson

Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (NM)

Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—300

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin

Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandiim
Hill
Hinchev
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorriss
Rodgers
McNerney
McNulty
Meek (FL)

Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky

NOT VOTING—15

Bachus
Bishop (UT)
Brown (SC)
Clarke
Cubin

Davis, Jo Ann
Gilchrist
Higgins
Honda
Marshall

Myrick
Pence
Rangel
Space
Young (AK)

□ 1333

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OLVER. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 120, line 5, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN (Mr. ROSS). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of that portion of the bill is as follows:

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$25,000 for official reception and representation expenses, \$1,211,379,650, of which \$556,776,000 shall be provided from the various funds of the Federal Housing Administration, \$10,700,000 shall be provided from funds of the Government National Mortgage Association, \$743,000 shall be from the "Community Development Loan Guarantee Program" account, \$148,500 shall be provided by transfer from the "Native American Housing Block Grants" account, \$247,500 shall be provided by transfer from the "Indian Housing Loan Guarantee Fund Program" account, and \$34,650 shall be transferred from the "Native Hawaiian housing loan guarantee fund" account: *Provided*, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further*, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further*, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further*, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations;

(3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further*, That up to \$15,000,000 may be transferred to the Working Capital Fund: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS-14 and GS-15 levels until the total number of GS-14 and GS-15 positions in the Department has been reduced from the number of GS-14 and GS-15 positions on the date of enactment of Public Law 106-377 by 2½ percent.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, \$125,000,000, to remain available until September 30, 2009: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$113,760,000, of which \$23,760,000 shall be provided from the various funds of the Federal Housing Administration: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed \$500 for official reception and representation expenses, \$66,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided*, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2008: *Provided further*, That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under subtitle B of such Act: *Provided further*, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during

the fiscal year so as to result in a final appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2008 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2008 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2008 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2008 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2008, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the

proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act (12 U.S.C. 1811 et seq.).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2008 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. None of the funds provided in this title for technical assistance, training, or

management improvements may be obligated or expended unless the Secretary of Housing and Urban Development provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2008, the Secretary shall transmit this information to the Committees by March 15, 2008 for 30 days of review.

SEC. 209. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 210. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division ("metropolitan division"), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 211. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2008 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under

lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 212. The Department of Housing and Urban Development shall submit the Department's fiscal year 2009 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 213. Incremental vouchers previously made available under the heading "Housing Certificate Fund" or renewed under the heading, "Tenant-Based Rental Assistance," for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 214. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa, and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 215. (a) Notwithstanding any other provision of law, subject to the conditions listed in subsection (b), for fiscal years 2008 and 2009, the Secretary of Housing and Urban Development may authorize the transfer of project-based assistance, debt and statutorily required low-income and very low-income use restrictions, associated with one multifamily housing project to another multifamily housing project.

(b) The transfer authorized in subsection (a) is subject to the following conditions:

(1) the number of low-income and very low-income units and the net dollar amount of Federal assistance provided by the transferring project shall remain the same in the receiving project;

(2) the transferring project shall, as determined by the Secretary, be either physically obsolete or economically non-viable;

(3) the receiving project shall meet or exceed applicable physical standards established by the Secretary;

(4) the owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials;

(5) the tenants of the transferring project who remain eligible for assistance to be provided by the receiving project shall not be required to vacate their units in the transferring project until new units in the receiving project are available for occupancy;

(6) the Secretary determines that this transfer is in the best interest of the tenants;

(7) if either the transferring project or the receiving project meets the condition specified in subsection (c)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary;

(8) if the transferring project meets the requirements of subsection (c)(2)(E), the owner or mortgagor of the receiving project shall

execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions;

(9) any financial risk to the FHA General and Special Risk Insurance Fund, as determined by the Secretary, would be reduced as a result of a transfer completed under this section; and

(10) the Secretary determines that Federal liability with regard to this project will not be increased.

(c) For purposes of this section—

(1) the terms "low-income" and "very low-income" shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term "multifamily housing project" means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure;

(C) housing that is assisted under section 202 of the Housing Act of 1959 as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act; or

(E) housing or vacant land that is subject to a use agreement;

(3) the term "project-based assistance" means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) additional assistance payments under section 236(f)(2) of the National Housing Act; and,

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959;

(4) the term "receiving project" means the multifamily housing project to which the project-based assistance, debt, and statutorily required use low-income and very low-income restrictions are to be transferred;

(5) the term "transferring project" means the multifamily housing project which is transferring the project-based assistance, debt and the statutorily required low-income and very low-income use restrictions to the receiving project; and,

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

SEC. 216. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 217. Incremental vouchers previously made available under the heading, "Housing Certificate Fund" or renewed under the heading, "Tenant-Based Rental Assistance", for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 218. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of

1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 219. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 220. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), the Secretary of Housing and Urban Development may, until September 30, 2008, insure and enter into commitments to insure mortgages under section 255 of the National Housing Act (12 U.S.C. 1715z-20).

SEC. 221. The National Housing Act is amended—

(1) in sections 207(c)(3), 213(b)(2)(B)(i), 221(d)(3)(ii)(II), 221(d)(4)(ii)(II), 231(c)(2)(B), and 234(e)(3)(B) (12 U.S.C. 1713(c)(3), 1715e(b)(2)(B)(i), 1715l(d)(3)(ii)(II), 1715l(d)(4)(ii)(II), 1715v(c)(2)(B), and 1715y(e)(3)(B))—

(A) by striking "140 percent" each place such term appears and inserting "170 percent"; and

(B) by striking "170 percent in high cost areas" each place such term appears and inserting "215 percent in high cost areas"; and

(2) in section 220(d)(3)(B)(iii)(III) (12 U.S.C. 1715k(d)(3)(B)(iii)(III)) by striking "206A" and all that follows through "project-by-project basis" and inserting the following: "206A of this Act) by not to exceed 170 percent in any geographical area where the Secretary finds that cost levels so require and by not to exceed 170 percent, or 215 percent in high cost areas, where the Secretary determines it necessary on a project-by-project basis".

SEC. 222. (a) During fiscal year 2008, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any

such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 223. Notwithstanding any other provision of law, the recipient of a grant under section 202(b) of the Housing Act of 1959 (12 U.S.C. 1701q-2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 224. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134, April 26, 1996): *Provided*, That upon turnover, existing requirements on the reissuance of section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

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 title II (before the short title), add the following new section:

SEC. _____. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204 of Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134; 42 U.S.C. 1437f note)), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

Mr. OLVER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

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, the Moving to Work program has enabled Public Housing Authorities, PHAs, to create jobs for residents, add affordable housing stock, and help families build savings. Such efforts have gained recognition as being very successful in serving more

families and helping recipients to self-sufficiency. The innovation and flexibility of the Moving to Work program helps more families realize self-sufficiency through locally oriented programs instead of HUD's one-size-fits-all approach.

Despite these benefits, only 24 of the more than 3,000 PHAs in the Nation are participating in the Moving to Work program. This amendment merely clarifies existing law in order to eliminate confusion at HUD about the number of PHAs authorized to be designated as Moving to Work. Congress has authorized 32 PHAs to participate in the Moving to Work program. Despite this clear intent to have 32 PHAs be designated as Moving to Work, due to what I view as a misinterpretation at HUD, there are only 24 agencies that are currently allowed to participate in the Moving to Work program. Once PHAs leave the Moving to Work program, HUD has said that no new agencies can be selected to fill their vacancies.

This simple and straightforward amendment would clarify Congress's intent to require HUD to implement Moving to Work at its fully authorized level. The amendment directs the Secretary of HUD to promptly approve new PHAs to participate in the Moving to Work program whenever the number of agencies is less than the total number and level we have authorized at 32. I urge my colleagues to support this amendment.

Does the chairman plan on opposing this amendment?

Mr. OLVER. If the gentleman will yield, I do intend to insist upon the point of order.

Mr. GARY G. MILLER of California. Then if the gentleman is going to raise a point of order, I will withdraw the amendment.

May I have a colloquy with the chairman?

Mr. OLVER. I will be happy to engage in a colloquy.

Mr. GARY G. MILLER of California. Chairman OLVER, the Moving to Work program has enabled Public Housing Authorities to create jobs for residents, add affordable housing stock, and help families build savings. Such efforts have gained recognition as being very successful and serving more families and helping recipients to self-sufficiency.

Congress has authorized 32 PHAs to participate in the Moving to Work program. Unfortunately, due to the misinterpretation at HUD, there are only 24 PHAs that are allowed to participate in the Moving to Work program.

Mr. Chairman, would you agree that it is the intent of Congress that HUD must implement the Moving to Work program at its fully authorized level?

Mr. OLVER. Mr. Chairman, to the gentleman who is offering the amendment and offering to withdraw it, I want to say that I am a supporter of Moving to Work; but the language here is clearly authorizing language, and we

have not been accepting authorizing language at any point in this debate.

So, I would be very happy to work with the gentleman on the Moving to Work program, and urge him to withdraw the amendment.

Mr. GARY G. MILLER of California. I thank the gentleman. If PHAs move off the Moving to Work program, HUD must immediately solicit new applicants to keep the program at full force, and I hope this colloquy will eliminate confusion at HUD about the number of PHAs authorized to be designated as Moving to Work.

Mr. Chairman, I withdraw the amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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

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

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

Mr. GARY G. MILLER of California. Mr. Chairman, I ask to engage the chairman of Transportation and HUD in another colloquy.

Mr. Chairman, I have serious concerns about the administration's proposal to increase the Federal Housing Administration's multifamily mortgage insurance premium by 35 percent for fiscal year 2008.

The administration proposed a similar increase last year, and rescinded it after hearing from Members of Congress and those in the industry most affected. I believe we again do not have sufficient information about the impact of this proposal on affordable rental housing for American workforces.

The chairman of the Financial Services Committee Mr. FRANK and I are currently circulating a letter to HUD among our colleagues opposing the increase in the premium. As of Monday, we have 106 Members of Congress on record opposing the increase. A similar letter sent to HUD was recently signed by 38 Senators.

We believe an increase in the premium will impact the communities where housing would be built as well as tenants in those projects. HUD needs to perform a full assessment of the likely impact of such a premium increase on the volume of multifamily rental housing development, and the consequential effects of higher financing costs on rents to be borne by moderate-income residents.

This thorough assessment of the potential adverse effects of the proposed premium increase needs to be submitted to the appropriate congressional committees, giving Congress the opportunity to evaluate the proposal. This would need to happen before allowing the increase to go into effect by simple notice.

Mr. OLVER. Mr. Chairman, I would say to the gentleman from California that I very much respect the passion

for which he is working on this along with the chairman of the Financial Services Committee, and I look forward to working with you on this issue as we proceed.

Mr. GARY G. MILLER of California. I thank the gentleman.

Mr. OLVER. Mr. Chairman, I ask unanimous consent that the bill through page 127, line 3, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of that portion of the bill is as follows:

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2008".

TITLE III

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$6,150,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$22,072,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

NATIONAL TRANSPORTATION SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) \$85,000,000, of which not to exceed \$2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments due in fiscal year 2008 only, on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$119,800,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of con-

ference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$2,000,000.

Title II of the McKinney-Vento Homeless Assistance Act, as amended, is amended in section 209 by striking "2007" and inserting "2008".

TITLE IV

GENERAL PROVISIONS—THIS ACT (INCLUDING TRANSFERS OF FUNDS)

SEC. 401. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 402. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 403. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 404. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the House and Senate Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year en-

acted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2008 from appropriations made available for salaries and expenses for fiscal year 2008 in this Act, shall remain available through September 30, 2009, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 407. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole source contracts by no later than July 31, 2008. Such report shall include the contractor, the amount of the contract and the rationale for using a sole source contract.

SEC. 408. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

□ 1345

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 409. None of the funds made available in this Act may be used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

AMENDMENT NO. 15 OFFERED BY MR. SESSIONS

Mr. SESSIONS. 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. 15 offered by Mr. SESSIONS:

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

SEC. 410. None of the funds made available by this Act shall be used to support Amtrak's route with the highest loss, measured

by passenger per mile cost as based on the National Railroad Passenger Corporation's September 2006 Financial Performance of Routes Report.

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

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, my amendment is very straightforward. It would eliminate funding for the absolute worst performing line at Amtrak, the Sunset Limited, which runs from New Orleans to Los Angeles.

In 1997, Congress passed the Amtrak Reform and Accountability Act, which required that Amtrak operate without any Federal operating assistance after 2002. Despite this commonsense requirement that they cease their fiscal irresponsibility and mismanagement, since Amtrak was supposed to be operating free of Federal subsidy, it has, instead, cost the taxpayers \$3 billion in operating expenses.

Mr. Chairman, people tuned in on C-SPAN to watch this debate may be wondering what exactly this \$3 billion in taxpayer funding is paying for. Well, in the case of the Sunset Limited, it is being used to subsidize the travels of a very few passengers who want to take a train from New Orleans to Los Angeles.

The trip is scheduled to take 46 hours and 20 minutes to complete, that is, assuming the train is running on time. This occurrence is, however, exceedingly unlikely. According to Amtrak's most recent monthly performance report, the Sunset Limited was only on time 11 percent of the time. This makes the Sunset Limited the third worst on-time performer for any of Amtrak's 33 routes during 2007.

Perhaps, Mr. Chairman, taxpayers should be happy when the train is not running, though, because when it is, the route loses an average of almost \$30 million a year. This means that Amtrak and the American taxpayer lose \$0.57 per mile for each passenger on this train. For 2006, it cost the Federal Government \$524 per passenger on that route, more than revenue that was brought in.

Mr. Chairman, my amendment is the first step to instilling just a small measure of fiscal discipline at Amtrak. Failure to do so will only allow Amtrak to continue misusing and wasting taxpayer dollars.

This amendment is supported by the National Taxpayers Union, Americans for Tax Reform, and Citizens Against Government Waste. I hope that all my colleagues will join me and those taxpayer advocates in saving the taxpayers from throwing more good money after bad on the Sunset Limited.

I urge all my colleagues to support this amendment.

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

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

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

Mr. OLVER. Mr. Chairman, I yield myself 2 minutes.

I would like to point out to the gentleman that the bill before us includes language that requires the Secretary of Transportation to review and ultimately approve or deny grant requests for each train route as part of the grant agreement. When grant requests are submitted to the Secretary, they include a detailed financial analysis and revenue projections, and the Secretary then determines whether to approve the grant request for the specific train route.

I'd like to make another comment here. All too often we forget about rural areas. Rural communities deserve transportation choices. This line serves a number of rural areas in the South and Southwest. But I do again remind that the Secretary has the authority to review the financials in relation to a particular route and to approve or disapprove of grant requests.

Amtrak has made some good moves over the recent past. They've reduced their debt by \$500 million. They have exacted about \$100 million of savings so far in their effort to reduce the costs of the long-distance routes. They've increased the amount of State investment that's involved in these routes, and they continue to show better revenue and ridership.

But the route to deal with individual routes, the way to deal with individual routes is through the language that's already in the bill, and so I'm going to oppose the specific effort to eliminate one specific route when the route is already in place in the legislation for the Secretary to make that decision.

Mr. Chairman, I yield 1 minute to the gentlewoman who is the Chair of the subcommittee of the authorizing committee, Ms. BROWN.

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Chairman, here we go again, trying to destroy passenger rail in this country. The United States used to be the best passenger rail system in the world. Now we're the cabooses, and we don't even use cabooses anymore.

For far too long this Congress has given Amtrak just enough money to limp along, never giving them the funds they needed to make serious improvements in the system.

Amtrak was a first responder during Hurricane Katrina and used the Sunset Limited line to help evacuate thousands of gulf region residents while President Bush and his administration was nowhere to be found. Now they are becoming a key part of each State's future evacuation plan.

Every industrialized country in the world is investing heavily in rail infrastructure because they realize that this is the future of transportation. But, sadly, as their systems get bigger and

better, our system gets less and less money.

Vote "no" on the amendment.

Mr. OLVER. Mr. Chairman, I yield the remainder of my time to the gentleman from Minnesota (Mr. OBERSTAR).

The Acting CHAIRMAN. The gentleman from Minnesota is recognized for the remaining 2 minutes.

Mr. OBERSTAR. Mr. Chairman, I thought we spent most of last night on amendments to kill the operating account of Amtrak and then kill the capital account of Amtrak. The only thing that wasn't offered was burial funds for Amtrak. But now comes the dismemberment amendment.

This route is part of a national passenger rail system. It's the only route connecting California to the Southwest, to the gulf, and on to Florida. This route touches one-third of the Nation's population. Many of the people living in those communities along this route have no other passenger transportation, mass transportation alternative than the Sunset Limited.

The gentleman from Texas talked about the time it takes to traverse that route. What he didn't say is that most of that time is spent by Amtrak on sidings waiting for freight rail trains to pass. Now, if you give passenger rail priority consideration on those routes, those trains would pass very quickly. We could cut a substantial, maybe a third or more of the time out of their passenger service.

What's happening here is, going back to the origins of Amtrak, when freight rail companies started as passenger rail service found they could make more money carrying freight than passengers, they were carrying U.S. mail on the overnight railway post office, they petitioned to the Interstate Commerce Commission to discontinue passenger service when U.S. Postal Service moved to carrying their mail by truck.

So one by one, they discontinued passenger rail service, dumped it all in the hands of the Federal Government.

We need to keep Amtrak servicing. Defeat this amendment.

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

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

Mr. SESSIONS. 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.

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

Mr. Chairman, I want to point something out. Last night the committee, while most Members were able to leave for dinner, the committee had to stay here and work until 10 p.m.. Lots of Members didn't show up then to offer

their amendments, and so now we have a surplus of amendments that we still have to go through today.

Now, today, the committee is grinding through these amendments, and we've just hit a patch in the road where no Members were here to offer their amendments.

Under the House rules, the committee could have chosen to rise and we could have moved to final passage without considering any of the other amendments that are still pending. The committee chose not to do that, out of fairness.

But I want to point out that if Members want to tie up the committee's time ad nauseam on repetitive amendments, the same amendments on the same bills ad nauseam, then the least they can do is to be on the floor when those amendments are supposed to be offered. The next time there is such a gap, I will move to rise and move to final passage.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. 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. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Belmont Complex in Armstrong County, Pennsylvania.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$300,000.

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

Mr. OLVER. Mr. Chairman, would it be possible to have the Clerk read the amendment in these instances where there are very specific amendments applying to a specific project within the legislation.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

□ 1400

The Acting CHAIRMAN. The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I thank the committee for their indulgence here. I just wanted to make sure that Members who have earmarks that are being challenged here have the ability to come to the floor and are able to defend them.

This amendment, Mr. Chairman, would strike \$300,000 from funding for the Belmont Complex in Armstrong County, Pennsylvania.

The Belmont Complex is a local recreational center. It offers an Olympic-size swimming pool with a 150-foot

water slide and an indoor skating rink and arena. The center has an adult hockey team and also offers indoor soccer.

To generate money, the center sells advertising space on the ice. A dashboard ad costs about \$800. The center also charges \$5 a day for admission to the pool. Individual pool memberships for the summer season are also available, and they can run up to \$77.

But, apparently, despite all the available revenue streams, the Federal taxpayers are being asked to pay \$300,000 for this recreational center to rebuild or renovate the center.

The bad news is I don't think any of us are given a free pass. We aren't given a season pass. That is something that is just for the locals. I think the entire project should be for the locals.

Reading through this, it struck me that virtually every Member here in this body has probably a dozen or so of these recreational centers in their district that we could, with the same justification here, come to the Congress and say we need a Federal taxpayer subsidy for this. We are not charging enough for people to come in, where our local funds are low, so we are going to give the Federal taxpayer the chance to pay for it.

We simply can't do that, obviously. We can't fund all the recreational centers across the country. So why do we choose this one? Why do we pick winners and losers here? Is it just because there is a particularly powerful Member who is behind it who can say, hey, I am going to get funds for my district for this recreational center? What happens to all the other ones? What do you tell the recreational center down the street just across the district line? You're out of luck? You have to charge more for your season passes?

It just doesn't seem fair to me. This isn't the road we should go down. And if we have turned over a new leaf, and we are doing something different in terms of earmarks, then let's do something different instead of the same old same old.

We are told that we are going to have a process that vets these a little better. There are, I believe, about 1,500 earmarks in this bill. We just got word of what they were just a couple of days ago. And so it just doesn't seem that the process is changing all that much. It looks too much now like it did when Republicans were in charge.

So I think that we ought to change it, and that is why I am offering this amendment.

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

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

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

Mr. OLVER. Mr. Chairman, the gentleman offering this amendment doesn't happen to be here at the moment; so let me try to point out what is involved here.

Yes, the Belmont Complex does provide recreational opportunities and conference and meeting space. Yes, it is a facility that is used for Chamber of Commerce meetings, and banquets, and business, and seminars, and training and testing for displaced workers, and local union meetings and negotiations, emergency rescue training, voter registration drives, local business-to-business job fairs.

In the county, Armstrong County in Pennsylvania, which is one of those in the northern part of Appalachia that is struggling hard, losing population, by the way, if I remember the map exactly correctly. I was from Pennsylvania in an earlier period of my lifetime. These are all purposes that are important to the process of keeping the economy going in that community and that county.

But most important to this particular earmark is that a 2003 fire damaged much of the building, and these funds are needed to make continual interior and exterior renovations and to make the facility handicapped-accessible. Those are important specific things that go beyond the other bits and pieces that are pulled together in this complex. The main building within the complex has had fire damage and needs this money for repair.

Now, I just want to point out that the great explosion, the truly irresponsible explosion, of congressional earmarking began shortly after the party which is in the minority gained control of the Congress in 1995. And so during that period of time, we have gone from zero earmarking in the Labor, Health, and Education budget to over \$1 billion a year. We have tripled the number of earmarks in the defense bill. The number of earmarks in this legislation, while it has been reorganized a couple times, has gone up in similar kind of proportion. Yet this year, this year, we are reducing the number of earmarks and the number of dollars involved in those earmarks by 50 percent from what they were under the last time that a budget was put through completely with earmarks under the leadership of the gentleman's party. So we are trying to clean up a mess and get a good strong measure of the earmarking process.

But this one, I think, is legitimate for its purposes, and I hope the amendment will be defeated.

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

Mr. FLAKE. Mr. Chairman, let me just say if you can justify this earmark for a recreational center to help them basically defray cost of memberships or to rebuild or renovate, you could do that for any recreational center in the country. There is nothing that I can see, and I wish the sponsor of the amendment would have come to the floor to actually defend it or shed some light on what makes this special, why there is a Federal nexus here that doesn't exist with other recreational centers across the country. I wish we

could have had that debate or not. So we have to assume that this is no different than any recreational center anywhere in the country. So if you can justify this one, you can justify any of them. And we simply can't afford that, and we shouldn't continue just to say, well, we have cut the number of earmarks or dollar value in half. I mean, we are trying to get back to fiscal sobriety here after a binge that took place for years, and I admitted that that binge was my party. But if we are trying to get back to sobriety, it doesn't count to say, all right, we are only going to drink half as much this year as we did before. That's just not acceptable.

This process is out of control. It remains out of control. And this earmark is a great example of that. If we can approve earmarks for this kind of thing, anything goes. Katy bar the door.

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

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

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

Mr. LEWIS of California. Mr. Chairman, it was not my intention to speak on any of these earmarks, but the discussion that has gone on between the chairman and the gentleman from Arizona I was listening to upstairs, and it struck me that there needed to be some addition to this discussion.

The suggestion that earmarks exploded as of the time the control of the Congress changed in 1995 and began to expand, et cetera, et cetera, is accurate, accurate, but for reasons entirely different than the gentleman from Arizona either realizes or understands.

It is a fact that the other party controlled the Congress for 40 years, and over all those years their chairmen, their subcommittee chairmen, their very high-ranking Members around here with years and years of power had developed very solid relationships with the second and third level in the various agencies around this town. And there weren't earmarks; there were phone marks. Key staff and otherwise were instructed to call those second- and third-tier people within the agencies and let them know what they thought the priorities should be. There wasn't a need for legislative earmarks because phone marks had a very significant impact upon the process. And we tend to ignore that reality.

When the majority did change, the new majority found that that second and third level of bureaucracy weren't nearly as responsive to people with Rs after their name, or Republicans, and thus they began giving some specific direction as to what their priorities were, thus the term called "earmarks."

Further, I think the gentleman does his party a disservice by suggesting that this was our fault. The reality is that even the earmarks where they are represent in the neighborhood of 1 percent of all the discretionary spending available in the appropriations process,

and that while the Constitution says that appropriations should begin in the House of Representatives, to suggest that Members having ideas as to what priorities ought to be and even putting it in legislation is wrong, it seems to me, in connection with that, the gentleman is wrong.

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

Mr. FLAKE. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN (Mr. WEINER). The gentleman from Arizona has 30 seconds remaining.

Mr. FLAKE. Mr. Chairman, let me just respond.

The truth is we went from about, as the chairman of the Appropriations Committee often points out, from zero earmarks in Labor-HHS to some 1,400 last week. Much of that was under my party.

I think Democrats are as much to blame probably as Republicans are. The difference is as Republicans, we pretend to stand for limited government. We should be saying this isn't what we should be doing. If the agencies are out of control, we need to rein them in through the oversight process rather than to try to compete with them in terms of wasteful spending.

The Acting CHAIRMAN. The time of the gentleman from Arizona has expired.

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

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

Mr. OBEY. Mr. Chairman, I had not intended to speak on this issue either, but I feel required to respond to one thing that the gentleman from Arizona said.

He indicated that it was too bad that he had only had 2 or 3 days during which time he could review the earmarks in this bill. I simply want to say if he feels badly about that and wants to know why that is the case, all he has to do is look in the mirror along with a number of his other colleagues.

Why do I say that? Because I tried about a month ago to make clear to the House that I thought the Appropriations Committee staff had had insufficient time to take a look at and screen a number of these earmarks, especially those that came early in the process. So I offered up another option, and what I proposed is that the committee simply be given more time to screen those earmarks, and that before the Congress adjourned in August, we would then publish all of them, and any persons who had doubts about them would have more than 30 days over the August recess, and our staffs could have reviewed each and every one of them for a much longer period of time.

The gentleman and others on that side of the aisle chose to belittle that proposal, suggesting that we were trying to, quote, "hide earmarks until conference." Not so. All we were trying

to do was to give the staff and any Members who were interested additional time in which to review those earmarks. Our friends on the other side decided that they would rather criticize than agree to that, and so we acquiesced in their desires to have earmarks in each bill as they came to the floor.

□ 1415

We felt that there would be ample protection for Members because we also included a reform that would have required persons in the conference to be present and voting on every single item rather than having to endure what has happened in the past when large amounts of legislation were slipped into conference reports without a vote of the conference after the conference is over. But our judgment was not followed, and so as a result, we have this very limited time for Members to review projects as they come through in regular order. I'm sorry about that. But I would say to the gentleman, no one in this House can have it both ways. We've tried to accommodate the wishes of the House. Either way, we're doing the best we can. And if the gentleman doesn't like it, I think, as I say, all he has to do is look in the mirror because it was comments from people like him that required us to follow this procedure in this manner.

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

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

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Walter Clore Wine and Culinary Center in Prosser, Washington.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$250,000.

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

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Let me just say, in response to the chairman of the Appropriations Committee, this isn't the best process. I appreciate having a couple of days and being able to come to the floor. The problem is, under what was proposed by the chairman, we would have had more time, yes, but we wouldn't have had the ability to challenge individual earmarks. So that was a trade-off that we were unwilling to make. And I still maintain that we made the best decision here. But I think it would be nice to have more than a couple of days to actually look at these, but I appreciate that the Appropriations Committee is doing so.

This amendment would prohibit \$250,000 in Federal funds from going to the Walter Clore Wine and Culinary Center in Prosser, Washington, and reduce the cost of the bill by a consistent amount.

I'm sure people like to be wined and dined, but I think this earmark goes a little too far. I think that this is another example of, if we can justify economic development here, then we can justify just about anything.

We often complain that the Federal Government, the agencies spend willy-nilly, they're wasting money here, they're wasting money there. They are, certainly. One amendment that I wanted to bring today but got it too late would be one to simply cut the account that provides economic development earmarks because I think the Federal agencies do waste money in this regard. But instead of reining that account in and saying you shouldn't be doing that, we're kind of competing with them and saying we're going to do our own economic development earmarks. I just fail to see a Federal nexus that exists here that wouldn't exist with other organizations.

You can justify anything in terms of economic development. The act of spending money by itself inherently means there is economic development. But where do we choose? Do we just choose this one or that one? It just doesn't seem to be a very good process, particularly without a real Federal nexus here.

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

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 3 minutes.

I think the gentleman, in his opening remarks, said something that currently should be expanded. Current law within HUD has an Office of Economic Development, and its responsibility, and I want to quote what its responsibility is, it "works with public and private sectors as well as not-for-profit organizations to provide financial and technical assistance to local communities to develop and implement their

own economic development and community revitalization strategies." Now, that's current law. If the gentleman believes that that agency shouldn't exist, then certainly he can introduce a bill, and we can have a worthy debate on that. But that is existing law.

And it is within that context, then, as this relates to my district, which is a very diverse agriculture area, labor intensive in many of the specialty crops, but there is a new industry that is emerging in my district, and that is the wine industry. It's only about 35 years old. Historically, the wine industry in this country has always been in California. This is emerging in my district, and it has the benefit, then, of economic development to expand, to bring more tourists into this area, which means there's more hotels, more restaurants. That is the very definition of what economic development is all about.

So let me be very, very clear on this. This project is fully consistent with requirements for projects normally and routinely funded under this program and existing programs.

And I might add, it is named for an individual who has been widely recognized as the father of the Washington wine industry. He is the one who convinced farmers to transfer some of their lands to growing wine grapes. And, frankly, they've been very successful.

There has been \$5 million raised by other governmental agencies and quasi-governmental agencies to build this center. This is part of that. What it demonstrates to me is that there is a strong commitment of this wide community that identifies this as a local economic development project.

So while there has been a lot of discussion with the earmarks this year, and I suspect we will have more of those discussions, I firmly believe that within existing laws and within the context of economic development, this falls into a category that I feel very, very comfortable with in saying that we ought to earmark dollars for this center because it will expand the economic development in this largely rural area that I have the privilege of representing. So, to me, it is an example of what the economic development initiative is supposed to be.

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

Mr. FLAKE. Mr. Chairman, Washington wine industry revenues are estimated at about \$3 billion a year. The industry employs, I believe, about 11,000 people. Over 2 million people visit Washington wineries every year. That's just the point I was making. This is an industry that does pretty well. And I just wonder why the Federal taxpayer has to be involved here.

Public/private partnerships, there is nothing bad about that on its face; but not every public/private partnership is justified, particularly when that partner is the Federal Government. I just still fail to see a nexus.

And, again, we should actually be providing more oversight of the Federal agencies that expend these economic development grants because a lot of it is wasted. I'm sure a lot of it is wasted in my own district. But we shouldn't be trying to compete with that account by earmarking our own funds.

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

Mr. HASTINGS of Washington. Mr. Chairman, let me restate again that it is existing law within HUD of this office that provides for economic development. I am simply following the law and exercising my right as a Member of Congress, who is part of the writing of the appropriation bills, to earmark what I think is important for my district.

Now, if the gentleman wants to, as I mentioned in my previous remarks, if he wants to have a debate on whether that office ought to exist, well, I think that is worthy of debate. In fact, I would have suggested to the gentleman that maybe he should have defunded completely the whole office; therefore, he could have been at least consistent rather than picking out one project that I think is worthy, following what the requirements are of the Economic Development Office.

So with that, I would urge my colleagues to oppose the Flake amendment as it relates to the Walter Clore Center.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the North Central Wisconsin Regional Planning Commission in Wausau, Wisconsin.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for neighborhood initiatives) is hereby reduced by \$400,000.

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

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, as mentioned, this amendment would strike \$400,000 in the bill from the North Central Wisconsin Regional Planning Commission.

According to the certification letter submitted by the sponsor, the commission will receive Federal funding to establish the Technology Revolving Loan Fund.

According to the Web site, the commission is a public agency dedicated to providing professional services to local governments. These services include economic development, geographic information systems, intergovernmental cooperation, land use planning, and transportation. The commission's funding comes from Federal grants and State and local money.

This earmark brings up a lot of questions. First and foremost, why is this fund being created in one particular part of Wisconsin? I'm sure every Member of Congress would love to establish a revolving loan fund to help their local businesses. If it is deserving of Federal aid, why aren't others? Again, why do we pick and choose here?

Can the sponsor of this earmark assure us that once this is done, that once these monies are loaned out, that more monies won't be sought? Is this an earmark that will beget more earmarks? It seems that these are questions that should be answered. It's a dangerous slippery slope, I think, if we use Federal taxpayer dollars for parochial revolving loan funds.

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

Mr. OBEY. Mr. Chairman, I seek to control the time in opposition, and I reserve my time.

Mr. FLAKE. Mr. Chairman, here is just another example, and maybe the sponsor of the earmark can enlighten us, but as to what makes this different, what makes this deserving of Federal funds? Why are we helping to set up a local revolving loan fund for local businesses? What is to stop every Member of Congress from wanting that in their own district? Isn't this a slippery slope if we just allow taxpayer money to be used in this fashion? If you can use it for economic development, if that is the criterion, any spending is justified.

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

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

Mr. Chairman, as the gentleman has indicated, this provides funds for a revolving loan fund for North Central Regional Planning Commission. The purpose is to provide small low-interest loans for small business start-ups or expansions. It is targeted to enterprises which have little access to capital and need to change the technology which they use in production.

The planning commission is established by county governments under State statutory authority. It provides zoning and economic development assistance to counties. The planning commission covers a 10-county area and three congressional districts, mine, the gentleman from the eighth, Mr. KAGEN, formerly Mr. GREEN, and also Mr. PETRI's district.

Why are we providing funds for this area? Very simple: this is an economi-

cally challenged area. And I make no apology whatsoever in trying to provide some modest assistance to the area. We have a similar fund in two other parts of my congressional district. In Chippewa County, for instance, 3 years ago we established a similar fund.

□ 1430

That fund has saved 58 jobs in the area. They have provided grants, very small grants, to businesses in question, and they have already received \$200,000 in repayments. All of the repayments are current.

But I want to ask a series of questions about the gentleman's district. I make no apology for trying to provide small loans to domestic small business entrepreneurs. In the 10 years that I chaired the Foreign Operations Subcommittee, I learned very quickly the value of small loans rather than large, megadevelopment projects. I see no reason why we shouldn't provide those same lessons here at home.

I find it ironic that someone from Arizona would challenge economic development funds in Wisconsin. Arizona ranks 24th in the Nation in per capita Federal dollars spent in Arizona; Wisconsin ranks 48th. So the gentleman is exactly twice as well off in terms of State ranking than my own State. Arizona receives \$41 billion in Federal funds out of the budget; my State receives \$31 billion. Arizona receives \$7,300 per person; Wisconsin receives \$5,675 per person. That is a \$1,600 per capita difference.

Eighty-five percent of the difference in what our two States get is due to differences in Federal salaries and in procurement. Arizona gets \$7 billion more out of the Federal Government because of money spent for procurement than does the State of Wisconsin. In fact, Arizona gets a lot more money than all of the States in the upper Midwest. Arizona, as I said, ranks 24th. Wisconsin ranks 48th in per capita expenditure, Michigan ranks 47th, Minnesota 49th, Illinois 46th, Indiana 45th.

On a per capita basis, Arizona gets 28 percent more out of the Federal budget than does Wisconsin. It gets 22 percent more per capita than does Michigan, 29 percent more than does Minnesota, 21 percent more than does Illinois, and 20 percent more than does Indiana.

Let me also point out that I doubt very much that the Arizona delegation doesn't work very hard to see to it that giant defense contractors like Raytheon, Boeing, Honeywell and General Dynamics together receive almost \$4 billion in funding from the Federal Government. I doubt very much that the delegations from those States don't work to get that money in their States. So I make no apology for this tiny pittance that we are trying to provide for my own State.

Mr. Chairman, I also want to say, however, I think it comes with considerable ill grace for someone from Arizona to question the expenditure of

\$400,000 in Wisconsin, when Arizona has been the principal recipient of the second largest Federal earmark in the history of earmarking in this country, the Central Arizona Project. For Arizona, we have already spent \$4.3 billion. The total cost of that project is expected to be \$5.6 billion. The President's request is at \$27 million this year.

Mr. Chairman, that seems to me to be the pot calling the kettle black. I would urge a "no" vote on this amendment.

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

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

Mr. OBEY. 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 Arizona will be postponed.

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

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

Mr. OBEY. Mr. Chairman, I want to continue my observations about what the gentleman receives from the Federal budget. The Republican Study Committee said that the \$1.5 billion that was provided to the D.C. subway was the largest earmark in history. In fact, the Arizona project is almost four times as large as the D.C. subway. Yet the gentleman is complaining about a tiny \$400,000 economic assistance grant for my State.

I would also simply note that the median household income in the gentleman's district is \$48,000. The median household income in my own district is \$39,000, a \$9,000 difference. A good portion of that higher median income lies in the fact that Arizona has a very large number of Federal installations in the gentleman's State. Fort Huachuca and several other Air Force bases inject enough funds to provide employment for 9,000 additional people, yet the gentleman is objecting to a small revolving loan fund which provides help in keeping about 50 jobs in Wisconsin.

I make no apology in trying to get the median family income in my district just a mite closer to the much higher income found in the gentleman's district.

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

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

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

Mr. OLVER. Mr. Chairman, I yield for a colloquy to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I want to thank the gentleman from Massachusetts, the chairman of the subcommittee, for this colloquy.

Mr. Chairman, in New Jersey, and all over the country, certain waste handlers and railroad companies have tried to exploit a supposed loophole in Federal law in order to set up unregulated waste transfer facilities.

Under the Interstate Commerce Commission Termination Act of 1995, the Surface Transportation Board, or STB, has exclusive jurisdiction over transportation by rail carriers and the ability to grant Federal preemption over other laws at any level, local, State or Federal, that might impede such transportation. But Congress intended such authority to extend only to transportation by rail, not to the operation of facilities that are merely sited next to rail operations or have a business connection to a rail company.

Unfortunately, certain companies have exploited this loophole to build or plan waste transfer stations next to rail lines and avoid any regulation from State or local authorities.

Mr. Chairman, I appreciate the Senate's efforts to close this loophole. They have passed an amendment in their version of the fiscal year 2008 Transportation, Housing and Urban Development appropriations bill, and I wanted to thank your subcommittee for recognizing this important issue in this bill's report language.

I had intended to offer an amendment, which I will not offer at this time, that would take the STB out of the waste management business by ensuring that funding for any decisions relating to waste transfer stations be eliminated. Again, you have dealt with this in the bill's report language, so it is not necessary to move this amendment at this time. But it is important that States and local municipalities have some say in this process.

Mr. OLVER. I yield to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, I want to add a word of my support of Mr. PALLONE's amendment. The issue of companies circumventing the law and the wishes of cities and towns in this Nation deserves to be addressed.

In my district, in Bensalem, Bucks County, Pennsylvania, a firm wanted to build a waste transfer station. Given the potential environmental and health risks, both the local community and even the State voiced their objections to the proposal. As an end run around this, the rail company that would service the proposed waste transfer facility applied to the Federal Surface Transportation Board, or the STB, to, in effect, have the waste transfer facility declared a rail facility. This was an attempt to supersede the rulings of the State and local entities that had already rejected the proposed waste transfer station. Fortunately, the rail company's application was rejected, but they can reapply to the STB at any time.

Just yesterday I stood with Bensalem Mayor Joe DiGirolamo and Pennsylvania State Representative Gene

DiGirolamo and opposed this facility. Mr. Chairman, people in the local, State and Federal level are all opposed to this end run around the law.

Mr. Chairman, when Congress created the STB, it was never intended to allow decisions by the STB to be used to override the wishes of cities and towns across the country, and certainly not as a means of superseding health and environmental regulations of State and local governments. Yet that is exactly what is happening.

Mr. Chairman, I want to thank the gentleman from New Jersey for his excellent leadership on this issue, and thank Chairman OLVER for providing me the opportunity to speak today and stand up for the residents of Bensalem and the Eighth District of Pennsylvania.

Mr. OLVER. To continue the colloquy, I yield to the gentleman from New York (Mr. HALL).

Mr. HALL of New York. Mr. Chairman, I wish to associate myself with the remarks of my colleagues from New Jersey and Pennsylvania. Communities in my home in New York, including the village of Croton-on-Hudson in my district, are also being threatened by companies who are hoping to exploit this loophole through the STB to process solid waste without facing regulation under environmental protection laws. This type of activity is clearly outside the mission and the purview of the Surface Transportation Board, and I look forward to working with my colleagues and chairman to affirm that reality.

I thank the chairman and the gentleman from New Jersey for their leadership and look forward to working as we go forward with you.

Mr. OLVER. Mr. Chairman, to respond to this, last night, as the gentleman from New Jersey has already pointed out, we had an amendment being offered which was subject to a point of order. I had agreed that I would be happy to work with him, and I obviously will be very happy to work with the three Members who are part of this colloquy from New Jersey, from Pennsylvania and from New York, on this issue, which is an important issue and would require authorization legislation to do, and that is why the point of order lay last night.

Mr. Chairman, I repeat, I will be happy to work with the three gentleman who have spoken on this issue as we go on toward conference.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the National Forest Recreation Association in Woodlake, California.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$50,000.

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

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

Let me first respond. I had yielded back my time when the gentleman from Wisconsin talked about Arizona, the Central Arizona Project as an earmark.

Perhaps in the debate at the time it was called an earmark, but it doesn't fit the contemporary definition of earmark. There was no project over the history of this body probably that wasn't debated through authorization, appropriation, followed up by oversight, than a project like that. I would have no complaint if some of the projects that we are challenging here today went through that process of authorization, appropriation and oversight, but that isn't what this is about.

The contemporary practice of earmarking that we have fallen into, under Republicans and Democrats, has been to circumvent the careful process of authorization, appropriation and oversight. So that is the complaint here. So bringing up the Central Arizona Project whenever an amendment is offered to take funding away from an economic development in a local community is a specious argument, I would add.

This amendment would prohibit \$50,000 in Federal funds from being used by the National Forest Recreation Association for the National Mule and Packer Museum and would reduce the cost of the bill by a consistent amount.

According to the earmark description and certification letter submitted to the Appropriations Committee, the funding would be used for the construction of a museum to memorialize and help to preserve the role of mule teams and mule packers in opening and developing the West.

□ 1445

The funding, however, will go to the National Forest Recreation Association. Obviously, you cannot build much for \$50,000. I assume there is a partnership with local entities.

There is much that we don't know about this. Does the location exist? Will it be owned by the National Forest Recreation Association? Are there corporate sponsors? How much is the total cost of the museum? Will the Federal taxpayer be asked to pay more later on?

It seems there is a 20-mule team museum in Boren, California. This is at least the second mule and packer museum we know of. Does that one receive Federal funding?

I would simply say it is time for the American taxpayer to say "whoa" and

stand up for fiscal sanity and actually stop the practice of earmarking like we are doing.

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

Mr. McKEON. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. McKEON. Mr. Chairman, I appreciate the opportunity to rise in opposition to this amendment. As Mr. HASTINGS said earlier, there is in current law the Office of Economic Development, which has the responsibility of working with public and private sectors, as well as not-for-profit organizations, to provide financial and technical assistance to local communities to develop and implement their own economic development in their community. That's current law.

If we want to change that, I agree with much of what the gentleman has to say, I just think this is not the right time and place to be covering it in this manner. But it gives me a little bit of a chance to talk about my district, and all 435 of us, I think, love to have the opportunity to talk about our districts.

I have a map here which shows my district. It is the second largest district in California, a little over 21,000 square miles. I live down here. This is Nevada. This is central to northern California. It is about 450 miles this way, a couple hundred miles this way. A little perspective: eight States would fit within this county, one of the largest counties.

In this county, the town of Bishop, some of the community people have every year for the last 40 years celebrated what they call Mule Days, and about 50,000 people come to this community of 3,500 people. In this whole county that I said eight States would fit in, about 17,000 people live, and about 3,500 people live in the town of Bishop. They are great people.

Here are the eastern Sierras, Death Valley. We have the lowest spot in the 48 States and the highest spot. Death Valley is 280 feet below sea level, and we have Mount Whitney that is about 15,000 feet above sea level. It is a great district, just as each of your districts are.

Several years ago, and actually they have been working on this for a few years, Bob Tanner and some of the people in Bishop thought that they should have a museum to celebrate the mules. Ninety-five percent of this county is owned by Federal and local governments. They don't have any room. There are only a few acres in this town that could even be developed. They don't have the land to develop for economic development. They rely totally on tourism, restaurants, motels, packers that take people up into the mountains. Mules have been an important part of this, and they want to establish a museum. They are asking for \$50,000. L.A. City is going to donate \$2 million worth of land, 8 acres. The county and

the city are putting up a little over a million and a half dollars, and the people that live there are going to raise another hundred, \$250,000.

One thing that I think we forget is that the people in Bishop pay taxes. They pay Federal taxes, and I guarantee you that during the time that Jerry represented them and the time I have had the opportunity to represent them, they have gotten very little back from the Federal Government for the taxes that they have sent here to Washington.

Mr. LEWIS of California. Would the gentleman yield?

Mr. McKEON. I would be happy to yield.

Mr. LEWIS of California. I appreciate the gentleman yielding.

Indeed, this territory was a part of my district for some time, and the people are incredibly wonderful people. They reflect the best of the American West. And there is no doubt that they are the best and they are there in the West in no small part because of the mule.

I must say that the gentleman is making a very, very important point. It is a long, long ways away from somebody else's district to become an expert in terms of a subject like this. It causes me just to smile, and so I intend to help the gentleman if I possibly can by voting "no" on this amendment.

Mr. McKEON. I thank the gentleman.

Let me tell you a little bit about mules because this is one of the things that they are going to honor in this museum. George Washington introduced mules into our country. He received a jack donkey in 1786 from the King of Spain, and he started breeding and using mules. Within a few years, he had 58 mules working on his plantation a few miles south in Mount Vernon.

Since then, mules have been used to develop the West. All across the Nation, they helped the pioneers move. They could go 30 miles a day where wagon trains could only go about 5. They were an integral part of the development of this country. Even today, we have 600 mules on special assignment serving in Afghanistan helping the Army do the things that they helped the Army do 100 years ago.

I think \$50,000, you know, is a good contribution to give to these people, the money that they have sent back here.

Mr. Chairman, I rise today to thank the gentleman from Arizona for the opportunity to come to the floor to discuss the American Mule and Packer Museum and the economic development impact it will have on my district.

Let me first start by saying that this \$50,000 is not included in this bill to laud the humble and noble mule. These funds will be used to boost tourism dollars in the small city of Bishop, CA by helping to build a local heritage museum.

The city of Bishop is located in Inyo County—which is geographically one of the largest counties in the country and is 95 percent owned by the federal government. Bishop is a classic western frontier city and has been

squeezed out of all other industries by the encroachment of federal land, which literally surrounds it and limits the community to survival on tourism dollars. Those vitally important dollars come from visitors eager to see the great Wild West, ride out like our forefathers into the Eastern Sierra, enjoy the natural beauty on a hike, or hire a mule packer to explore the federal forests in the area.

The \$50,000 dollar grant contained in this bill for the American Mule Museum is a modest federal investment in a worthy economic development project and a good example of how federal seed money is leveraged to develop local projects.

Every year, at the fairgrounds on Main Street, the small city of Bishop hosts a famous and popular heritage festival known as "Mule Days." Some communities have an Apple Harvest festival, some have Frontier Days. In Bishop, we celebrate "Mule Days." My friend from Arizona may not be familiar with the essential role Packers and their trusted mules had to the settlement of the west, but California's home state President did. Next to me is a picture of then-Governor Ronald Reagan acting as the Grand Marshall to the Bishop Mule Days parade in 1974.

Mule Days is the single largest draw to that community, bringing fifty thousand Californians and tourists interested in frontier life into downtown Bishop, where they shop, dine and stay during the festival. In addition to honoring their history, this museum would help expand that tourism by drawing folks in year-round, rather than just during the long Memorial Day weekend Mule Days celebration. The City of Los Angeles, a longtime landholder in our northern county, is going to donate an estimated 8 acres, valued at \$2,000,000 for the project. Inyo County will spend an additional \$1.5 million with the hook-ups, parking lots and access roads. Finally, this federal grant, directed to National Forest and Recreation Association, in Woodlake, CA (the non-profit overseeing the project) and private fundraising will be used towards the excavation and reconstruction of the famed Livermore Packing Station, and the surrounding corrals in Bishop.

There is a federal interest in preserving the history of how the West was settled. There are many residents in the city and surrounding areas who are direct descendants of those pioneers who headed west. A museum dedicated to local heritage and mule packers that were so important to the founding of the area will be a proper place to preserve their artifacts and documents into the future.

The residents of the City of Bishop, my constituents and federal tax payers are dependent on tourism dollars for their city funds. There are 480 separate EDI projects listed in the THUD bill ranging from \$50,000 up to \$500,000 with the majority of projects falling in the \$100 K to \$200 K range. The projects, with a few exceptions, are for the planning, land purchase, construction or renovation of facilities deemed to be important to economic development in both rural and urban areas. The construction of a museum celebrating local history is a common theme throughout many of the projects. I urge my colleagues to reject this amendment and help preserve a piece of American history in a place that is deserving of federal assistance.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

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

Mr. LEWIS of California. I am happy to yield to the gentleman from California.

Mr. MCKEON. I thank the gentleman very much. As you can see, when I start talking about my district, I get pretty excited. I have a lot of good things to say about it.

Bishop is a classic western frontier city. It has been squeezed out of all other big industries by all of the other public lands that are owned around them, and they have to survive on tourism. So if they can add this museum, it will help their tourism and it will help bring people there year-round, which will benefit their economy.

In closing, let me say that this is a partnership. It is not just Federal dollars, even though there is no such thing as "Federal dollars." It all comes out of our pockets, and the people in Bishop pay those Federal dollars back here.

But as I mentioned earlier, the City of Los Angeles is going to participate by donating the land which is worth \$2 million. Inyo County will spend an additional \$1.5 million to work on the project, and local people will raise the difference.

The final thing I wanted to say is that there are 480 separate economic development projects in this bill. According to current law, that is what the law required. The chairman and the ranking member have gone through, their staffs, they have evaluated all of the projects requested. Bob Tanner and his friends in Bishop that requested this project wrote up their project. They sent it to me and Senator FEINSTEIN. We included it in the request. They were one of the ones chosen, one of the 480. These projects range from \$50,000, this is the smallest, to \$500,000, with the majority falling between \$100,000 and \$200,000.

The projects, with few exceptions, are for planning, land purchase, construction or renovation of facilities deemed to be important to economic development in both rural and urban areas. This is a very rural area. The construction of a museum celebrating local history is a common theme throughout many of these projects. We followed the law. We did the things that are asked of us. I think this is a worthy project.

I thank the chairman and ranking member for including it in this bill. I urge my colleagues to oppose this amendment.

Mr. LEWIS of California. Reclaiming my time, I want to thank my friend from California for representing the people of Inyo County so well since I had to leave them in the last redistricting. I intend to support your position.

Mr. MCKEON. If the gentleman would continue to yield, one final thing.

Mr. LEWIS of California. Is that Ronald Reagan on a mule?

Mr. MCKEON. Ronald Reagan led the Mule Days parade in 1974, riding a mule in the Mule Days parade.

Mr. LEWIS of California. Could it possibly be? Thank you.

I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I am glad the gentleman brought up Ronald Reagan. I think it was Reagan, when he was presented with the highway bill back in 1987, that had, I believe, around 150 earmarks as opposed to the highway bill we did later, in 2005, with 6,300. He said at that time, "I haven't seen this much lard since I gave away ribbons at the county fair." So Ronald Reagan certainly recognized that Congress, at least at that stage, before we even got into the contemporary practice of earmarking, was out of control.

I would also like to make the point, and I am glad that the gentleman mentioned, there is no such thing as Federal money. It is money given by the taxpayer to the Federal Government. Some of it funds the core functions of government. Some of it is spent on things that I don't think are the core function of government, and I don't think most taxpayers around the country do either, when you say this money is being returned, but it is not. As long as we are running a deficit, which is now 2, \$300 billion, then the money is borrowed to pay for projects like this.

I simply don't think that we are giving the taxpayer a fair shake. I think we should stubbornly refuse to fund this amendment.

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

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

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Huntsville Museum of Art in Huntsville, Alabama.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$200,000.

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

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the amendment would prevent \$200,000 from being used to fund the Huntsville Museum of Art in Huntsville, Alabama, and would reduce the cost of the bill by a corresponding amount.

Mr. Chairman, there are, I think, 480 earmarks funded in the Economic Development Initiative account, at least 11 proposed to fund museums. There stands about a million dollars total for museums. This doesn't take into account projects described as cultural centers and other various exhibits.

The spending initiatives do not illustrate any sort of restraint on our part on the Federal level. In the past, we have funded Faulkner museums, teapot museums. This year we are funding museums about mules and hunting and fishing museums. The Huntsville Museum of Art was named as one of the State of Alabama's top destinations by the Alabama Bureau of Tourism and Travel. They bring as many as 23,000 visitors for a single exhibit.

□ 1500

Mr. Chairman, all of us have museums in our districts. All of those museums, I'm sure, if given the opportunity, would take Federal money to defray some of their costs. We simply can't fund all of them.

I don't know why we have the account in the agency. Like I said, we should go after that one, but here we have to show some restraint. And every once in a while, I think the taxpayer would appreciate if we actually stopped funding for some of these earmarks.

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

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

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

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

Mr. Chairman, I rise to speak on behalf of this project that Mr. FLAKE has attacked here. I'm the offerer of this project, the Huntsville Museum of Art, located in the city of Huntsville, Alabama, the largest city in my congressional district. This is a museum project that I think is very appropriate to the economic development initiative account.

This museum chose to locate in the downtown area of the city of Huntsville some years ago. In the 1950s, early 1960s, the city of Huntsville's population was around 30,000 people. Currently its population is close to 200,000 people, but like many downtown areas, our downtown had deteriorated. It was a target for crime. It was a target for all kinds of movement there that would not have been in the best interests of the core of a city of this size.

The Museum of Art chose to locate its new facility there. It partnered with the community. It raised \$8 million to build this facility that it's in. It is now in another expansion because of the success of the downtown area, because

of the momentum that it helped create. Students are coming into the downtown area. People are coming into there from the region 100 miles around the area, and it's really caused the city of Huntsville to renovate and revise its downtown area. Business is coming back, and I think in terms of economic developments issues, it's accomplishing just what it should accomplish.

So I'm eager to defend this amendment and say that currently the \$200,000 that we've been able to achieve through the economic development initiative, through this committee, and I thank the chairman and the staff and the ranking member and the staff for considering this project, will go along with another \$8 million that will be raised from the community so that we can create exhibition space, so that we can create meeting space. This is not a routine museum expansion that this \$200,000 will go toward. It's a small amount of money that will be pooled with another amount of money to renovate a downtown area that is in much need of renovation.

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

Mr. FLAKE. Mr. Chairman, I just will close on this one, saying again this is one of many museums that we are funding here. We simply can't fund them all. At some point it would be nice to give the taxpayers a gift and actually say we're not going to fund a particular earmark. We did it a couple of weeks ago.

This is not an idle process. We've had one occasion already where I've come to offer an earmark, and the sponsor of the earmark beat me to the floor and offered an amendment to revoke his own earmark. So obviously there needed to be more vetting of that earmark. I would assume that there are others like it.

So this is a process we should go through. I would urge support of the amendment.

Mr. Chairman, I yield back.

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

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

Mr. OBEY. Mr. Chairman, I don't want to get into the debate on this specific project, but I again want to simply note that I find it interesting that the gentleman from Arizona is questioning small economic development programs in other States when, in fact, as I said earlier, the second largest earmark in the history of the Congress is the Central Arizona Project, upon which we have already spent not \$4.3 million, but \$4.3 billion, total cost estimated to be \$5.6 billion.

And I also have in my hand, as a certain Senator from my own State used to say, 61 pages of military contracts that are let to firms in Arizona. We don't have in our State something like Fort Huachuca or Luke or Davis Air Force Base, and I'm sure that if we did,

we would be experiencing the benefit to our economy that the gentleman's State is experiencing.

But I wonder if the gentleman has any idea what the \$44,000 was spent on in a contract with Two Pals and a Gal?

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

Mr. OBEY. I yield to the gentleman from Arizona.

Mr. FLAKE. I have no clue.

Mr. OBEY. I don't either. It would be interesting to find out. That's another expenditure in Arizona.

Mr. FLAKE. If the gentleman would further yield for a minute, perhaps the gentleman wasn't on the floor last week. I actually challenged an earmark that was going largely to my own district.

Arizona is just like other States in this regard. I don't object to projects that go through the process. I assume that the Central Arizona Project had a hearing or two. It was authorized and went through the process. What I object to is the contemporary practice of earmarks.

Mr. OBEY. Taking back my time, I was here when we went through all of that with the Central Arizona Project, and I assure you that the project was not approved because of the merits. It was approved because of the persistence of the Arizona delegation, and if anyone thinks that a little politics didn't go into determining that \$4.5 billion project, I'd like to sell them a couple of bridges.

So, all I can say is it is fine for someone who comes from a district as prosperous as yours to belittle or question these modest economic development efforts that are being provided around the country in districts that have a per family income of \$8,000, \$9,000, \$10,000 less than yours. This is, after all, one country.

And just as I believe that the most fortunate human beings in this country ought to be willing to extend a helping hand for those who are least fortunate, I also think that those communities that are well off ought to be able to extend a helping hand to the communities that are less well off, and that certainly is the case with the number of the economic development projects that this committee is trying to fund, recognizing that we are, after all, all one country.

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

Mr. CRAMER. Mr. Chairman, just briefly in close, this is a modest economic development initiative. It's very appropriate under this account, and it will allow this museum project to revitalize an area of downtown that is in much need of revitalization.

Mr. Chairman, I yield back my time.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. 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. FRANK of Massachusetts:

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

SEC. 410. None of the funds made available by this Act may be used to implement or enforce the requirement under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c); relating to community service).

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

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I offer this on behalf of myself and our colleague from New York Mr. RANGEL, who, in fact, in a previous Congress in 2002, I believe, offered a similar amendment. It would suspend for a year, because we do this 1 year at a time, the work requirement in the public housing sector. We're talking about 8 hours a month.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I'm prepared to accept this amendment on the part of Mr. FRANK and Mr. RANGEL.

Mr. FRANK of Massachusetts. I'm certainly prepared for it to be accepted.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I have no objection. We have no objection. We accept the amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield back the balance of my time, and I will go make a great speech in my office.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE: At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Hunting and Fishing Museum of Pennsylvania in Tionesta, Pennsylvania.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$100,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the

gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, just once I would love to hear the other side say, we have no objection to that amendment and will accept it, but I suppose I won't be so lucky today.

This amendment would prevent \$100,000 in funding for the Hunting and Fishing Museum in Pennsylvania and reduce the cost of the bill by a corresponding amount.

Mr. Chairman, my staff and I have never had a hard time fishing for earmarks that seem to be fiscally irresponsible, but this one seemed to be a particularly easy catch. It seems that there is no museum that we will not fund. We have funded teapot museums. We've funded mule museums. We have funded rock and roll halls of fame. Now, we're being asked to fund a museum honoring the time-honored hobbies of hunting and fishing.

According to the earmark description, the earmark would fund the development and creation of interactive, educational and historical exhibits. According to the Web site for the Hunting and Fishing Museum, the museum came as a result of its location in a forest area of Pennsylvania where hunting and fishing are already big industries.

I enjoy fishing and hunting as much as the next person, but I'm not convinced that the Federal Government has a role here. I'd like to have explained what the Federal nexus is.

According to the National Association for Sporting Goods, the hunting industry did \$2.8 billion in business sales in 2004. For fiscal year 2003, the fishing industry's retail sales totaled over \$40 billion. With these kind of profits, why are these industries relying on the Federal Government to fund a museum honoring their pastimes? Are we not picking winners and losers when we select only a handful of museums to fund? Is this a fair and equitable process?

More than that, more than being equitable, some say if everybody is given the chance and there's an account to do this, that it's okay, that it's justified, everybody's getting theirs, let me get mine. But I think, particularly for us on this side of the aisle who say that we believe in limited government, economic freedom, individual responsibility, it seems a particularly hard sell.

I'm not making fun of the hobbies of hunting and fishing. As I mentioned, I do a fair amount of both myself. But here I just fail to see a Federal nexus and a Federal role.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to oppose the amendment and claim the time.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I find it ironic today the

maker of this amendment represents one of the more affluent parts of America, one of the parts of America that wouldn't be there, wouldn't be growing and prospering without billions and billions of Federal investment.

We can start with the 336-mile diversion canal that diverts water from the Colorado River so they can irrigate the desert and make it a city. It seems to me that's a pretty expensive economic development project taking desert and making it grow.

Mesa last year, his home area, \$35 million of their budget is Federal money, and he keeps talking about the process. Well, I think I understand the process, and I'd be glad to debate the process with him any day, anytime, anywhere. I've been in business all my life, retailing. I served in local government 8 years, State government 19 years, Federal Government 11 years, and I understand process.

Rural America is not a part of the process of funds from the Federal Government. This bureaucracy you brag about how they allocate money and how they hand it out as if this was some pure process. Rural communities don't have planning departments. They don't have planning directors. They don't have consultants. They don't hire lobbyists like Mesa and Phoenix and Arizona do. They're fighting for their economic lives.

This little forest county is less than 10,000 people. I think the population went from close to 5,500 to 7,500 because we opened a prison there. It used to be the home of an Evenflo Bottle Company, and those people would like to see a little investment in economic development in that community. It used to be the home of a glass plant. It used to be the home of a cabinet factory. They're all gone.

It is a beautiful area, some of the most beautiful parts of America. It is the best hunting and fishing in America, and tourism is the only tool they have that's working. This Hunting and Fishing Museum is another tool to try to keep hunters and fishermen and travelers and visitors to visit that part of the area.

Another thing, its interactive displays teach young people about hunting and fishing. We have a lot of people today that don't have fathers at home teaching them to hunt and fish. The Hunting and Fishing Museum is going to have classes. They're going to have classrooms. They're going to teach young people the joy of hunting and fishing. I find you take a young man and you teach him to fish, you teach him to hunt, you get him involved in a sport, he's less likely to be in crimes, drugs and on the streets.

It's a part of the fiber of America. There is no urban museum that isn't loaded with Federal dollars to build it.

□ 1515

Rural museums don't have that same pathway. I defy a museum in America that doesn't have Federal funding in it.

Because a little community asks for 50 or 100,000, this is some sort of a crime?

I'm sorry. I'm not going to apologize. I served Forest County as a State House member, a State senator and now a Congressman. I ran a business within 10 miles, and many of these people were customers of mine when I had a supermarket. These are good people fighting for their economic lives trying to build this museum.

The State has allocated \$4 million, but they have to get matching money. This \$100,000 will get them another \$100,000 from the State, because as they raise money, they get money. I gladly debate this museum. It's a good investment for the future for Forest County and for America.

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

Mr. FLAKE. Mr. Chairman, nobody is suggesting that it is a crime to support this kind of earmark, nor would it be a crime to actually deny funding for it. That's what the process is about.

My complaint, and nobody has suggested either, that there's this pure process at the Federal agency level. It's dysfunctional. We haven't provided the type of oversight that we need to.

The fact that there is an account over there to actually fund economic development projects suggests to me that it's out of control, that that's what we are about, what we should be about. We control the Federal purse strings. It should be in our interest actually to rein in spending over there rather than trying to compete with it and say if they do effect spending on this project or that, whomever has the district, that we shouldn't compete with that here and say, well, we can do one, one-up them with the Rock and Roll Hall of Fame. If they had funded another hall of fame, we should say, is it the Federal Government's role to fund these? That's what I am questioning here.

If we can fund teapot museums and mule museums and hunting and fishing museums, what is off limits? What would come here that we could say we are not going to fund that? We could fund a mule museum. How about a donkey museum. Is that out of line? Where do we say enough is enough, and where do we say let's give the taxpayer a break?

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

Mr. PETERSON of Pennsylvania. According to the Department of Transportation in 2005, his area received \$580 million for its construction of a \$1.4 billion, that's a pretty big percentage, of a 19.6 mile light rail system serving metropolitan Phoenix.

Why should people from Forest County have to pay that? I should make that argument. We can use it. Mass transit gets huge amounts of money, and Arizona gets lots of that. The largesse goes to the urban areas that have the ability to get it.

One thing about the earmark process, I am not saying it's perfect, but I have

never asked for an earmark that I wouldn't defend publicly in any setting. I am proud today to ask this Congress to give \$100,000 to the Hunting and Fishing Museum in little Forest County, that is trying to rebuild their economic base, enhance their tourism and teach our young people the value of wildlife and fishing and hunting and the beauty of the area. That's a noble issue.

I will gladly support the ability to help that rural county. I ask support of this Congress for this earmark.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Friends of the Cheat Rails to Trails Program.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Transportation—Administrative Provisions—Federal Highway Administration" (and specified for the Transportation, Community, and System Preservation Program) is hereby reduced by \$300,000.

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

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would take \$300,000 from the Friends of the Cheat Rails-to-Trails program. The Cheat Trail is one small part of the 13,600 miles of trails built by the Rails-to-Trails Conservancy. The program's mission is to create a nationwide network of trails for former rail lines.

The program is a nationwide effort, yet this earmark is aimed directly at one trail in West Virginia. This is not the first time Friends of Cheat have bypassed the Rails-to-Trails program for funding. The House approved a \$300,000 earmark for the Cheat trail just last year. If the trail is in such need of funding, isn't it coming from the funding and the many grants allocated in the Rails-to-Trails program?

This is another problem I have with the contemporary practice of earmarking. If we set up processes at the Federal agency level, and we set up accounts, often when people apply to that account, and apply for a grant and don't get it, then we in Congress will go and give them that project anyway through an earmark.

So if we are telling the Federal agencies, here is a process that you should

go through that is merit based, that is competition based, and then fund those who don't get a contract, what are we saying? If we have a problem with a Federal agency's process or program, then we should amend them.

We should change them. We should call the agency heads before us and say explain why are you doing this, why are you giving money to this organization and not that one, but not to circumvent the process and basically add to it.

The Rails-to-Trails program has over 100,000 members, receives Federal, State and private funding. It was created over 20 years ago. I think that if this organization was to apply to the program, they are quite capable of finding funding. There is funding there.

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 from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, in a way, I hardly know where to start here, but I might start with the gentleman's question that he poses time and time again, not only today but in previous days: Is it the Federal Government's role to fund these projects?

He has several different arguments against projects. When projects of a very significant nature are pointed out that are going on in his district, he says, oh, well, in the past they were authorized, appropriated, and he says they have oversight. To what extent, we don't know.

But the point is, they went through a process here in Congress. Article I, section 7 doesn't say what process it should go through. It says that it's the Congress' job to do that. Every Member of this body is looking at their congressional district and thinking about economic developments and what are the needs.

If you are in a transition economy, transitioning from a basic industry, manufacturing economy to a new economy, tourism is a very important part of that new economy, of that vision into the future.

We have seen a lot of projects from industrial areas that fall into that category, whether they are museums, whether they are trails, whether they are any of those kinds of appurtenances, if you will, that contribute to the economic development in the tourism realm.

Well, if the gentleman's question is, is it the government's role, the Federal Government's role, to fund these projects, which he asks over and over again, as the alternative argument against these projects, then it has been answered over and over and over again. It is the Federal Government's role to do it through this body. Constitutionally, it is our responsibility. Article I makes that very clear.

So I just want to point that out and then speak and thank the gentleman

for the opportunity to stand up to speak for Friends of Cheat, because they are doing just that. They are laying the kind of infrastructure that is necessary and crucial to that new economy, and that aspect of our economy in the future of West Virginia is going to be tourism. He has allowed me to speak to that.

Before I speak to it, I would like to thank the gentleman from Massachusetts for his leadership and review of this project. I know his staff has spent hours on it, because my staff has spent hours on the projects that we have approved. But this funding will be used, as the gentleman said, to acquire land and develop a trail in order to create those kinds of infrastructure that are attractive and make usable the bounty that is West Virginia.

I thank the gentleman for allowing me the opportunity to speak in favor of this project. I want to compliment him for the tremendous assets that are going into Arizona. I am extremely impressed; it's an affluent area. His predecessors have worked very hard, as has been pointed out here today.

There is nothing the matter with that, and there is nothing the matter with the process that those projects went through. Nor is there anything the matter with the projects that we are talking about here today have gone through.

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

Mr. FLAKE. Might I inquire as to the time remaining?

The Acting CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. FLAKE. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from Arizona for bringing this amendment, and I appreciate the gentleman from West Virginia coming down to defend this particular language that's here.

I think we need to take a look at this thing from a perspective that's perhaps broader than this particular project, that being that the issues that have been raised here in this Congress will be discussed again and again throughout this appropriations process.

But if the project has merit, it should have merit. It should be able to succeed in its efforts without being specifically identified.

But I think it has a fair amount of weight to drag with it, in that that trail has been there a long time. It could wait awhile longer.

I would submit that the issues that surround the particular district that the gentleman represents should be considered in light of this particular appropriation. The report that came out in the Wall Street Journal that's a little more than a year old, about land that has been purchased along the river that happens to be the same river that this trail runs along, I don't know that it's adjacent, brings a question to mind as to whether or not the gentleman

from West Virginia will be able to follow through on statements reported in the Wall Street Journal that say any claim whatsoever that says these investments are in any way related to my actions as a Member of Congress is categorically false.

I don't deny that statement. I don't actually take issue with that. I would just ask the gentleman if he could suspend his aggressive effort to fund this project until such time as these questions that surround this Cheat River project could be resolved.

Mr. FLAKE. Mr. Chairman, let me just close. Let me say, again, I fail to see the relevance of the number of defense contractors that Arizona has or the amount of Federal money that goes there by contract, by competitive bid or otherwise. How is that relevant to this process?

The truth is, there is something wrong with the process when we have thousands and thousands and thousands of earmarks, when we have 1,500 and just a couple of days to review them before we come here to the floor. There is something wrong with that process.

As I have said before, we can try all we want to conjure up some justification for the contemporary practice of earmarking. But if we think the taxpayers across the country are buying it, we are drinking our own bath water.

We are believing our own press releases if we think that's the case, because they're not. They're not believing it, and they shouldn't. There is no noble pedigree to this kind of earmarking. There really isn't.

So to appropriate money in this fashion is simply not becoming of this Congress. We are better than that. We should have more respect for the institution than that.

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

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

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

Mr. FLAKE. 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 Arizona will be postponed.

□ 1530

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have one final earmark at the desk.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall

be available for the Houston Zoo in Houston, Texas.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$300,000.

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

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chairman.

This amendment would prohibit \$300,000 in Federal funds from being used by the Houston Zoo in Houston, Texas, for an educational broadcast program and would reduce the cost of the bill by a consistent amount.

According to the earmark description in this certification letter, this funding would be used to develop an educational broadcast program to provide interactive distance learning, first to the neighboring institutions at the Texas Medical Center, and ultimately expanding the program to regional school districts.

According to the sponsor's letter, this program would enable children and students to ask questions of and converse with zoo experts in real time, replicating an in-classroom dynamic, but in an exciting and unique manner.

I should say the Houston Zoo is the permanent home of 4,500 animals; the zoo attracts more than 1.5 million visitors a year; general admission is \$10 for an adult, \$5 for a child. In fact, according to the City Navigator, annual revenue for the Houston Zoo in 2006 totaled \$39 billion. In 2006 alone, the Houston Zoo had over \$43 million in net assets and nearly \$20 million in excess revenue. It has a membership base of over 28,000 households. Corporate sponsors include Continental Airlines, Shell Oil, JPMorgan, BMC Software, Conoco-Phillips, FedEx. The list goes on and on.

Again, here, if we are going to start to fund programs at zoos like this, where does it end? Virtually every Member has a zoo or some type of wild-life preserve in their district. Where do we say enough is enough?

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

Mr. CULBERSON. Mr. Chairman, I would like to claim the time in opposition.

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

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

Mr. FLAKE. Here again, let me simply say there are a lot of zoos around the country, a lot of zoos that every one of which would like to receive Federal funding. Where do we say enough is enough? Where do we say this zoo is worthy, they have two tigers; this one only has one lion? The tigers get it? I mean, where do we have some kind of equitable process rather than Members

just being able to designate funding of this type? We simply cannot continue to go on in this fashion.

Again, somebody will probably point out Arizona has a lot of defense contractors and gets a lot of Federal money. Again, I fail to see the relevance of that argument here. Let's throw the taxpayers a bone here, if you will, and let's finally say we are going to stop funding for one of these earmarks and actually return to fiscal sanity. We are running between a \$200 billion and \$300 billion deficit this year. Remember, money comes into Washington, we don't have enough to fund the programs, and so we are borrowing money to actually pay for programs like this. We can't continue to do that. I urge support for the amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I am not sure what standard the gentleman from Arizona follows, but as a member of the Appropriations Committee, as a guardian of the public Treasury, representing the people of Houston, I have approached all spending requests from the perspective as someone who has a second mortgage on the house and all the credit cards are topped out. My starting answer on all spending requests is "no," and "yes" has to be earned.

I have published all of my appropriations requests on my Web site for many years. I published both my request letters as well as the final result of those requests that the members of the committee have graciously agreed to support because they know that any request coming from me and my office has already been carefully screened. I won't submit requests that haven't already passed my very careful scrutiny.

Again, I approach the request from the perspective of there is not enough money in the Treasury to do it; the starting answer is "no," and "yes" has to be earned; the request has to fall within the functions of the Federal Government, and it has to be something for which there is no other source of revenue.

I am proud to represent the Texas Medical Center. I am proud to represent the Houston Zoo. This \$300,000 will be used by the zoo. They are matching it, providing a 3-1 private match to these dollars that are going to go exclusively into providing live video feeds to critically ill children and children that are dying of cancer who otherwise would have no interaction with the outside world.

The Texas Medical Center is recognized around the world as probably the greatest concentration of medical talent anywhere in the world. God forbid anybody within the sound of my voice comes down with cancer or a dreaded disease; but if they do, there is no better place to find a cure for that than at the Texas Medical Center.

If you are a child with terrible burns, trapped in your room and unable to get out and visit the zoo personally, there

is no television channel in Houston for you to see what goes on at the zoo. The zoo is going to use these dollars to construct dedicated transmission facilities to these dying children, critically ill children in their hospital rooms so they can talk to the feeders, people actually working with the animals, observe the animals around the clock. And, certainly, your mental attitude is a tremendous part of getting well and recovering.

This request was the only one that I submitted on behalf of the Houston Zoo. They submitted a lot of requests to me. In fact, I think the appropriators will find that most of the requests from me will take about one page, because I am very careful and only submit a very few. I am proud of all of them. They are all on my Web site. And I can tell you, this is one that I am very grateful to the chairman Mr. OLVER and to the ranking member Mr. KNOLLENBERG for supporting. They know they don't get many requests from me, and this one certainly is one that is appropriate to help these dying and critically ill children revive their spirits in interacting with and seeing what marvelous work the Houston Zoo is doing, which is, of course, right next door to the Texas Medical Center.

Finally, I want to encourage Members to vote against this amendment based on the merits, but then also because the amendment doesn't save any money. I am one of the most fiscally conservative Members of this House and proud of it. I voted against all of these big new spending programs over the last many years, whether it be the farm bill; I voted against the farm bill, billions of dollars for AIDS in Africa as money we don't have; voted against the No Child Left Behind because that is an intrusion of the 10th amendment sovereignty of the States and money we can't afford to spend; voted against the Medicare prescription drug program. I have voted against most of the big spending programs that have been driven through this House, because I truly believe that I have got a responsibility to my daughter and future generations to try to keep Federal spending at a minimum, diminish the size, power, and cost to the Federal Government.

As Mr. Jefferson, my hero, said, apply core republican principles, with a small "R," keeping most power and responsibility at the local level. If you apply core republican principles, the knot will always untie itself.

So I am always looking for ways to save money. So I would ask Members to vote against this amendment first on the merits; and then, secondly, because unfortunately, once again, Mr. FLAKE's amendment doesn't save any money. He is not reducing the overall 302(a) allocation of the bill. So this is another phantom savings that is not going to result in a savings of one nickel for taxpayers by cutting out the live video feeds to these dying and critically ill children in the medical center.

And I am sick and tired of phony amendments that act like they are going to save money. I have already scrutinized this, along with every other request from my office. I am proud of the work the zoo is doing and the work the medical center is doing. And you can expect me to be out here vigorously defending the work of this committee investing in the sciences.

I thank you, Chairman OBEY. The chairman of my Subcommittee on the Sciences, Mr. MOLLOHAN, is here. Our ranking member, Mr. FRELINGHUYSEN of New Jersey. God bless them for the investments they are making into sciences and NASA and medical and scientific research. That is our Nation's insurance policy. I will be out here vigorously defending them against anyone attempting to cut those investments into sciences or NASA or in medical research. That is this Nation's insurance policy.

And I especially resent somebody coming out here and offering a phony amendment that is not going to save one nickel of taxpayer money; because this \$300,000 is not being taken out of the overall spending, it is just going to be spent by bureaucrats.

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

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

Mr. OBEY. Mr. Chairman, again, I do not want to comment on the particular project under question, but, again, I just want to make a point to my friend from Arizona. And I love the State of Arizona. It is a beautiful State. I go there every year to visit some friends. I think it is absolutely wonderful.

But when I came to this Congress, I believe there were four congressional districts in Arizona, four Representatives of Arizona in this House, and there were 10 Representatives from the State of Wisconsin. Now, almost 40 years later, Wisconsin has eight congressional districts, eight Representatives, and Arizona, I believe, has a similar number. That means that Arizona has grown at an incredibly rapid rate, and an awful lot of money from a lot of other States has helped finance that economic growth.

And I return to the Central Arizona Project. I am not expressing a judgment about that project one way or the other, but I do know that it is one of the two or three most expensive earmarks in history. And I would simply suggest that I find it ironic that the gentleman has chosen to go after several projects today in States whose economies are far less prosperous than the gentleman's own State.

I also would question whether or not there is any greater purity in a highway, for instance, being built on the basis of a determination by two or three persons from a given State that knows the area, I don't know why that is any less pure than to have some partisan bureaucrat in the agency decide.

MOMENT OF SILENCE OBSERVED IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The Acting CHAIRMAN. The Chair asks the gentleman from Wisconsin to suspend for one moment.

Pursuant to the Chair's announcement of earlier today, the Committee will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all those present in the Chamber and those visiting us in the gallery please rise for a moment of silence.

The gentleman from Wisconsin may continue.

Mr. OBEY. As I was saying, I don't know why one should assume that a decision to build a highway or any other project, if made by partisan bureaucrats or politically appointed bureaucrats in an agency, I don't know why that is any more pure than a decision being made out in the open by Members of Congress, who I think know their districts as well as any bureaucrat.

So all I would suggest is that while I am certainly not fond of the earmarking process, I am also not fond of the idea that somehow those of us from States not quite as prosperous as the gentleman's need to be embarrassed by the fact that we are asking for a little better deal in terms of Federal money spent in our districts, especially when the gentleman's State is above the national average in terms of the amount of Federal dollars spent in his own State.

I yield back the balance of my time.

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

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT NO. 25 OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS 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 No. 25 offered by Mr. HASTINGS of Florida:

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

SEC. ____ None of the funds made available in this Act may be used by the Federal Aviation Administration (FAA) to eliminate, consolidate, de-consolidate, co-locate, execute inter-facility reorganization, or plan for the consolidation/deconsolidation, inter-facility reorganization, or co-location of any FAA air traffic control facility or service, with the exception of the reversal of the transfer of the radar functions from the Palm Springs Terminal Radar Approach Control (TRACON) to the Southern California TRACON.

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

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today with Representatives POE, FILNER, and BONO to offer an amendment prohibiting the Federal Aviation Administration from eliminating, consolidating, collocating, or planning to consolidate or colocate any terminal radar approach control center, or TRACON.

Our amendment is virtually identical to the amendment that was overwhelmingly approved by the House in a bipartisan fashion by almost 100 votes just last June. Yet, since the House went on record of opposing further consolidation, the FAA has done virtually nothing to address our concerns. Even more, it has accelerated its consolidation efforts while shutting out stakeholders from the process.

Mr. Chairman, the TRACON system guides airplanes within a 50-mile radius of the airport on their takeoffs and final approaches. The FAA has embarked on an ambitious consolidation and collocation plan which will significantly limit our air traffic capacities in the future. I warn that this policy is shortsighted.

It is now rumored that the FAA's current consolidation proposal seeks to eliminate or consolidate nearly 50 TRACONS in over 30 States across the United States.

□ 1545

In some instances, entire States will be left without any approach radar system within their borders. In other instances, consolidation runs the risk of placing undue stress on nearby TRACONS already having to deal with larger airspaces and staffing shortfalls.

In Florida, the FAA is planning to consolidate the TRACONS of Miami International, Ft. Lauderdale International and Palm Beach International airports into one TRACON. Note that all three of these airports are within a Federal high-risk urban area, and smack dab in the heart of Hurricane Alley.

Once this plan is implemented, if a terrorist attack or natural disaster were to strike the Miami TRACON, then all three international airports would lose their approach radar system. Controllers in Jacksonville, an airport more than 350 miles away, will be forced to direct approaching aircraft throughout virtually the entire State.

Realize, Mr. Chairman, this is not a question of whether or not consolidation can technologically be done. It can be done and it is being done. On the contrary, this is a question of should it be done and what risk is Congress willing to run.

Further, in the instances where consensus is possible and consolidation could be appropriate, the FAA is still

refusing to involve stakeholders in the process. To that end, this amendment appropriately exempts the TRACONS of Palm Springs and southern California from the limitation.

Opponents of our amendment likely will argue that the construction of some new control facilities, including one in my district, will be delayed and funds lost if we do not allow consolidation. To them I say, why can't we keep those funds available until all stakeholders can reach a viable solution? Congress does it all the time.

Some point to the FAA authorization bill as the appropriate place to address this issue. And I have great respect for the chairman of that committee with whom I've had a conversation. If that's the case, though, why do we keep throwing money at the problem in this bill? At the very least, we should tie this money to smart policy and a transparent process.

The FAA's TRACON consolidation runs the grave risk of leaving our air traffic system vulnerable during critical times and setting a dangerous precedent for a process that excludes stakeholders from decisions that impact their lives. This is not a risk that Congress should be willing to take.

I urge my colleagues to support this important amendment.

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

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

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

Mr. OLVER. Mr. Chairman, the major problem, other than lack of funds, related to aviation in this country for the next period of time is the great growth in traffic. We are expecting total traffic to pass 1 billion passengers within the next 10 years. Over the last 10 years it has risen from, gone well above 500 million passengers per year.

Now, this amendment will make the cost of providing facilities and equipment in order to be able to meet that great growth in traffic much higher than it otherwise would be. The modern equipment that is necessary, most of the present towers need to be upgraded, the equipment needs to be upgraded, towers need to be built for the next generation of air traffic control to deal with all of that huge increase in expected traffic. The towers themselves are expensive. The electronic equipment, the facilities, what you call the STARS systems for control, all of these are expensive items, and the expense of the process burgeons if we do not make other kinds of efficiencies.

Now, this amendment would halt all of the modernization of air traffic control facilities, both TRACONS and towers, and the equipment within those facilities. Consolidation has already gone on very successfully in some parts of the country.

The gentleman from Florida has suggested that there are problems in safe-

ty, potential problems in safety. Look, in California they have consolidated to now two TRACONS covering the whole State for the 30-plus million people in California and the roughly 40 commercial air systems, airports that are there. So that kind of consolidation has gone on also in New York, also in Chicago, also in Atlanta, in all of those places, some of the most complicated air traffic systems in the country. The most complicated ones have already been undergoing consolidations, and this proposal would stop that process.

It would cost us \$85 million in savings from planned and designed and in construction consolidations that are already in process. It would cost another \$110 million in funds which would expire, because funds for FAA facilities and equipment goes on a 3-year cycle.

In addition, there would be \$225 million in construction funds that will be placed on hold. It is an extremely costly endeavor, and it is generally wrong-headed, really. We have to have this consolidation because it's critical to the efficient dealing with our movement of air traffic in this country.

Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Without a great deal of enthusiasm, I oppose the amendment of the gentleman, although I supported it last year. But this year we have in place in our FAA reauthorization bill a process that will cure the problem the gentleman has brought to the House floor.

Frankly, the FAA has not been responsive to the gentleman from Florida. Worse, they have been dismissive. They have not consulted with him or with his airport or with the community that he represents.

In the legislation that the gentleman from Illinois, chairman of the subcommittee and I have fashioned with bipartisan support, we have a process in place. Once our authorization bill is enacted, that will require the FAA to consult with communities, with airport authorities, with the Members of Congress on these consolidation proposals and report back to the Congress. We'll get another crack at it. We'll do it in due course and due appropriate process, not the way FAA is proposing to do it, certainly not with a base-closing commission approach that the administration offered to the Congress.

Just today the gentleman from Illinois held a hearing on the wretched conditions in a great many of our air traffic control facilities, which the FAA is ignoring under the guise of modernization of air traffic control system.

Well, come on. That's not happening for another 5 to 10 years. Meanwhile, people have to sit there and suffer through mold and rain and mildew and, in northern Minnesota, in my district in Duluth, snow coming through the windows, or flies in the air traffic control tower in the winter. Come on. That's not taking care of our facilities.

The Acting CHAIRMAN. The gentleman's time has expired.

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

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

Mr. KNOLLENBERG. I, too, am opposed to this amendment. A number of planned and paid-for capital improvement projects will be delayed or completely cancelled if this amendment goes through. And I think that the discussion you've heard from the two previous speakers is enough to suggest that, as much as we may want to help the dilemma in the gentleman's Florida area, there is a lot of other land out there across this country that needs to be looked at, too.

I yield to the ranking member of the Transportation and Infrastructure Committee, Mr. JOHN MICA.

Mr. MICA. Mr. Chairman, I rise in strong opposition to this amendment. I'm pleased to join Mr. OBERSTAR who chairs our committee, and as the ranking member, and you'll hear from our ranking member on the Aviation Subcommittee, also opposed to this amendment and, I believe, Mr. COSTELLO, who's the Chair of the Aviation Subcommittee, which I previously chaired, is opposed to this amendment. So rarely have we had such bipartisan support in opposing an amendment.

As Mr. OBERSTAR said, too, maybe this may be well-intended to try to deal with some problems we've had in the past, but let me tell you, this amendment can have some very severe consequences. We're talking about closing down the modernization of our air traffic control system.

Here's the headline of today's Washington Times: "FAA Target Airline Delays." I can't come to the floor and not be besieged by Members who haven't been delayed by flights. If you really want to close down our Nation's aviation system, pass this amendment.

We have successfully done these consolidations in the past. We'll do them and modernize and get the latest equipment. However, a moratorium on consolidations through January of 2009 will cause FAA to lose \$110 million of expiring funds this year that are targeted toward modernizing these facilities, and nearly a quarter of a billion dollars in construction costs will be placed on hold for projects currently in process across the country. This would be a disaster.

Many of the airports affected are planning to make improvements, and all of this attempt to get our aviation industry moving and air traffic moving and modernization of the system will come to a grinding halt. May be well-intended, may try to solve a problem that the gentleman from Florida has experienced, but this is not the solution.

I urge opposition.

Mr. KNOLLENBERG. Mr. Chairman, I would like to yield now to the gentleman on the Transportation and In-

frastructure Committee, Mr. PETRI from Wisconsin.

Mr. PETRI. Mr. Chairman, I join with my colleagues on the committee who have studied this matter in opposing the amendment before us.

Just this morning the Aviation Subcommittee conducted a hearing on our aging air traffic control facilities, some of which are in very, very bad condition, and this amendment would move us in the wrong direction rather than the right direction. The impact of the amendment would be, according to the FAA, that it would lose some \$110 million in funds that have been programmed to modernize the facilities that it needs to maintain to keep our system moving. And this will expire if the amendment is adopted.

The average age of FAA towers is some 27 years and in route centers are 43 years. They need to spend some \$30 billion over the next few years to modernize the facilities and maintain them.

And I realize that it's a well-meaning amendment, but it would set us back and delay the efficiency and mobility of our population, and could even result in some increase in risk in the system.

For those reasons, I would urge rejection of the amendment.

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

Mr. HASTINGS of Florida. Would the Chair advise how much time I have remaining.

The Acting CHAIRMAN. The gentleman has 30 seconds.

Mr. HASTINGS of Florida. I ask unanimous consent that each side be given an additional 2 minutes.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1½ minutes to Mr. POE, my colleague from Texas.

Mr. POE. Mr. Chairman, I am strongly a proponent of this amendment. I represent southeast Texas. We have a TRACON at Houston Intercontinental Airport. We have one in Beaumont, 90 miles away. And I am not convinced that the consolidation of these two TRACONS in Houston is a good idea for safety.

I'm also concerned about the fact that we have more and more planes in the air, but yet the FAA wants to have fewer and fewer facilities in the United States to control that aviation.

I'm also concerned, as the gentleman from Florida is, about security. Down in southeast Texas, what I represent, I represent the number one refinery in the United States, the number two refinery in the United States. Twenty-two percent of the Nation's aviation fuel is produced in my area.

□ 1600

And if there was some tragic event, some terrorist attack on Houston and the Intercontinental Airport, who

would be controlling the skies? Some TRACON unit in Oklahoma City and New Mexico? I think not. I think it is good that we have two TRACONS in the area.

And, lastly, I am not convinced that this would save any money. Just as we went through with the BRAC military base closures, we are finding that that did not save the taxpayers any money, especially with Ellington Field in Houston.

So for all those reasons I think this is a wise amendment for safety and security, and I thank the gentleman for yielding.

Mr. HASTINGS of Florida. I thank the gentleman.

Mr. Chairman, going forward, my colleagues argue that we would lose \$110 million that expires at the end of this year for FAA. I remind my colleagues that this is the United States Congress, and I have been here when we have extended the kinds of funds that would be made allocable to agencies by time. If we wanted to, the \$110 million that has been discussed could be extended for 2 or 3 years, and FAA could be delayed in that particular undertaking with reference to so-called modernization.

What they did in this particular measure, after we passed the measure last year, FAA then accelerated their process rather than sitting down and talking with the stakeholders such as the Members of Congress or pilots or air traffic controllers or airport operators or aviation operators and the general public; absolutely no discussion, and then put forward the measures that have come out now. That is the primary reason that I am on the floor. Sixteen thousand controllers and engineers believe this to be the case.

For the RECORD I will include a letter from the National Air Traffic Controllers Association.

NATIONAL AIR TRAFFIC
CONTROLLERS ASSOCIATION, AFL-CIO,
Washington, DC, July 23, 2007.

VOTE YES ON THE HASTINGS-POE-FILNER-BONO
AMENDMENT TO THUD APPROPRIATIONS

DEAR MEMBER OF CONGRESS: As the President of the National Air Traffic Controllers Association (NATCA), representing over 16,000 controllers, engineers, architects, nurses and aviation safety professionals, I urge you to vote yes on the Hastings-Poe-Filner-Bono amendment to H.R. 3074, the FY08 Transportation Appropriations Act. Representative Alcee Hastings offered a very similar amendment to last year's TTHUD bill to prevent the FAA from consolidating Terminal Approach Control (TRACON) facilities, and it passed with 261 bipartisan votes.

In the past, NATCA and the FAA have worked in tandem to identify air traffic control facility consolidations that could potentially make sense and to ensure that the process involves the important input from vital stakeholders. Unfortunately, the FAA is no longer taking into consideration the legitimate concerns of stakeholders such as Members of Congress, pilots, air traffic controllers, airport operators, aviation operators, and the general public.

NATCA believes that the FAA must consider air traffic control facility consolidations/colocations using a transparent process

because the Agency has an obligation to involve stakeholders in any Agency effort that could affect the safety and efficiency of the airspace. A full risk-assessment, including the Homeland Security implications of placing all of our radar functions in one location, must be conducted and made open to public scrutiny.

A moratorium on consolidations is necessary to provide the opportunity for Congress to evaluate the specific operational need for proposed consolidations and prevent the Agency from moving ahead with flawed consolidation plans without a defined policy.

We hope that you will support the efforts of our nation's professional air traffic control workforce in keeping our National Airspace System the safest in the world by supporting this amendment. Vote yes on Hastings-Poe-Filner-Bono.

Sincerely,

PATRICK FORREY,
President.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. COSTELLO).

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

Mr. Chairman, I reluctantly rise in opposition to the Hastings amendment, joining the chairman of the full committee, Chairman OBERSTAR; the ranking member Mr. MICA; and Mr. PETRI.

Mr. HASTINGS is exactly right. The FAA has done a very poor job of communicating with Members of Congress and stakeholders on its plans to consolidate and relocate facilities, but halting the process at this stage is not the answer.

Instead, what we need is an open, continuous, and defined process, and that is exactly what we have in the reauthorization bill that the Transportation Committee passed just a few weeks ago. It allows affected stakeholders to work together with the FAA to develop criteria and make recommendations that will be submitted to the Congress and published in the Federal Register for proper review and oversight. Any objections or changes made to the recommendations must again be submitted to the Congress. Congress does not relinquish its role, but, instead, can provide thorough review, oversight, and input.

Let me say that preventing consolidation and relocation is not the answer. We just held a hearing this morning, the Aviation Subcommittee, in which we discussed the FAA's aging traffic control facilities. Many of these facilities are 40 years old or older, and they are exceeding their useful life expectancy in not meeting current operational requirements. This has resulted in the GAO's giving many of the facilities a score of fair to poor.

We must ensure that the FAA make the investments needed to maintain the current existing infrastructure, including in some cases consolidation and relocation, to ensure that the current system can continue to operate in a safe and reliable way. I believe the best course of action is to address this issue through the reauthorization bill, and that is exactly what we have done in passing the bill out of committee.

As a result, I oppose this amendment and urge my colleagues to vote "no" on the Hastings amendment.

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

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

Mr. OLVER. Mr. Chairman, I would just like to point out that the gentleman from Florida has made the point that the House passed last year legislation doing this. That was never acted upon and was not included in the CR, the final CR for the 2007 budget. That was adopted in the House version of the bill, but it was not carried through to the CR. So there is no precedent of merit there.

Secondly, the crux of our problem is that we have a huge growth of air traffic that is expected within a 20-year period. From 1995 to the year 2015, we will have gone from half a billion passengers to a billion passengers, and that is in the commercial traffic, plus all of the increase in general aviation. We cannot sit with our head in the sand and not modernize all these facilities, the towers, the facilities, the equipment, the control systems that are necessary to deal with that increase in traffic, and that has to be done. It has already been done in some of our major parts of the country.

The gentleman from Texas has concerns about Texas. The authorizing language which the T&I Committee has reported out includes a system to look at those cases to review and to set up a system for reviewing how those systems will be set up in additional places as the consolidation of TRACONS and the modernization of these facilities and the reequipment of these facilities must go forward.

So I think that that part of it is a red herring, truly. In the case of Chicago and New York and Philadelphia and Washington and California, our heaviest traffic locations in the country, and Atlanta besides, we already have these consolidations in place. And in the case of California, 40-some-odd airports and their tower facilities have been included now in 2 TRACONS where there used to be 8 or more TRACONS in the State of California.

So the number of TRACONS is going to come down. It must come down, and we must get on with this modernization of the facilities and equipment that otherwise would always be very costly. It must be done.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I would be happy to yield to the gentleman from Florida, though I don't think I have much time.

Mr. HASTINGS of Florida. Just to say, Mr. Chairman, you know there is another component to all of this, and that is that the 16,000 air traffic controllers and the people that work in these modern facilities are overburdened, and I just for the life of me do not understand how we don't understand the dynamics of their work.

And I thank the chairman for yielding.

Mr. OLVER. They will be much less burdened if they have new facilities and new equipment, equipment that is modern and that can manage to handle that traffic in a much more efficient manner.

I hope that the amendment will not be adopted.

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

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

Mr. HASTINGS of Florida. 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 Florida will be postponed.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

Mr. FRELINGHUYSEN. 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. FRELINGHUYSEN:

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

SEC. _____. None of the funds made available under this Act may be used by the Federal Aviation Administration to implement its preferred alternative of the New York/New Jersey/Philadelphia Airspace Redesign project.

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

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to offer this amendment on my own behalf as well as Congressman GARRETT from New Jersey, my colleague; and Congressman CHRISTOPHER SHAYS from Connecticut.

Mr. Chairman, I am pleased to yield 2 minutes to my colleague from New Jersey, SCOTT GARRETT.

Mr. GARRETT of New Jersey. Mr. Chairman, I thank the gentleman for yielding.

I am pleased to come to the floor today with my colleague from New Jersey, Morristown, and also my other colleague here as well from Connecticut, CHRISTOPHER SHAYS, as we propose an amendment that will ask the FAA to basically more closely consider how their proposed airspace redesign plan will impact upon the quality of life of the residents of the State of New Jersey, from Connecticut, and also from the State of New York as well.

Now, we all recognize that the skies over our area are more crowded than ever before, and air travel is, obviously, a worthy goal. But the FAA must make noise and air pollution a top consideration whenever they work to redesign their airspace.

Residents of the communities across the five States are facing a threat now to the quiet of their communities and also to the value of their homes as well. The residents of my area, the Fifth District of New Jersey, are especially concerned about this. Just recently we held what you call a town meeting of sorts, and nearly 1,500 people came out to the public hearing up in Woodcliff Lake, New Jersey, and that was just about a month ago. And they came out to voice their concerns directly to the FAA.

The FAA received comments from all present, but wouldn't it have been a lot better if the FAA had taken those comments before they drafted their preferred alternative? The citizens who came to that meeting left with a deep concern that the FAA just is not listening. So this amendment is really here to help force the FAA to listen to those people in the area.

So as noise in these communities increases, there is a very real possibility that the values of their homes are going to decrease. Residents are concerned their communities are going to be drastically affected by the fact that the FAA is simply trying to save 2, 3, 4, 5 minutes from the travelers' air time.

So, in conclusion, we are simply asking now through this amendment that the FAA reconsider their preferred alternative with an eye towards protecting the communities and considering that at the same time that they consider the air travelers as well.

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

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

Mr. OLVER. Mr. Chairman, this and the previous amendment go together. Together, if these two amendments pass, our air traffic control system will be set back years in the process from which they have been going forward in trying to modernize both the air traffic design and the TRACON facilities to be used.

The FAA has spent more than \$50 million on airspace redesign in the New York, Philadelphia, New Jersey, western Connecticut area already. They have posted hundreds of outreach meetings to understand the needs and concerns. In addition, the design has undergone independent analysis by the inspector general throughout the process, and the FAA has adopted each of the IG's recommendations.

Now, what are the benefits, what are the purposes of the airspace redesign? Well, number one, we have got this huge expected increase in traffic that I have already spoken to twice.

Secondly, the air traffic region that is being described here, and this amendment only affects that region, not the whole country, only that region, but that air traffic system, that airspace system, is the system where the greatest delays, the greatest delays, are happening as we speak.

The redesign of the airspace would allow for a major reduction in delays, first of all. By so doing, there would be less noise. They would be able to fly at higher altitudes, and use a gradual glide pattern in rather than stepwise glide patterns in, and use the whole airspace so that the net reduction of people who are affected by noise, by the levels of noise, is very large.

In addition to that, environmentally if you are not flying around for long periods of time in the airspace and under delay and in holding patterns and sitting on the tarmac with the engines going, then you are saving a lot of fuel.

□ 1615

There will be much less fuel burned, therefore, much better air quality control in the process.

All of these taken together, along with the fact that if you've got delays in that major area where so much traffic occurs, then there are backups with delays all over the country. So the air space design issue is a critical issue in totality for our modernization of our traffic control.

So, I oppose the amendment, and I hope it will not be adopted.

Mr. Chairman, I would like to yield 1½ minutes to the gentleman from Minnesota, the chairman of the Transportation and Infrastructure Committee.

Mr. OBERSTAR. The New York-New Jersey-Philadelphia metropolitan area has the most complex air space in the United States; that means, the most complex air space in the world. Four of the Nation's five airports reporting the worst on-time performance are Newark, LaGuardia, JFK and Philadelphia. Holding time is five times greater than any place in the country.

The percentage of flights that arrive in Newark over an hour late is 15 percent of all the flights. Seventy-five percent of the Nation's domestic and international flights are affected by delays and inefficiencies in the New York-New Jersey-Philadelphia air space, no matter where they're going.

You have international flights arriving from the transatlantic corridor. You have flights arriving from Canada, flights arriving from South America, flights arriving transcontinental from the United States on the east coast merging into this area. Sure, there are awful noise impacts upon residents, but the redesign will save noise to some 619,000 people, shifting it elsewhere, shifting it away from other people. FAA has held over 120 public meetings since they began the process of the air space redesign. This will save 20 percent of delays and 12 million minutes a year. This is important to the Nation, not just to this region.

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

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

Mr. KNOLLENBERG. I, too, oppose the amendment. I agree that we need

to do something with the problems that are out there. We have to strike a balance between our neighborhoods and our close-in airports. And I know that Mr. GARRETT spoke about 1,500 people showing up for a hearing and/or town hall hearing, some kind. That's a lot of people, so there is a lot of grief and upset out there. But the traffic delays of the New York, New Jersey and Pennsylvania airports, as has been pointed out by Mr. OBERSTAR, are the worst in history, and I think it's less than 50 percent of the flights were on time. The FAA does need to act.

At this time, I yield 2 minutes to my friend, Mr. MICA from Florida, a member of the T&I Committee.

Mr. MICA. It is, again, rare that we have the chairmen on both sides of the aisle, the appropriation and authorizing committee, all uniformly in opposition to an amendment. But let me tell you, if you want to close down air traffic in the United States indefinitely in the Northeast, adopt this amendment.

Now, this isn't something that we just cooked up, that we're going to redesign the air space in the Northeast corridor. We started on this in 1998. We haven't redesigned the air corridor in the northeast United States since 1988. Imagine not expanding the roads or the transportation system in the Northeast since 1998 and the congestion you would have, and that's exactly what we've got.

Now, I've been to the districts. I've been to Mr. GARRETT's district, Mr. FOSSELLA's district. I've been to Mr. SHAYS' district. And I continue to work with Members, when I chaired the Aviation Subcommittee, and now as ranking member, and we will work with them, but we have got to redesign the air space. Imagine having no expansion highways. Now, planes are no different than highways; they run in corridors. But we haven't changed it in the Northeast corridor since 1988. We have been working on this redesign since 1998, some 10 years. We have got to make these changes and move forward with them.

And we need to listen to the people. We need to make certain that we don't harm their environment, their noise levels, and take into consideration as many of the points that have been raised. But I urge you to defeat this amendment.

Mr. KNOLLENBERG. Mr. Chairman, might I inquire as to how much time is remaining?

The Acting CHAIRMAN. The gentleman from Michigan has 2½ minutes remaining.

Mr. KNOLLENBERG. I would like to yield 2 minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank my colleague for yielding.

First of all, let me say that there is no one in this body who pays more attention and is more hardworking in defending the interests of his constituents than Mr. FRELINGHUYSEN, the author of this amendment. But the fact of

the matter is that it's not in the national interest to stop this study in its track. They're not doing it just because they want to. They're doing it because the Nation has grown. The system is at capacity. It needs to be redesigned to accommodate the movement of people by air through this New York region. If we don't do it, they will have to go by train, and that's almost at capacity. And the roads are congested. It will slow down our economy. It will impact and affect the growth of the whole region if this can't go forward.

So, I would urge people to defeat the amendment. We will work with the Member from New Jersey and others to make sure they're sensitive to local noise concerns, but this is not the way to do it.

I urge rejection of the amendment.

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

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

For well over 15 years, I've been an advocate of reducing aircraft noise over northern New Jersey. I have attended dozens of public hearings, had meetings with FAA officials, responded to thousands of letters from constituents whose lives have been negatively affected by the existing air traffic patterns and related noise. I have been more than a proponent of a design of air space over New York and New Jersey metropolitan area, the first such redesign conducted by the FAA, but I have actually been working on funding for this design plan.

And let me say, I respect Mr. OBERSTAR. I respect all of the big guns that are out against this amendment. But the issue is, and Mr. OBERSTAR mentioned it, is that the FAA has always been dismissive of aircraft noise concerns. We're not trying to say that we shouldn't be concerned about airline safety and too much congestion, and we don't want to do damage to our airline industry, but for those in the flight patterns now, what they propose negatively affects our constituents in northern New Jersey.

Quite honestly, the FAA, if you will pardon the expression, has been blowing us off for a long time. They've been dismissive. So this amendment is all about sending a wake-up call to Administrator Blakely.

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

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

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

Mr. OLVER. I yield to the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. I thank the gentleman for yielding, and I rise today in opposition to the amendment.

As Mr. MICA said, the last comprehensive change to the air space Northeast corridor occurred in 1987 and 1988. Since that time, the traffic has grown significantly. Delays and inefficiencies in the New York-New Jersey-

Philadelphia metropolitan area must be addressed as they have reached an all-time high.

Eighty-six percent of the delays caused by the New York center were due to the air space volume. Let me repeat that. Eighty-six percent of the delays caused by the New York center were due to air space volume.

In the first quarter of 2007, the five airports with the worst on-time performance were Newark, LaGuardia, O'Hare, JFK and Philadelphia. Four of the five airports are part of the air space redesign. The New York-New Jersey-Philadelphia air space will handle 15 to 20 percent of all of the air traffic in the Nation by 2011.

The FAA has a specific process in place that it must follow in implementing the air space redesign. Over the course of the project, the FAA has held over 120 meetings to allow stakeholder input, many of which were not required by law. My colleagues, Mr. ANDREWS, Mr. SESTAK and I have asked the GAO to look into the air space redesign to make sure that the FAA has followed the law in implementing this redesign. However, I do not believe that we should be halting the project at this time. It is too critical to our system not to go forward.

Congress should not pick winners and losers in the air space redesign debate. This amendment is asking us to do just that. And for that reason, I ask my colleagues to oppose the amendment.

Mr. OLVER. Mr. Chairman, I yield the remainder of my time to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. I thank the gentleman for yielding and rise in strong opposition to this amendment, with much due respect to my friend and colleague from New Jersey.

And in large part it has been echoed, but let me repeat it. If anybody who was sitting on a runway, whether you are across this country, especially in LaGuardia or Kennedy, and in particular, Newark Airport, you would be stampeding this House to ensure that this redesign go through. The reason being, as has been detailed extensively, and who knows it better than the riding public, is that congestion is at all all-time high and only will get worse unless this plan is put in place.

The second, and perhaps I would, quote, in clean hands talk with respect to air noise with the people of Staten Island, that practically every plane that takes off to the south goes over Staten Island. So I can appreciate those who don't want more planes going over because the people in Staten Island suffer every day.

The preferred alternative in the plan will reduce traffic from Newark Airport from about 20 minutes to 12 minutes; will reduce air noise, as I said, over Staten Island; will reduce costs to airlines by \$248 million by 2011; and a 1999 study showed that by 2010, we would hurt the U.S. economy by about another \$4 billion, and the preferred alternative outlined in the plan could

save our economy as much as 7 to 9 billion.

It is important and imperative that this plan go through. The riding public deserves it. Those sitting on runways now deserve it. Those waiting to get to Newark or any other airport deserve it. And I would just urge a speedy and urgent opposition to this amendment.

Mr. FRELINGHUYSEN. Before yielding to my colleague from Connecticut, this appropriations bill relating to the FAA has always carried language directing the FAA to deal with the issue of air noise. It has been repeatedly ignored.

Mr. Chairman, I yield the balance of my time to Mr. SHAYS of Connecticut.

Mr. SHAYS. I thank the gentleman for yielding.

The Frelinghuysen-Shays-Garrett amendment should be adopted. The big guns, the chairman of the Appropriations Committee involved in transportation and, the ranking member and the chairman of the full Transportation Committee, and the ranking member are all against it. And what they're doing is sending a message once again to the FAA that they can continue to be arrogant, that they can continue to ignore the public, that they can continue to do whatever they want as it relates clearly to safety and efficiency, but they don't have to care about anything else. They don't have to care about quality of life. They don't have to listen to anybody about quality of life, particularly as it relates to impact of noise. They can ignore us as they have continued to ignore us throughout the years.

So now what you will have in LaGuardia is planes taking off twice as often. They will veer to the left, then they will veer to the right. They will veer to the left, they will veer to the right. They won't run these planes over Long Island Sound. They will run them right over individual homes. They don't care. They don't listen. They don't give us an opportunity to speak.

I have constituents who have attended hearings, but are told, Listen to us. You can't testify.

If we want the FAA to come and allow testimony, they say we'll come to Danbury (where the planes are at 8,000 feet), but we won't come in to Stamford where they're 4,000 feet. They don't want anyone to know what they're doing. We need to pay attention to them. We need to give some authority to those in the community who have a different view . . . to those who are concerned about noise and quality of life.

I rise today in support of the [Frelinghuysen/Shays/Garrett] amendment that would prohibit funding for the Federal Aviation Administration to implement its New York/New Jersey/Philadelphia Airspace Redesign for one year until FAA Reauthorization is complete.

First, let me say I understand the FAA's desire to improve efficiency at LaGuardia, Newark, Teterboro, Philadelphia and JFK. I represent a great number of business travelers who are frustrated by long delays at many of these airports.

With that being said, however, I strongly oppose the FAA's Integrated Airspace Alternative that would route more air traffic over residential neighborhoods. Over the past few months, the FAA has zeroed in on this proposal as its preferred alternative.

Throughout this time, I have shared my concerns and the concerns of my constituents with the FAA, particularly the fact that the plan brings more planes into the region at the expense of the region's quality of life.

I am particularly disappointed the FAA has not implemented any noise mitigation strategies in the district I represent, or in many districts throughout the Northeast, despite the wide swath of land over the Fourth District that will be adversely impacted by planes flying as low as 4,000 feet.

Even though there is no mandate to consider quality of life issues, the FAA simply must not ignore the hugely negative impacts of air noise in this process.

I believe that if the FAA had to consider the quality of life impacts of the Integrated Airspace Alternative, it would never have concluded that airspace redesign was the appropriate first attempt at relieving air traffic congestion.

It seems to me there are other solutions that should be considered before implementing such a radical alternative that negatively affects so many thousands of residents throughout the Northeast.

In my judgment, a one year delay to this plan is appropriate. We are working to reauthorize the FAA this year. I am hopeful we can give the FAA authority to implement other solutions in the authorization process, and protect precious quality-of-life. I urge adoption of this amendment.

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

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

Mr. SHAYS. 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. DEFAZIO

Mr. DEFAZIO. 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. DEFAZIO:

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

SEC. _____. None of the funds made available under this Act may be used to establish or implement a cross-border motor carrier demonstration or pilot project or program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones on the United States-Mexico border.

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

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. In May, the Appropriations Committee included language in the FY07 supplemental to impose requirements on the Department of Transportation before they open the U.S. border to Mexican trucks, giving them free range across the United States of America. This language by the committee was the first step in ensuring that the Department of Transportation considered safety and security ramifications before allowing cross-border traffic and before rushing into a pilot. And unfortunately, the Bush administration immediately declared that they were in compliance with the law, making no changes in their program.

□ 1630

This is a paper-based program. They have not inspected physically one Mexican truck. They have not interviewed one Mexican driver. In Mexico, they have no system of drug testing, unlike the United States of America, and no certified drug-testing laboratories, unlike the United States of America. They have no hours of service in Mexico. Mexican drivers are frequently required to drive as long as 72 hours. They take drugs to do it. They freely admit that in the Mexican press.

Mr. OLVER. Mr. Chairman, would the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I would be perfectly happy to accept the gentleman's amendment.

Mr. HUNTER. Mr. Chairman, would the gentleman yield?

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

Mr. HUNTER. I thank the gentleman.

Mr. Chairman, I want to join the gentleman in this amendment to strike the funds for this project on the basis that this poses a security risk for our country.

We have absolutely no view of the background of the hundreds and thousands of truckers who will be coming in behind the wheels of these vehicles now with no offload requirement. In the areas of narcotics transportation and potentially terrorist transportation, this is an exposure for the United States.

I support the gentleman strongly.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I would like to support Congressman DEFAZIO's amendment and appreciate the chairman's willingness to consider it. Coming from the Midwestern part of the country, we literally have had Mexican trucks end up in our region, how, we don't know, where the driver was actually moving the steering wheel with a vise grip. Now, how does that get to the State of Ohio all the way from the border with Mexico? Something is really broken in the system already. We should not expand anything. We should fix the problem that we have today.

Let me tell you, the sheriffs in Ohio along the turnpike and all of our surface roads are busy dealing with traffic that shouldn't be there in the first place. A lot of those vehicles are carrying illegal narcotics into our region. That border is a sieve. We ought to take care of it.

Mr. Chairman, I support the gentleman's amendment and commend him for offering it here today.

Mrs. BOYDA of Kansas. Mr. Chairman, would the gentleman yield?

Mr. DEFAZIO. I yield to the gentlewoman from Kansas.

Mrs. BOYDA of Kansas. Mr. Chairman, I, too, am in strong, strong support of this. The House has overwhelmingly voted 411-3 to pass this amendment. To be honest, I think it is just an egregious grab of power by the administration to take the will of the American people and the will of this Congress and completely disregard it.

There are not systems or laboratories in place to test for drugs. There isn't documentation in order to make sure that we have inspected our trucks, that we have the training, and that there is drug testing. It is just a complete farce to be told that these safety requirements are going to be met.

Mr. Chairman, I know that I, as well as the people of the Second District of Kansas, are strongly urging the President to stop this. I certainly support this bill, which will stop the funding and stop this pilot program.

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

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word. I will be very, very brief.

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

Mr. KNOLLENBERG. Mr. Chairman, I just want to make sure that we are all in agreement here. I think the gentleman from Massachusetts (Mr. OLVER) is. I am. That should be the end of it.

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

Mr. DEFAZIO. I thank the chair and the ranking member for their support on this. This will be a tremendous step toward protecting the American traveling public. It will move us away from a system of faith-based regulation and protection to one based on the rule of law and regulations.

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of this bipartisan amendment. The gentleman from Oregon (Mr. DeFazio), Chairman of the Subcommittee on Highways and Transit, has worked tirelessly on the issue of cross-border trucking in this Congress and I commend his determination in probing the details of the Administration's plans to open the U.S.-Mexico border to truck traffic.

While I strongly support this amendment, I am at the same time extremely disappointed that Congress must take yet another step to compel the Administration to do the right thing and protect the safety of the American people.

Members of Congress face growing frustration with the Administration's clear desire to

open the U.S.-Mexico border at any cost, with minimal regard for the safety of the traveling public, and little attention to the concerns raised by the House and Senate. Today's amendment is the culmination of a mounting effort to ensure safety and to hold the U.S. Department of Transportation ("DOT") accountable as the Department reveals its plans for opening our nation's southern border.

On February 23, 2007, Secretary of Transportation Peters announced the start of a one-year pilot program to grant 100 Mexico-domiciled trucking companies unrestricted access to U.S. roads, beyond the commercial zones at the U.S.-Mexico border. DOT has acknowledged that this pilot program is the first step to full border opening. This announcement had generated a groundswell of opposition.

Since February, Congress has tried to shed some light on this pilot program. On March 13, 2007, the Subcommittee on Highways and Transit held an oversight hearing on the pilot program. Chairman DeFazio and I have asked the Inspector General of the Department of Transportation to review the proposed pilot program for compliance with all applicable motor carrier safety and hazardous materials laws and regulations.

On March 29, 2007, Representative BOYDA introduced H.R. 1773, the Safe American Roads Act of 2007, of which I am a proud sponsor. This legislation limits the authority of the Secretary of Transportation to unilaterally open the United States-Mexico border to truck and bus traffic under the ruse of a hasty pilot program. Instead the bill provides the U.S. with an opportunity to test, evaluate, and learn from the impacts of allowing Mexico-domiciled trucks on our highways, but only once a strict set of prerequisites are met and only under a specific set of conditions.

At the beginning of May, the Committee on Transportation and Infrastructure ordered the bill reported to the House by a vote of 66-0. The House passed the bill on May 15, 2007, by an overwhelming vote of 411-3.

The message to Secretary Peters has been clear: proceed with caution and do not open the border to Mexico-domiciled trucks until sufficient checks are in place to ensure that they meet U.S. motor carrier safety laws. Yet, DOT opposes the safeguards included in H.R. 1773. It continues to charge ahead, and intends to start the pilot program as early as next month.

The agency seems to have little regard for what findings or shortcomings may come to light in the reviews required to date by Congress. DOT has been unwilling to make changes to its plans to bring the proposed pilot program in line with the strict criteria strongly supported by the House. As a result, we must take this action today to bring this program to a standstill.

I continue to question whether DOT is truly ready to open the border, and whether adequate systems are in place to make sure Mexican carriers meet our strict federal safety requirements. It is well-established that Mexican law does not require many fundamental elements of highway safety that are required for U.S. vehicles and drivers, including hours-of-service restrictions, drug and alcohol testing, and commercial driver's licensing requirements. Data collection issues and tracking violations of Mexican drivers while operating in the U.S. also remains a challenge.

The United States is bound to live up to its commitments under the North American Free

Trade Agreement ("NAFTA"). However, nothing in NAFTA suggests that we must allow Mexico-domiciled motor carriers to operate throughout the U.S. if they pose a safety hazard to our citizens.

Launching a cross-border pilot program represents a major shift in transportation policy. It is the responsibility of DOT to ensure that any program that allows trucks from Mexico to enter the United States must be conducted with the safety of the American people as the highest priority. We must not forget this in a rush to open the border.

I urge my colleagues to join me in supporting the DeFazio amendment

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

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

The amendment was agreed to.

AMENDMENT NO. 16 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 No. 16 offered by Mr. GARY G. MILLER of California:

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

SEC. 410. None of the funds made available in this Act may be used to take any action to issue a final rule or notice based on, or otherwise implement, all or any part of the proposed rule of the Department of Housing and Urban Development published on Friday, May 11, 2007, on page 27048 of volume 72 of the Federal Register (Docket No. FR-5087-P-01), relating to standards for mortgagor's investment in mortgaged property.

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 today to prevent HUD from implementing a new rule that will effectively close homeownership opportunity to many American families.

In today's housing market, one of the primary barriers to achieving the dream of homeownership is the lack of accumulated wealth and disposable income. Fortunately, some nonprofit organizations have developed programs to provide down payments to qualifying families. Such programs empower individuals and families who lack the necessary funds for down payment and other related costs, but can afford the monthly mortgage payment to become homeowners.

These down payment assistance programs have proven successful in expanding ownership opportunity to low- and moderate-income families. In the past, HUD has permitted the use of these programs in conjunction with FHA-insured loans. Recently, however, HUD issued a proposed rule that would effectively eliminate seller-funded down payment assistance programs.

I am very concerned about the impact of this proposed rule on homeownership in this country. Rather than going too far, I believe we should develop reasonable and fair criteria by which these programs can continue to operate while also protecting the FHA insurance fund. If there are legitimate problems that have been identified by HUD, then let's work together to fix the problems.

The amendment I offer today with Housing and Community Opportunity Subcommittee Chairman WATERS and Mr. AL GREEN of Texas would prohibit funds from being used to implement this proposed rule. It would give Congress time to work with HUD to preserve down payment assistance programs while imposing strong regulations and oversight. This amendment will allow us to put the control in place that will weed out the bad actors, while still allowing those who help millions become homeowners to continue their good work.

Mr. Chairman, I urge my colleagues to support this amendment to preserve homeownership opportunities for all Americans.

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

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

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

Mr. Chairman, I rise in strong opposition to this amendment which would overturn HUD's urgent attempt to halt these scam practices by the so-called nonprofits that operate under the veil of helping people get mortgages.

Under the guidance of the Inspector General, and in coordination with the Treasury Department, HUD is moving to crack down on so-called nonprofits that offer to pay the down payment so that families can purchase a home. This amendment would overturn that effort and cost the taxpayers some millions of dollars in defaulted loans.

While there may be honest nonprofits, and I am sure there are, that genuinely want to help increase homeownership, this program does have many problems.

First, the default rate for mortgages in which the down payment is paid for by nonprofits is three times the national average. That is the default rate. This has cost millions and is a source of instability to the fund, and, according to HUD, is a major reason that the FHA fund is rapidly heading to a deficit situation.

Second, there is no free lunch. The mortgages are simply turned upside down with the down payment added to the price of the home. They are not free to the homeowner. Further, expensive fees are often added to the costs of the mortgage by nonprofits.

The Treasury Department is moving quickly to revoke the nonprofit status

of many of these organizations, but HUD needs to act now and needs to get this rule out as final.

I oppose any attempt to delay the rule and oppose this amendment. I think that if the Federal Government is so concerned about how a program is operating that it feels compelled to draft a regulation, I think we should carefully review the situation before we rush to overturn that effort. Frankly, we have not done that.

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

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

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

Mr. OLVER. Mr. Chairman, I am actually in support of this amendment. I think the authorizers have been hard at work at reforming the FHA program, and I support their efforts to resolve this issue.

I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in strong support of the Miller-Waters-Green amendment to H.R. 3074. On June 22, 2007, the Subcommittee on Housing and Community Opportunity, which I chair, held a hearing on homeowner down payment assistance programs. That hearing provided a window into down payment assistance programs that I had not seen before.

The hearing was prompted by the issuance of the HUD proposed rule on May 11, 2007, to terminate down payment assistance programs. I applaud HUD for extending the comment period for the proposed rule, but that is not enough.

Down payment assistance provided by charitable organizations to low- and moderate-income individuals and families to purchase homes has been a mainstay of HUD and FHA since 1999. In fact, we heard testimony that 30 to 40 percent of FHA loans used some type of down payment assistance.

What was even more astonishing was that HUD proposed a similar rule in 1999, only to have never finalized it. Indeed, HUD's failure to finalize a rule gave de facto approval for the continuation of many down payment assistance programs.

Down payment assistance is often used in conjunction with HUD's mortgage insurance under the 203(b) program administered by FHA. Down payment assistance programs have helped nearly 1 million low- and moderate-income persons become homeowners, providing an instant source of equity for them. Homeownership would be out of reach to thousands of homeowners without down payment assistance programs.

Unfortunately, HUD's issuance of the proposed rule on May 11, 2007, would eliminate the use of down payment assistance programs. FHA opposes the use of direct or indirect funding provided from the sale of property, and that is fine. But an across-the-board re-

jection of all down payment assistance programs without further review, analysis or clarification from HUD is unacceptable.

Down payment assistance programs do not need to be the scapegoat for, as what one HUD called it, the "looming shortfall" in HUD's fiscal year 2008 budget. I believe if HUD is left to its own devices, this is exactly what will happen to down payment assistance programs.

I support down payment assistance programs meeting Federal requirements. Therefore, I ask that you join Gary Miller, Al Green and me in supporting the amendment to prohibit HUD from implementing the proposed rule with any funds from this bill.

Mr. OLVER. I yield to the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I rise in support of the amendment because it is a good amendment, and HUD's language is bad language.

Mr. Chairman, since 1997, this program has assisted literally nearly 1 million families with down payment assistance. In my district alone, it has helped more than 600 families. This program is a privately funded down payment assistance program. I think that is important for us to highlight, a privately funded down payment assistance program.

Yes, there is some concern with reference to the appraisals, but that can be amended and fixed by way of a program similar to what the VA has. The VA has a blind pool appraisal process. With a blind pool appraisal process, you can get the appraisals that are fair market value, and you will save the program that has helped so many families.

This program is viable. It helps community development. It is meaningful. It helps needy buyers. It is workable. It can work through HUD, and it is achievable without this language. I suggest that my colleagues vote for it. Let's save this program. Let's vote for this amendment.

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

Mr. GARY G. MILLER of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I respect my good friend's argument on behalf of Treasury and HUD; however, I want to remind my colleagues that it has been just a few years ago that Treasury and HUD came to us and asked us to implement the American Dream Down Payment Assistance Act, which means the Federal Government will give individuals the down payment and closing cost money necessary to be able to own a home that otherwise they would never be able to own a home where they can make the payment.

The argument made to us is the private sector is doing it. We can implement upon what the private sector is doing, and with the government's participation, we can put even more people into homes.

□ 1645

Now, if we have a problem as some say with appraisals that are not being factual enough, then let's implement the same underwriting criteria that FHA will use on zero downpayment and FHA uses on the American Dream Downpayment Act. If you can come up with a reasonable appraisal to give Federal dollars to somebody to buy a home, why can you not come up with the same criteria for a reasonable appraisal to help the private sector put people into homes?

Mr. GREEN made a very good point. We put a million people into homes with the Downpayment Assistance Program provided by the private sector, and the argument made in committee was 15 percent of these loans that were made are troubled. Now, that does not mean that 15 percent are being foreclosed upon. That means 15 percent might have missed a payment at one point in time or had some other problem at some other point in time.

But on the other side, you have 850,000 people, families who own a home today, who built up equity they would not have otherwise had renting a home and now have a home that had it not been for the private sector would have been renting an apartment or be in section 8 or in government housing.

If that 15 percent relates to 4 or 5 percent in foreclosures, and if that 4 or 5 percent has something to do with underwriting standards being used that do not meet the criteria they should meet, or if appraisals are being implemented that do not meet the criteria they should meet, let's get together as a Congress first in committee, let's deal with the problems and rewrite the law and bring it before this House and debate it, and let's make sure that the bad apples and those that my friend said are practicing scam practices are eliminated.

But to think that we are going to eliminate the possibility in the next 4 or 5 years for a million families to own a home, or have them come to the Federal Government and ask for a downpayment when they could also go to the private sector and ask for a downpayment, it seems some way disingenuous and unrealistic for us to do that. If there is a problem, let's fix it. If FHA can offer a zero downpayment loan under given underwriting criteria, and we use the same underwriting criteria for a downpayment assistance loan and the person owes \$200,000 with zero downpayment and \$194,000 with the downpayment assistance, they are better off with the program.

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

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. HENSARLING

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment No. 22 Offered by Mr. HENSARLING:

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 Edmunds Center for the Arts, City of Edmunds (WA).

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

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, there are a number of earmarks in this bill that are somewhat similar to this one. I will be the first to admit I don't know all that much about the Edmunds Center for the Arts. But as I follow these typical earmark debates, I know that soon there will be a Member to come to the floor to tell me he knows his district better than I do. Mr. Chairman, I concede the point.

He will also tell me that this body has the authority to provide for this earmark. Mr. Chairman, I once again concede the point.

I am sure they will come down here and say good things can be done with the money. Mr. Chairman, once again, I will concede the point.

They will also tell us well, it is a very small portion of the Federal budget. Mr. Chairman, I will concede the point.

But here is what I will not concede: the money is a very small portion of the Federal budget. But I fear again that earmarks in general, and perhaps this category in specific, become a larger portion of the culture of spending which is harmful to the Nation. We need to look at it very closely.

Often amendments are brought to the floor that many Members will say this is just draconian. We can't manage to spend less money here. Okay, so we offer earmark amendments and people say, well, it is just a small portion of the Federal budget. It is kind of like either the porridge is too hot or the porridge is too cold. When is the right time to offer an amendment to try to save taxpayers money?

So this is money that under the certification letter the funding would be used for renovation of the Edmunds Center for the Arts. Again, there are a number of earmarks that do this. I assume, frankly, there are Members of both parties that are requesting this funding. But it needs to be put in context because every time we so-called "invest" in a project like this, there is somebody out in America that is being divested in order to pay for the investment. So we have to look very closely at where this money is coming from.

Now, Member after Member comes to the floor to tell us we should do everything we can to preserve the Social Security trust fund. We know under our unified budget today that as long as we are running a deficit, and unfortu-

nately we still are, it is declining due to lots of tax revenue, but we still have a deficit. We know that this expenditure is going to come ultimately out of the Social Security trust fund. Yet so many Members come to the floor to decry the practice. So is this money going to the Edmunds Center for the Arts worth raiding the Social Security trust fund? I believe not.

In addition, we know that the Democrats, Mr. Chairman, in their budget resolution, it contains the single largest tax increase in American history. Over 5 years if we don't figure out a way to stop it, the average American family will have an average \$3,000 a year tax burden. That is money coming out of their pocket that they could have used for their arts, their entertainment, and their transportation; but they are being divested in order to invest in centers for the arts.

As I said earlier, I have no doubt that the sponsor of the earmark knows his district better than I do, just like I know my district better than he does. In talking to people in the Fifth Congressional District of Texas, they think their tax money might be used for better purposes. And if it is going to go to art centers, they kind of prefer that Mesquite Art Center be funded. They prefer the Henderson County Performing Arts Center be funded. They prefer the Lake Country Playhouse in Mineola to be funded; and they prefer the Kaufman County Civic Theater in Terrell, Texas, be funded, and the list goes on.

Given that we are threatened with the single largest tax increase in history, a vote for this is to raid the Social Security trust fund. And already with the spending we have, we are due to double taxes on the next generation.

I know Congress has the right to do this. I don't question our authority; I question our wisdom in doing that.

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

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. INSLEE. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. INSLEE. This is a misguided amendment. It is quite a surprise that of all of the decent efforts to help communities across the country, for some reason the gentleman picked this one. That is something beyond at least my understanding. The particular project involved here is a community center that is involved in a whole host of youth projects, including the Edmunds Boys and Girls Club, the Sno-King County Youth Club, the Triple Threat Basketball Club, the Brighton School, the Cascade Symphony Orchestra, the Edmunds High School Multi-Class Reunion, the Olympic Ballet Theater, the Sno-King Community Chorale, and Edmunds Community College.

I don't know why those seem like such un-American activities to the

gentleman, but to our community and to the country at large, those are integral parts of our communities. I may note this is not a situation where somehow there has been some sort of Federal largesse, that is an intrusion into the community.

This is an effort where we have multiple parties that have been associated with funding this project. This is not just the Federal Government. In fact, it is less than 10 percent of the entire project. It is financed with Federal funds. It is largely a matter of local development, including a variety of local corporations. So where we have less than 10 percent in this final phase, why this has been selected doesn't make sense.

Now there is a difference, I suppose. I hold a press release from the author of the amendment dated February 28, 2007, announcing that the city of Winnsboro, Texas, had received \$100,000 in Federal funds. The author of the amendment said: "I am excited that some of the hard-earned tax dollars sent to Washington are flowing back into the county." There is a difference, I suppose, between that money flowing to Edmunds, Washington. In that case it was money going to the proponent of this amendment. In this case it goes to a different one. I am not sure I understand the difference.

I guess the difference is the money that went to Texas was chosen by the bureaucrats. The money that is selected here has been chosen by the United States House of Representatives. Now, I don't know why the proponent believes there is some intrinsic genius of the bureaucrats. Some believe all bureaucrats are smarter than all Congressmen, or the least wise bureaucrat is smarter than the most intelligent Congressman. Some may hold that view; I don't.

We have a valid community purpose here. We have a small Federal commitment, and we have a useful thing that is helping kids at risk as well as community development. I note that an economic evaluation of this particular project showed that it would have significant economic value as well as community value in helping the kids in these local communities.

So I would commend this small investment of Federal dollars in this community.

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 noes 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.

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

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

Mr. OLVER. Mr. Chairman, I yield time to enter into a colloquy with the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Chairman, I rise today on behalf of myself and the gentleman from Tennessee (Mr. WAMP).

In 1941, the United States was building up for World War II in dire need of new sources of energy. The Tennessee Valley Authority obtained Federal authority for construction of a hydroelectric dam in Swain County, North Carolina. This construction required that an important road be flooded. In a 1943 agreement, the Federal Government promised to rebuild the road.

In the 64 years since the agreement was signed, no road has been completed and no settlement was offered to the people of Swain County. The 2001 Transportation bill provided \$16 million to study the environmental costs of building this new road. The National Park Service will complete this study in September.

□ 1700

Mr. Chairman, the financial and economical costs are too high to build this road. The National Park Service has said that the final environmental impact study will recommend a cash settlement with the people of Swain County.

Senators ALEXANDER and DOLE have amended the Senate version of this bill with language to allow the Park Service to use remaining funds from this study for this solution. This common-sense solution enjoys strong bipartisan support in the North Carolina and Tennessee House delegations.

Mr. Chairman, would you be willing to work with me and Congressman WAMP to ensure that this bipartisan language is included in the final conference version of this bill?

Mr. OLVER. I would like to thank the gentleman for bringing this issue to our attention.

Sixty-four years is a long and, it seems, quite unreasonable time to wait for the government to resolve this issue. So I pledge to work with you both on this issue as we move forward in this process and conference this bill with the Senate.

Mr. SHULER. Thank you, and I would like to thank my colleague ZACK WAMP for his hard work along with this bill, and I certainly thank the chairman for your hard work and your dedication.

Mr. OLVER. Mr. Chairman, I yield now to Mr. CROWLEY from New York also for a colloquy.

Mr. CROWLEY. Mr. Chairman, I rise in support of this legislation and want to commend you and the ranking member and your staffs for the hard work that has been put into this bill. I would also like to engage you, as you mentioned, in a colloquy.

Mr. Chairman, I am pleased the committee included \$15.8 million to hire

and train new air traffic controllers. This will go a long way in helping to ensure the safety of our skies. However, I believe that more needs to be done.

I note that we have 1,100 fewer fully certified air traffic controllers than we did on 9/11.

Mr. Chairman, my concerns were underscored by a recent incident at La Guardia Airport, which is in my district in the Seventh Congressional District in Queens. As you know, La Guardia Airport is one of the busiest airports in the Nation. Over 1,000 flights a day and 27 million passengers a year frequent the airport.

On July 5 of this year, two planes nearly crashed on the runway. While a catastrophe was narrowly avoided this time, many questions remain as to the cause of the incident, including whether it was due to a staffing shortage, a lack of well-qualified air traffic controllers, or simply pure human error.

I believe we must examine the incident at La Guardia while we also examine the larger issue, which is determining how we must address the impending air traffic controller shortage. That is why I believe that Congress must fund a study by the National Academy of Sciences.

This study would examine what factors are contributing to air traffic safety concerns, including human factors, increased traffic activity, and the technology and equipment at our Nation's airports. Ultimately the report will recommend how to address this issue, particularly with regard to staffing standards and whether we need to train more air traffic controllers.

I intended to offer an amendment today to fund this study, but it would have been subject to a point of order. So instead, Mr. Chairman, I am hoping we can agree to work together as this legislation moves forward to find a way to address this issue and potentially fund this study.

Mr. OLVER. Mr. Chairman, this is a vital public safety concern that we must address. I understand that the FAA has been working with the National Academy of Sciences and has factored in many of its recommendations from the Academy. The FAA is also working with Mitre algorithms, models and base assumptions.

I, too, want to ensure that the skies remain safe, and I will work with the gentleman to ensure an adequate number of controllers exist in that area.

Mr. CROWLEY. Mr. Chairman, if I could just respond, I want to thank the chairman, and as you know, if we don't address this issue, the next incident at La Guardia may not be a near miss, but rather a tragedy, one that I hope we would avoid. And I would imagine if it were a tragedy, we would be having a different conversation than this colloquy.

I appreciate the gentleman for his time.

AMENDMENT NO. 21 OFFERED BY MR. HENSARLING

Mr. HENSARLING. 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. 21 offered by Mr. HENSARLING:

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

SEC. 410. None of the funds made available in this Act may be used for parking facilities.

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

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this amendment is aimed at limiting funding for parking facilities within this bill, which is not including Federal facilities that might be included within bills dealing with our military bases, GAO, national parks, what have you.

Mr. Chairman, apparently there are about 15 or so of these earmarks covering Members of both parties, and again, as I said earlier, Mr. Chairman, I know that the funds represented are probably a small portion of Federal spending, but I think it is good, I think it is wise that this House pause from time to time and look at the fiscal challenge that we are facing and to remember, if everything is a priority, then nothing is a priority.

So, again, I have no doubt that parking facilities are needed all over America, but I doubt the wisdom within the confines of this bill of using Federal taxpayer money today to pay for them.

Let's take a look at the challenge that we're facing, Mr. Chairman, and just don't take my word for the fact that we have a great fiscal challenge. Let's listen to our Federal Reserve Chairman, Ben Bernanke. He said recently, without "early and meaningful action" to address spending in Washington, "the U.S. economy could be seriously weakened; with future generations bearing much of the cost."

Let's listen to the Brookings Institute, not exactly a bastion of conservative thought: "The authors of this book believe that the Nation's fiscal situation is out of control and could do serious damage to the economy in coming decades."

Let's listen to the General Accountability Office: The rising costs of government spending, specifically entitlements, are "a fiscal cancer" that threatens "catastrophic consequences for our country" and could "bankrupt America."

Let's listen again to the GAO: "Absent policy changes on the spending and/or revenue sides of the budget, a growing imbalance between expected Federal spending and tax revenues will mean escalating and ultimately unsustainable Federal deficits and debt

that serve to threaten our future national security as well as the standard of living for the American people.”

The Federal budget continues to grow way beyond the ability of the family budget to pay for it, and seemingly, the only standard for spending the people's money today is do we have a noble purpose, and can some good use be made of the money. But, Mr. Chairman, that standard is not sufficient. It's not sufficient when we're threatening future generations with a fiscal calamity. Sooner or later, this body needs to say enough is enough.

Almost every State in the Union, I think, save but two or three, are running a surplus. We're running a deficit, and what are we doing? We're funding local parking facilities.

Now, Mr. Chairman, I'm not here to debate the constitutionality of doing that, but, again, I'm here to debate the wisdom, given the fiscal challenges the Nation faces, and all too often I fear that this body is more focused on the next election and not the next generation. But the Comptroller General has said we're on the verge of being the first generation in America's history to leave the next generation with a lower standard of living.

Mr. Chairman, fiscal responsibility has to be included in each and every bill, and we have a bill that's growing about 6.7 percent. Let's somewhere draw a line in the sand on behalf of American families, on behalf of American taxpayers, on behalf of future generations and just say, you know, today the Federal taxpayer and future generations are not going to have to pay for parking facilities. It's all this amendment is about, Mr. Chairman.

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

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

Mr. OLVER. Mr. Chairman, the author of this amendment is undoubtedly trying to get at some egregious earmarks that are funded in this bill or in some other bill; however, in drafting a provision that is so broad in scope that what we have is an amendment that's careless.

There are legitimate parking facilities that can be built using Federal funds, and I use an example, for instance, the parking facilities that we have with elder housing projects, built in various places around the country, but this amendment would kill that.

Under current law Federal funds can be used to fund park-and-ride facilities and other activities aimed at encouraging carpooling and vanpooling. In fact, these activities are of such a high priority that they're eligible for 100 percent Federal funding and require no State or local match. Similarly, Federal funds are used to build safety rest areas along our interstates. This amendment would put an end to that.

For these reasons and others, this amendment must be defeated.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I would just point out that this bill funds what we call the 811 program, housing for disabled. Now, I don't know why we would want to say that we would vote money to build housing for the disabled but no parking. Have we found a new group of totally mobile disabled?

I mean, this amendment would say that if you got funds under the 811 program to build housing for disabled people, you couldn't provide parking for vans, for transportation. I'm really baffled as to the scope, and I do think that telling people that they could not provide parking at a disabled housing facility is a very poor idea.

I thank the gentleman for yielding.

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

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this money's going to have to come from somewhere. So, again, I would invite the committee chairman to tell us, is this part of the largest tax increase in history? Is this coming out of the Social Security Trust Fund? Is this going to be debt passed on to future generations? Where is the money going to come from? Does it reach that purpose?

And I cannot believe that the only parking lots that are made available to those who are disabled are somehow coming from the Federal taxpayer. I just don't believe it.

With that, I would urge an "aye" vote.

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

Mr. OLVER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Massachusetts has 3 minutes remaining.

Mr. OLVER. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, the answer to the gentleman from Texas is when you have federally funded housing for the disabled, the parking that goes for the disabled and the service vehicles comes from that money. So the gentleman says, why does the Federal Government have to pay for parking? I don't know who else the gentleman thinks is going to pay for parking at housing that is built for people who are disabled.

If the gentleman is unhappy with this, then perhaps he should draft his amendments more seriously.

Mr. OLVER. Mr. Chairman, I yield the remainder of my time to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I thank the chairman for yielding.

Parking facilities are eligible under a number of our surface transportation

programs, funded out of the Highway Trust Fund. In the SAFETEA-LU legislation, we authorize funding for parking facilities to encourage commuters to park their vehicles and use public transportation.

Congestion is a growing problem all across this country. It costs us \$68 billion a year. The more cars we can get off the roadway and more people use public transportation, the better off citizens are in their drive patterns. And the parking facilities encourage carpooling, vanpooling and use of light rail and commuter rail and local bus transit operations.

Furthermore, because they're funded with Highway Trust Fund moneys, no fees can be charged at these parking facilities, so they're not revenue-generating activities.

Furthermore, we have imposed very strict standards for highway safety for long-haul truckers. Hours of service have been limited so that roadways will be safer, but those long-haul truckers, working long hours, need safe places where they can rest.

□ 1715

The hours of service limitation requires them to stay off the roadway before they become fatigued. That's why we have parking facilities to accommodate over-the-road truck drivers, as well as passenger vehicle drivers.

So the parking facilities we provide under the SAFETEA-LU national transportation program is in the best public interest, in the interest of public safety and in the interest of roadway safety, to the best interest of the driving public, reduces congestion, and we ought not to take this broad brush stroke and strike the spending.

No, we carefully considered these issues in the course of fashioning the SAFETEA-LU in the House and the Senate and conference and on this House floor. Let's keep existing policy in place and defeat this misguided amendment.

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 noes 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.

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:

Amendment No. 14 by Mr. WESTMORELAND of Georgia.

Amendment No. 15 by Mr. SESSIONS of Texas.

An amendment by Mr. FLAKE of Arizona regarding Belmont Complex.

An amendment by Mr. FLAKE of Arizona regarding the Wisconsin Regional Planning Commission.

An amendment by Mr. FLAKE of Arizona regarding Woodlake, California.

An amendment by Mr. FLAKE of Arizona regarding the Rails to Trails program.

An amendment by Mr. FLAKE of Arizona regarding the Houston Zoo.

Amendment No. 25 by Mr. HASTINGS of Florida.

An amendment by Mr. FRELINGHUYSEN of New Jersey.

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

AMENDMENT NO. 14 OFFERED BY MR. WESTMORELAND

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) 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 116, noes 307, not voting 13, as follows:

[Roll No. 696]

AYES—116

Aderholt	Gingrey	Musgrave
Akin	Gohmert	Neugebauer
Bachmann	Goode	Paul
Baker	Goodlatte	Petri
Barrett (SC)	Graves	Pitts
Biggert	Hastert	Platts
Bilbray	Hastings (WA)	Poe
Bilirakis	Hayes	Price (GA)
Blackburn	Heller	Putnam
Blunt	Hensarling	Radanovich
Boehner	Hergert	Ramstad
Boozman	Hoekstra	Rogers (MI)
Brady (TX)	Hunter	Rohrabacher
Brown-Waite,	Inglis (SC)	Roskam
Ginny	Issa	Royce
Buchanan	Jindal	Ryan (WI)
Burgess	Johnson, Sam	Sali
Buyer	Jordan	Schmidt
Camp (MI)	Keller	Sensenbrenner
Campbell (CA)	King (IA)	Sessions
Cannon	Kingston	Shadegg
Cantor	Kirk	Shuster
Carter	Kline (MN)	Smith (NE)
Chabot	Lamborn	Smith (TX)
Coble	Latham	Souder
Conaway	Lewis (KY)	Stearns
Davis, David	Linder	Sullivan
Davis, Tom	Lungren, Daniel	Terry
Deal (GA)	E.	Thornberry
Drake	Mack	Tiahrt
Dreier	Manzullo	Tiberi
Duncan	Marchant	Upton
Ehlers	McCaul (TX)	Walberg
Feeney	McCotter	Wamp
Flake	McCrery	Westmoreland
Forbes	McHenry	Whitfield
Fossella	Mica	Wilson (SC)
Foxx	Miller (FL)	Wolf
Franks (AZ)	Miller, Gary	
Garrett (NJ)	Moran (KS)	

NOES—307

Abercrombie	Arcuri	Barton (TX)
Ackerman	Baca	Bean
Alexander	Baird	Becerra
Allen	Baldwin	Berkley
Altmire	Barrow	Berman
Andrews	Bartlett (MD)	Berry

Bishop (GA)	Hare	Pallone
Bishop (NY)	Harman	Pascrell
Blumenauer	Hastings (FL)	Pastor
Bonner	Herseth Sandlin	Payne
Bono	Hill	Pearce
Bordallo	Hinchev	Perlmutter
Boren	Hinojosa	Peterson (MN)
Boswell	Hirono	Peterson (PA)
Boucher	Hobson	Pickering
Boustany	Hodes	Pomeroy
Boyd (FL)	Holden	Porter
Boyda (KS)	Holt	Price (NC)
Brady (PA)	Hooley	Pryce (OH)
Bralley (IA)	Hoyer	Rahall
Brown (SC)	Hulshof	Rangel
Brown, Corrine	Inslee	Regula
Burton (IN)	Israel	Rehberg
Butterfield	Jackson (IL)	Reichert
Calvert	Jackson-Lee	Renzi
Capito	(TX)	Reyes
Capps	Jefferson	Reynolds
Capuano	Johnson (GA)	Rodriguez
Cardoza	Johnson (IL)	Rogers (AL)
Carnahan	Johnson, E. B.	Rogers (KY)
Carney	Jones (NC)	Ros-Lehtinen
Carson	Jones (OH)	Ross
Castle	Kagen	Rothman
Castor	Kanjorski	Roybal-Allard
Chandler	Kaptur	Ruppersberger
Christensen	Kennedy	Rush
Clay	Kildee	Ryan (OH)
Cleaver	Kilpatrick	Salazar
Clyburn	Kind	Sánchez, Linda
Cohen	King (NY)	T.
Cole (OK)	Klein (FL)	Sanchez, Loretta
Conyers	Knollenberg	Sarbanes
Cooper	Kucinich	Saxton
Costa	Kuhl (NY)	Schakowsky
Costello	LaHood	Schiff
Courtney	Lampson	Schwartz
Cramer	Langevin	Scott (GA)
Crenshaw	Lantos	Scott (VA)
Crowley	Larsen (WA)	Serrano
Cuellar	Larson (CT)	Sestak
Culberson	LaTourette	Shays
Cummings	Lee	Shea-Porter
Davis (AL)	Levin	Sherman
Davis (CA)	Lewis (CA)	Shimkus
Davis (IL)	Lewis (GA)	Shuler
Davis (KY)	Lipinski	Simpson
Davis, Lincoln	LoBiondo	Sires
DeFazio	Loebsack	Skelton
DeGette	Lofgren, Zoe	Slaughter
Delahunt	Lowey	Smith (NJ)
DeLauro	Lucas	Smith (WA)
Dent	Lynch	Snyder
Diaz-Balart, L.	Mahoney (FL)	Solis
Diaz-Balart, M.	Maloney (NY)	Space
Dicks	Markey	Spratt
Dingell	Matheson	Stark
Doggett	Matsui	Stupak
Donnelly	McCarthy (CA)	Sutton
Doolittle	McCarthy (NY)	Tanner
Doyle	McColum (MN)	Tauscher
Edwards	McDermott	Taylor
Ellison	McGovern	Thompson (CA)
Ellsworth	McHugh	Thompson (MS)
Emanuel	McIntyre	Tierney
Emerson	McKeon	Towns
Engel	McMorris	Turner
English (PA)	Rodgers	Udall (CO)
Eshoo	McNerney	Udall (NM)
Etheridge	McNulty	Van Hollen
Everett	Meek (FL)	Velázquez
Faleomavaega	Meeke (NY)	Visclosky
Fallin	Melancon	Walden (OR)
Farr	Michaud	Walsh (NY)
Fattah	Miller (MI)	Walz (MN)
Ferguson	Miller (NC)	Wasserman
Finer	Miller, George	Schultz
Fortenberry	Mitchell	Waters
Frank (MA)	Mollohan	Watson
Frelinghuysen	Moore (KS)	Watt
Gallely	Moore (WI)	Waxman
Gerlach	Moran (VA)	Weiner
Giffords	Murphy (CT)	Welch (VT)
Gilchrest	Murphy, Patrick	Weldon (FL)
Gillibrand	Murphy, Tim	Weller
Gillmor	Murtha	Wexler
Gonzalez	Nadler	Wicker
Gordon	Napolitano	Wilson (NM)
Granger	Neal (MA)	Wilson (OH)
Green, Al	Norton	Woolsey
Green, Gene	Nunes	Wu
Grijalva	Oberstar	Wynn
Gutierrez	Obey	Yarmuth
Hall (NY)	Oliver	Young (FL)
Hall (TX)	Ortiz	

NOT VOTING—13

Bachus	Fortuño	Pence
Bishop (UT)	Higgins	Tancredo
Clarke	Honda	Young (AK)
Cubin	Marshall	
Davis, Jo Ann	Myrick	

□ 1741

Mr. CALVERT, Mr. CLYBURN, Mr. UDALL of New Mexico, Mr. MARIO DIAZ-BALART of Florida, Mr. NUNES, and Mr. RANGEL changed their vote from “aye” to “no.”

Mr. CAMP of Michigan changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) 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 Acting CHAIRMAN. This will be a 2-minute vote.

Members will be reminded there will be seven 2-minute votes to follow.

The vote was taken by electronic device, and there were—ayes 139, noes 283, not voting 14, as follows:

[Roll No. 697]

AYES—139

Aderholt	Feeney	Marchant
Akin	Flake	McCarthy (CA)
Bachmann	Forbes	McCaul (TX)
Baker	Fortuño	McCrery
Barrett (SC)	Fossella	McHenry
Bartlett (MD)	Foxx	McKeon
Barton (TX)	Franks (AZ)	Mica
Biggert	Gallely	Miller (FL)
Bilbray	Garrett (NJ)	Miller (MI)
Bilirakis	Gillmor	Miller, Gary
Blackburn	Gingrey	Moran (KS)
Blunt	Gohmert	Musgrave
Boehner	Goode	Neugebauer
Boozman	Goodlatte	Nunes
Brady (TX)	Granger	Paul
Brown-Waite,	Brown (SC)	Pearce
Ginny	Brown-Waite,	Perlmutter
Buchanan	Ginny	Peterson (PA)
Burgess	Hayes	Petri
Buyer	Heller	Pitts
Camp (MI)	Hensarling	Price (GA)
Campbell (CA)	Hergert	Pryce (OH)
Cannon	Hobson	Radanovich
Cantor	Hulshof	Ramstad
Carter	Hoekstra	Regula
Chabot	Hulshof	Reichert
Coble	Hunter	Rogers (AL)
Conaway	Inglis (SC)	Rogers (KY)
Cooper	Issa	Rohrabacher
Culberson	Johnson, Sam	Roskam
Davis, David	Jones (NC)	Royce
Davis, Tom	Jordan	Ryan (WI)
Deal (GA)	Keller	Sali
Drake	King (IA)	Sensenbrenner
Dreier	Kingston	Sessions
Duncan	Kirk	Shadegg
Ehlers	Kline (MN)	Shuster
Feeney	Knollenberg	Smith (NE)
Flake	Lamborn	Smith (TX)
Forbes	Lamborn	Souder
Fossella	Lewis (KY)	Terry
Foxx	Linder	Thornberry
Franks (AZ)	Lungren, Daniel	Tiahrt
Garrett (NJ)	E.	
	Mack	
	Manzullo	

Tiberi	Wamp	Westmoreland	Wolf	Wu	Yarmuth	Berry	Gordon	Mollohan
Walberg	Weldon (FL)	Wicker	Woolsey	Wynn	Young (FL)	Bilbray	Granger	Moore (KS)
Walden (OR)	Weller	Wilson (SC)				Bilirakis	Graves	Moore (WI)
	NOES—283			NOT VOTING—14		Bishop (GA)	Green, Al	Moran (KS)
Abercrombie	Gordon	Neal (MA)	Bachus	Diaz-Balart, L.	Pence	Bishop (NY)	Green, Gene	Moran (VA)
Ackerman	Green, Al	Norton	Bishop (UT)	Higgins	Sullivan	Blumenauer	Grijalva	Murphy (CT)
Alexander	Green, Gene	Oberstar	Clarke	Honda	Tancredo	Blunt	Gutierrez	Murphy, Patrick
Allen	Grijalva	Obey	Cubin	Marshall	Young (AK)	Boehner	Hall (NY)	Murphy, Tim
Altmire	Gutierrez	Olver	Davis, Jo Ann	Myrick		Bonner	Hall (TX)	Murtha
Andrews	Hall (NY)	Ortiz				Bono	Hare	Nadler
Arcuri	Hall (TX)	Pallone				Boozman	Harman	Napolitano
Baca	Hare	Pascrell				Bordallo	Hastings (FL)	Neal (MA)
Baird	Harman	Pastor				Boren	Hayes	Norton
Baldwin	Hastings (FL)	Payne				Boswell	Herger	Oberstar
Barrow	Herseth Sandlin	Peterson (MN)				Boucher	Herseth Sandlin	Obey
Bean	Hill	Pickering				Boustany	Hill	Olver
Becerra	Hinchev	Platts				Boyd (FL)	Hinchev	Ortiz
Berkley	Hinojosa	Poe				Boyda (KS)	Hinojosa	Pallone
Berman	Hirono	Pomeroy				Brady (PA)	Hirono	Pascrell
Berry	Hodes	Porter				Braley (IA)	Hobson	Pastor
Bishop (GA)	Holden	Price (NC)				Brown (SC)	Hodes	Paul
Bishop (NY)	Holt	Putnam				Brown, Corrine	Hoekstra	Payne
Blumenauer	Hookey	Rahall				Brown-Waite,	Holden	Perlmutter
Bonner	Hoyer	Rangel				Ginny	Holt	Peterson (MN)
Bordallo	Inslee	Rehberg				Butterfield	Hooley	Peterson (PA)
Boren	Israel	Renzi				Calvert	Hoyer	Platts
Boswell	Jackson (IL)	Reyes				Camp (MI)	Hunter	Pomeroy
Boucher	Jackson-Lee	Reynolds				Capito	Inslee	Porter
Boustany	(TX)	Rodriguez				Capps	Israel	Price (NC)
Boyd (FL)	Jefferson	Rogers (MI)				Capuano	Jackson (IL)	Pryce (OH)
Boyda (KS)	Jindal	Ros-Lehtinen				Cardoza	Jackson-Lee	Putnam
Brady (PA)	Johnson (GA)	Ross				Carnahan	(TX)	Radanovich
Brady (TX)	Johnson (IL)	Rothman				Carney	Jefferson	Rahall
Braley (IA)	Johnson, E. B.	Roybal-Allard				Carson	Johnson (GA)	Rangel
Brown, Corrine	Jones (OH)	Ruppersberger				Castor	Johnson, E. B.	Regula
Butterfield	Kagen	Rush				Chandler	Jones (OH)	Rehberg
Capps	Kanjorski	Ryan (OH)				Christensen	Jones (NC)	Reichert
Capuano	Kaptur	Salazar				Clay	Kagen	Renzi
Cardoza	Kennedy	Sánchez, Linda				Cleaver	Kanjorski	Reyes
Carnahan	Kildee	T.				Clyburn	Kaptur	Rodriguez
Carney	Kilpatrick	Sanchez, Loretta				Cohen	Kennedy	Rogers (AL)
Carson	Kind	Sarbanes				Cole (OK)	Kildee	Rogers (KY)
Castle	King (NY)	Saxton				Conyers	Kilpatrick	Rogers (MI)
Castor	Klein (FL)	Schakowsky				Costa	Kind	Ros-Lehtinen
Chandler	Kucinich	Schiff				Costello	King (NY)	Roskam
Christensen	Kuhl (NY)	Schmidt				Courtney	Kingston	Ross
Clay	LaHood	Schwartz				Cramer	Kirk	Rothman
Cleaver	Lampson	Scott (GA)				Crenshaw	Klein (FL)	Roybal-Allard
Clyburn	Langevin	Scott (VA)				Crowley	Knollenberg	Ruppersberger
Cohen	Lantos	Serrano				Cuellar	Kucinich	Rush
Cole (OK)	Larsen (WA)	Sestak				Culberson	Kuhl (NY)	Ryan (OH)
Conyers	Larson (CT)	Shea-Porter				Cummings	LaHood	Salazar
Costa	Latham	Sherman				Davis (AL)	Lampson	Sánchez, Linda
Costello	LaTourette	Shimkus				Davis (CA)	Langevin	T.
Courtney	Lee	Shuler				Davis (IL)	Lantos	Sanchez, Loretta
Cramer	Levin	Simpson				Davis (KY)	Larsen (WA)	Sarbanes
Crenshaw	Lewis (CA)	Sires				Davis, Lincoln	Larson (CT)	Saxton
Crowley	Lewis (GA)	Skelton				Davis, Tom	Latham	Schakowsky
Cuellar	Lipinski	Slaughter				DeFazio	LaTourette	Schiff
Cummings	LoBiondo	Smith (NJ)				DeGette	Lee	Schmidt
Davis (AL)	Loeb sack	Smith (WA)				Delahunt	Levin	Schwartz
Davis (CA)	Lofgren, Zoe	Snyder				DeLauro	Lewis (CA)	Scott (GA)
Davis (IL)	Lowey	Solis				Dent	Lewis (GA)	Scott (VA)
Davis (KY)	Lucas	Space				Diaz-Balart, L.	Lewis (KY)	Serrano
Davis, Lincoln	Lynch	Spratt				Diaz-Balart, M.	Lipinski	Sestak
DeFazio	Mahoney (FL)	Stark				Dicks	LoBiondo	Shays
DeGette	Maloney (NY)	Stearns				Dingell	Loeb sack	Shea-Porter
Delahunt	Markey	Stupak				Doggett	Lofgren, Zoe	Sherman
DeLauro	Matheson	Sutton				Donnelly	Lowey	Shimkus
Dent	Matsui	Tanner				Doolittle	Lucas	Shuler
Diaz-Balart, M.	McCarthy (NY)	Tauscher				Doyle	Lynch	Shuster
Dicks	McCollum (MN)	Taylor				Drake	Mahoney (FL)	Simpson
Dingell	McCotter	Thompson (CA)				Edwards	Maloney (NY)	Sires
Doggett	McDermott	Thompson (MS)				Ellison	Manzullo	Skelton
Donnelly	McGovern	Tierney				Ellsworth	Markey	Slaughter
Doyle	McHugh	Towns				Emanuel	Matheson	Smith (NJ)
Edwards	McIntyre	Turner				Emerson	Matsui	Smith (TX)
Ehlers	McMorris	Udall (CO)				Engel	McCarthy (NY)	Smith (WA)
Ellison	Rodgers	Udall (NM)				English (PA)	McCollum (MN)	Snyder
Ellsworth	McNerney	Upton				Eshoo	McCotter	Solis
Emanuel	McNulty	Van Hollen				Etheridge	McCrery	Space
Engel	Meek (FL)	Velázquez				Everett	McDermott	Spratt
English (PA)	Meeks (NY)	Visclosky				Faleomavaega	McGovern	Stark
Eshoo	Melancon	Walsh (NY)				Farr	McHugh	Stupak
Etheridge	Miller (NC)	Walz (MN)				Fattah	McIntyre	Sutton
Faleomavaega	Miller, George	Wasserman				Ferguson	McKeon	Tanner
Farr	Mitchell	Schultz				Filner	McMorris	Tauscher
Fattah	Mollohan	Waters				Forbes	Rodgers	Taylor
Ferguson	Moore (KS)	Watson				Fortuño	McNerney	Thompson (CA)
Filner	Moore (WI)	Watt				Frank (MA)	McNulty	Thompson (MS)
Fortenberry	Moran (VA)	Waxman				Frelinghuysen	Meek (FL)	Tiahrt
Frank (MA)	Murphy (CT)	Weiner				Gallely	Meeks (NY)	Tiberi
Frelinghuysen	Murphy, Patrick	Welch (VT)				Gerlach	Melancon	Tierney
Gerlach	Murphy, Tim	Wexler				Giffords	Michaud	Towns
Giffords	Murtha	Whitfield				Gilchrest	Miller (MI)	Turner
Gilchrest	Nadler	Wilson (NM)				Gillibrand	Miller (NC)	Udall (CO)
Gillibrand	Napolitano	Wilson (OH)				Gillmor	Miller, Gary	Udall (NM)
Gonzalez						Gonzalez	Miller, George	Van Hollen
						Goode	Mitchell	Velázquez

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are advised they have less than 1 minute remaining on this vote.

□ 1746

Mrs. BOYDA of Kansas and Mr. PICKERING changed their vote from "aye" to "no."

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE
The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Belmont Complex 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 Acting CHAIRMAN. This will be a 2-minute vote.

Members are reminded to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 87, noes 335, not voting 14, as follows:

[Roll No. 698]

AYES—87

Akin	Foxx	Miller (FL)
Bachmann	Franks (AZ)	Musgrave
Barrett (SC)	Garrett (NJ)	Neugebauer
Barton (TX)	Gingrey	Nunes
Bigert	Gomert	Pearce
Blackburn	Goodlatte	Petri
Brady (TX)	Hastert	Pitts
Buchanan	Hastings (WA)	Poe
Burgess	Heller	Price (GA)
Burton (IN)	Hensarling	Ramstad
Buyer	Hulshof	Rohrabacher
Campbell (CA)	Inglis (SC)	Royce
Cannon	Issa	Ryan (WI)
Cantor	Jindal	Sali
Carter	Johnson (IL)	Sensenbrenner
Castle	Johnson, Sam	Sessions
Chabot	Jordan	Shadegg
Coble	Keller	Smith (NE)
Conaway	King (IA)	Souder
Cooper	Kline (MN)	Stearns
Davis, David	Lamborn	Sullivan
Deal (GA)	Linder	Terry
Dreier	Lungren, Daniel	Thornberry
Duncan	E.	Upton
Ehlers	Mack	Walden (OR)
Fallin	Marchant	Weldon (FL)
Feeney	McCarthy (CA)	Westmoreland
Flake	McCaul (TX)	Wilson (SC)
Fortenberry	McHenry	
Fossella	Mica	

NOES—335

Abercrombie	Andrews	Barrow
Ackerman	Arcuri	Bartlett (MD)
Aderholt	Baca	Bean
Alexander	Baird	Becerra
Allen	Baker	Berkley
Altmire	Baldwin	Berman

Visclosky
Walberg
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson

Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)

Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny

Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger

Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick

Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp

Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler

Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—14

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann

Higgins
Honda
Marshall
Myrick
Pence

Pickering
Reynolds
Tancredo
Young (AK)

Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
DeLahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gillchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al

Hereth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee
Jackson (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKen
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeke (NY)
Melancon
Michaud
Miller (MI)

Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns

Bachus
Bishop (UT)
Clarke
Cubin

Davis, Jo Ann
Higgins
Honda
Marshall

Myrick
Pence
Tancredo
Young (AK)

NOT VOTING—12

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are reminded that they have 1 minute remaining to vote.

□ 1750

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Wisconsin Regional Planning Commission on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are admonished to stay in the Chamber.

The vote was taken by electronic device, and there were—ayes 68, noes 356, not voting 12, as follows:

[Roll No. 699]

AYES—68

Akin
Bachmann
Barrett (SC)
Blackburn
Boehner
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Feeney
Flake
Fossella
Foxy
Franks (AZ)
Garrett (NJ)

NOES—356

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker

Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray

Pitts
Price (GA)
Putnam
Radanovich
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Stearns
Sullivan
Terry
Thornberry
Walberg
Westmoreland
Wilson (SC)

Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
DeLahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gillchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al

Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Hereth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee
Jackson (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKen
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeke (NY)
Melancon
Michaud
Miller (MI)

Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns

[Roll No. 700]

AYES—69

Akin
Bachmann
Barrett (SC)
Bartton (TX)
Bilbray
Blackburn
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Feeney
Flake
Fossella

Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Graves
Hastert
Heller
Hensarling
Inglis (SC)
Issa
Jindal
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel
E.
Mack
McCaul (TX)
Mica
Miller (FL)
Musgrave

NOES—352

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri

Neugebauer
Nunes
Petri
Pitts
Price (GA)
Putnam
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Smith (NE)
Stearns
Sullivan
Thornberry
Walberg
Weldon (FL)
Westmoreland
Wilson (SC)

Berkeley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer

Blunt	Gordon	Michaud	Tiahrt	Walsh (NY)	Wexler	Baird	Foxx	McIntyre
Boehner	Granger	Miller (MI)	Tiberi	Walz (MN)	Whitfield	Baker	Frank (MA)	McKeon
Bonner	Green, Al	Miller (NC)	Tierney	Wamp	Wicker	Baldwin	Frelinghuysen	McMorris
Bono	Green, Gene	Miller, Gary	Towns	Wasserman	Wilson (NM)	Barrow	Gallegly	Rodgers
Boozman	Grijalva	Miller, George	Turner	Schultz	Wilson (OH)	Bartlett (MD)	Gerlach	McNerney
Bordallo	Gutierrez	Mitchell	Udall (CO)	Waters	Wolf	Barton (TX)	Giffords	McNulty
Boren	Hall (NY)	Mollohan	Udall (NM)	Watson	Woolsey	Bean	Gilchrest	Meek (FL)
Boswell	Hall (TX)	Moore (KS)	Upton	Watt	Wu	Becerra	Gillibrand	Meeks (NY)
Boucher	Hare	Moore (WI)	Van Hollen	Waxman	Wynn	Berkley	Gillmor	Melancon
Boustany	Harman	Moran (KS)	Velázquez	Weiner	Yarmuth	Berman	Gonzalez	Michaud
Boyd (FL)	Hastings (FL)	Moran (VA)	Visclosky	Welch (VT)	Young (FL)	Berry	Goode	Miller (MI)
Boyd (KS)	Hastings (WA)	Murphy (CT)	Walden (OR)	Weller		Bilirakis	Goodlatte	Miller (NC)
Brady (PA)	Hayes	Murphy, Patrick				Bishop (GA)	Gordon	Miller, Gary
Brady (TX)	Hergert	Murphy, Tim				Bishop (NY)	Granger	Miller, George
Braley (IA)	Herseth Sandlin		Bachus	Davis, Jo Ann	Myrick	Blumenauer	Green, Al	Mitchell
Brown (SC)	Hill	Nadler	Bishop (UT)	Donnelly	Obey	Blunt	Green, Gene	Mollohan
Brown, Corrine	Hinchev	Napolitano	Clarke	Higgins	Pence	Bonner	Grijalva	Moore (KS)
Burton (IN)	Hinojosa	Neal (MA)	Conyers	Honda	Tancredo	Bono	Gutierrez	Moore (WI)
Butterfield	Hirono	Norton	Cubin	Marshall	Young (AK)	Boozman	Hall (NY)	Moran (KS)
Calvert	Hobson	Oberstar				Bordallo	Hall (TX)	Moran (VA)
Camp (MI)	Hodes	Oliver				Boren	Hare	Murphy (CT)
Capito	Hoekstra	Ortiz				Boswell	Harman	Murphy, Patrick
Capps	Holden	Pallone				Boucher	Hastings (FL)	Murphy, Tim
Capuano	Holt	Pascarell				Boustany	Hastings (WA)	Murtha
Cardoza	Hoolley	Pastor				Boyd (FL)	Hayes	Nadler
Carnahan	Hoyer	Paul				Boyd (KS)	Hergert	Napolitano
Carney	Hulshof	Payne				Brady (PA)	Herseth Sandlin	Neal (MA)
Carson	Hunter	Pearce				Braley (IA)	Hill	Norton
Carter	Inslee	Perlmutter				Brown (SC)	Hinchev	Oberstar
Castle	Israel	Peterson (MN)				Brown, Corrine	Hinojosa	Obey
Castor	Jackson (IL)	Peterson (PA)				Buchanan	Hirono	Oliver
Chandler	Jackson-Lee	Pickering				Butterfield	Hobson	Ortiz
Christensen	(TX)	Platts				Buyer	Hodes	Pallone
Clay	Jefferson	Poe				Calvert	Hoekstra	Pascarell
Cleaver	Johnson (GA)	Pomeroy				Capito	Holden	Pastor
Clyburn	Johnson (IL)	Porter				Capps	Holt	Paul
Cohen	Johnson, E. B.	Price (NC)				Capuano	Hoolley	Payne
Cole (OK)	Johnson, Sam	Pryce (OH)				Cardoza	Hoyer	Perlmutter
Costa	Jones (NC)	Radanovich				Carnahan	Hunter	Peterson (MN)
Costello	Jones (OH)	Rahall				Carney	Inslee	Peterson (PA)
Courtney	Kagen	Rangel				Carson	Israel	Pickering
Cramer	Kanjorski	Regula				Castle	Jackson (IL)	Platts
Crenshaw	Kaptur	Rehberg				Castor	Jackson-Lee	Pomeroy
Crowley	Keller	Reichert				Chandler	(TX)	Porter
Cuellar	Kennedy	Renzi				Christensen	Jefferson	Price (NC)
Culberson	Kildee	Reyes				Clay	Johnson (GA)	Pryce (OH)
Cummings	Kilpatrick	Reynolds				Cleaver	Johnson (IL)	Rahall
Davis (AL)	Kind	Rodriguez				Clyburn	Johnson, E. B.	Rangel
Davis (CA)	King (NY)	Rogers (AL)				Cohen	Jones (NC)	Regula
Davis (IL)	Kirk	Rogers (KY)				Cole (OK)	Jones (OH)	Rehberg
Davis (KY)	Klein (FL)	Rogers (MI)				Conyers	Kagen	Reichert
Davis, Lincoln	Knollenberg	Ros-Lehtinen				Costa	Kanjorski	Renzi
Davis, Tom	Kucinich	Ross				Costello	Kaptur	Reyes
DeFazio	Kuhl (NY)	Rothman				Courtney	Keller	Reynolds
DeGette	LaHood	Roybal-Allard				Cramer	Kennedy	Rodriguez
Delahunt	Lampson	Ruppersberger				Crenshaw	Kildee	Rogers (AL)
DeLauro	Langevin	Rush				Crowley	Kilpatrick	Rogers (KY)
Dent	Lantos	Ryan (OH)				Cuellar	Kind	Rogers (MI)
Diaz-Balart, L.	Larsen (WA)	Salazar				Culberson	King (NY)	Ros-Lehtinen
Diaz-Balart, M.	Larson (CT)	Sánchez, Linda				Cummings	Kirk	Ross
Dicks	Latham	T.				Davis (AL)	Klein (FL)	Rothman
Dingell	LaTourette	Sanchez, Loretta				Davis (CA)	Knollenberg	Roybal-Allard
Doggett	Lee	Sarbanes				Davis (IL)	Kucinich	Ruppersberger
Doolittle	Levin	Saxton				Davis (KY)	Kuhl (NY)	Rush
Doyle	Lewis (CA)	Schakowsky				Davis, Lincoln	LaHood	Ryan (OH)
Drake	Lewis (GA)	Schiff				Davis, Tom	Lampson	Salazar
Dreier	Lewis (KY)	Schwartz	Akin	Franks (AZ)	Nunes	DeFazio	Langevin	Sánchez, Linda
Edwards	Lipinski	Scott (GA)	Bachmann	Pearce	Pearce	DeGette	Lantos	T.
Ehlers	LoBiondo	Scott (VA)	Barrett (SC)	Gingrey	Petri	Delahunt	Larsen (WA)	Sanchez, Loretta
Ellison	Loeb sack	Serrano	Biggart	Gohmert	Pitts	DeLauro	Larson (CT)	Sarbanes
Ellsworth	Lofgren, Zoe	Sessions	Bilbray	Havens	Poe	Dent	Latham	Saxton
Emanuel	Lowey	Sestak	Blackburn	Hastert	Price (GA)	Diaz-Balart, L.	LaTourette	Schakowsky
Emerson	Lucas	Shays	Buehner	Heller	Putnam	Diaz-Balart, M.	Lee	Schiff
Engel	Lynch	Shea-Porter	Brady (TX)	Hensarling	Radanovich	Dicks	Levin	Schwartz
English (PA)	Mahoney (FL)	Sherman	Brown-Waite,	Hulshof	Ramstad	Dingell	Lewis (CA)	Scott (GA)
Eshoo	Maloney (NY)	Shimkus	Ginny	Hulshof	Rohrabacher	Doggett	Lewis (GA)	Scott (VA)
Etheridge	Manzullo	Shuler	Burgess	Issa	Roskam	Donnelly	Lewis (KY)	Serrano
Everett	Marchant	Shuster	Burton (IN)	Jindal	Royce	Doolittle	Lipinski	Sestak
Faleomavaega	Markey	Simpson	Camp (MI)	Johnson, Sam	Ryan (WI)	Doyle	LoBiondo	Shays
Fallin	Matheson	Sires	Campbell (CA)	Jordan	Sali	Drake	Loeb sack	Shea-Porter
Farr	Matsui	Skelton	Cannon	King (IA)	Schmidt	Edwards	Lofgren, Zoe	Sherman
Fattah	McCarthy (CA)	Slaughter	Cantor	Kingston	Sensenbrenner	Ehlers	Lowey	Shimkus
Ferguson	McCarthy (NY)	Smith (NJ)	Carter	Kline (MN)	Sessions	Ellison	Lucas	Shuler
Filner	McCollum (MN)	Smith (TX)	Chabot	Lamborn	Shadegg	Ellsworth	Lynch	Shuster
Forbes	McCotter	Smith (WA)	Coble	Linder	Smith (NE)	Emanuel	Mahoney (FL)	Simpson
Fortenberry	McCrery	Snyder	Conaway	Lungren, Daniel	Stearns	Emerson	Maloney (NY)	Sires
Fortuño	McDermott	Solis	Cooper	E.	Sullivan	Engel	Manzullo	Skelton
Foxx	McGovern	Souder	Davis, David	Mack	Terry	English (PA)	Marchant	Slaughter
Frank (MA)	McHenry	Space	Deal (GA)	McCarthy (CA)	Thornberry	Eshoo	Markey	Smith (NJ)
Frelinghuysen	McHugh	Spratt	Dreier	McHenry	Upton	Etheridge	Matheson	Smith (TX)
Gallegly	McIntyre	Stark	Duncan	Mica	Walberg	Everett	Matsui	Smith (WA)
Gerlach	McKeon	Stupak	Feehey	Miller (FL)	Westmoreland	Fallin	McCarthy (NY)	Snyder
Giffords	McMorris	Sutton	Flake	Musgrave	Wilson (SC)	Farr	McCaul (TX)	Solis
Gilchrest	Rodgers	Tanner	Fossella	Neugebauer		Fattah	McCollum (MN)	Souder
Gillibrand	McNerney	Tauscher				Ferguson	McCotter	Space
Gillmor	McNulty	Taylor				Filner	McCrery	Spratt
Gonzalez	Meek (FL)	Terry				Forbes	McDermott	Stark
Goode	Meeks (NY)	Thompson (CA)				Fortenberry	McGovern	Stupak
Goodlatte	Melancon	Thompson (MS)				Fortuño	McHugh	Sutton

NOT VOTING—15

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are reminded that there is 1 minute remaining on this vote.

□ 1759

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE
The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Rails to Trails program 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 Acting CHAIRMAN. This will be a 2-minute vote. Members are strongly encouraged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 81, noes 342, not voting 13, as follows:

[Roll No. 701]

AYES—81

Akin	Franks (AZ)	Nunes
Bachmann	Garrett (NJ)	Pearce
Barrett (SC)	Gingrey	Petri
Biggart	Gohmert	Pitts
Bilbray	Havens	Poe
Blackburn	Hastert	Price (GA)
Buehner	Heller	Putnam
Brady (TX)	Hensarling	Radanovich
Brown-Waite,	Hulshof	Ramstad
Ginny	Hulshof	Rohrabacher
Burgess	Inglis (SC)	Roskam
Burton (IN)	Issa	Royce
Camp (MI)	Jindal	Ryan (WI)
Campbell (CA)	Johnson, Sam	Sali
Cannon	Jordan	Schmidt
Cantor	King (IA)	Sensenbrenner
Carter	Kingston	Sessions
Chabot	Kline (MN)	Shadegg
Coble	Lamborn	Smith (NE)
Conaway	Linder	Stearns
Cooper	Lungren, Daniel	Sullivan
Davis, David	E.	Terry
Deal (GA)	Mack	Thornberry
Dreier	McCarthy (CA)	Upton
Duncan	McHenry	Walberg
Feehey	Mica	Westmoreland
Flake	Miller (FL)	Wilson (SC)
Fossella	Musgrave	
	Neugebauer	

NOES—342

Abercrombie	Alexander	Andrews
Ackerman	Allen	Arcuri
Aderholt	Altmire	Baca

Tanner Visclosky Weller
 Tauscher Walden (OR) Wexler
 Taylor Walsh (NY) Whitfield
 Thompson (CA) Walz (MN) Wicker
 Thompson (MS) Wamp Wilson (NM)
 Tiahrt Wasserman Wilson (OH)
 Tiberi Schultz Wolf
 Tierney Waters Woolsey
 Towns Watson Wu
 Turner Watt Wynn
 Udall (CO) Waxman Yarmuth
 Udall (NM) Weiner Young (FL)
 Van Hollen Welch (VT)
 Velázquez Weldon (FL)

Bean
 Becerra
 Berkeley
 Berman
 Berry
 Biggert
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blackburn
 Blumenauer
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Bordallo
 Boren
 Boswell
 Boucher
 Boustany
 Boyd (FL)
 Boyda (KS)
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brown (SC)
 Brown, Corrine
 Brown-Waite,
 Ginny
 Buchanan
 Butterfield
 Calvert
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson
 Carter
 Castle
 Castor
 Chandler
 Christensen
 Clay
 Cleaver
 Clyburn
 Cohen
 Cole (OK)
 Conyers
 Costa
 Costello
 Courtney
 Cramer
 Crenshaw
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis (KY)
 Davis, Lincoln
 Davis, Tom
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Dicks
 Dingell
 Doggett
 Donnelly
 Doolittle
 Doyle
 Drake
 Edwards
 Ehlers
 Ellison
 Elsworth
 Emanuel
 Emerson
 Engel
 English (PA)
 Eshoo
 Matheson
 Etheridge
 Everrett
 Faleomavaega
 Fallin
 Farr
 Fattah
 Ferguson
 Filner
 Forbes

Fortuño
 Foxx
 Frelinghuysen
 Gallegly
 Gerlach
 Giffords
 Gilchrest
 Gillibrand
 Gillmor
 Gingrey
 Gohmert
 Gonzalez
 Goode
 Goodlatte
 Gordon
 Granger
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hall (NY)
 Hall (TX)
 Hare
 Harman
 Hastings (FL)
 Hastings (WA)
 Hayes
 Herseth Sandlin
 Hill
 Hinchey
 Hinojosa
 Hirono
 Hobson
 Hodes
 Holden
 Holt
 Hooley
 Hoyer
 Hunter
 Inslee
 Israel
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Johnson (GA)
 Johnson, E. B.
 Johnson, Sam
 Jones (NC)
 Jones (OH)
 Kagen
 Kanjorski
 Kaptur
 Keller
 Kennedy
 Kildee
 Kilpatrick
 Kind
 King (NY)
 Kirk
 Klein (FL)
 Knollenberg
 Kucinich
 Kuhl (NY)
 LaHood
 Lampson
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Lee
 Sanchez, Loretta
 Sarbanes
 Saxton
 Schakowsky
 Schiff
 Schwartz
 Scott (GA)
 Scott (VA)
 Serrano
 Sestak
 Shays
 Shea-Porter
 Sherman
 Shuler
 Shuster
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Solis
 Space
 Spratt
 Stark

Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Thompson (CA)
 Thompson (MS)
 Tiahrt
 Tiberi
 Tierney
 Towns
 Turner
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velázquez
 Weller
 Velázquez
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (OH)
 Wolf
 Woolsey
 Wu
 Wynn
 Yarmuth
 Young (FL)

NOT VOTING—13

Bachus Faleomavaega Pence
 Bishop (UT) Higgins Tancredo
 Clarke Honda Young (AK)
 Cubin Marshall
 Davis, Jo Ann Myrick

ANNOUNCEMENT BY THE ACTING CHAIRMAN
 The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1802

So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Houston Zoo 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 Acting CHAIRMAN. This will be a 2-minute vote. Members are strongly encouraged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 77, noes 347, not voting 12, as follows:

[Roll No. 702]

AYES—77

Akin Hastert Platts
 Bachmann Heller Price (GA)
 Barrett (SC) Hensarling Ramstad
 Bilbray Herger Rogers (MI)
 Burgess Hoekstra Rohrabacher
 Burton (IN) Hulshof Roskam
 Buyer Inglis (SC) Royce
 Camp (MI) Issa Ryan (WI)
 Campbell (CA) Jindal Sali
 Cannon Johnson (IL) Schmidt
 Chabot Jordan Sensenbrenner
 Coble King (IA) Sessions
 Conaway Kingston Shadegg
 Cooper Kiene (MN) Shimkus
 Davis, David Lamborn Smith (NE)
 Deal (GA) Linder Souder
 Dreier Lungren, Daniel Stearns
 Duncan E. Sullivan
 Feeney Mack Terry
 Flake Mica Thornberry
 Fortenberry Miller (FL) Upton
 Fossella Musgrave Walberg
 Frank (MA) Neugebauer Walden (OR)
 Franks (AZ) Nunes Weldon (FL)
 Garrett (NJ) Petri Westmoreland
 Graves Pitts Wilson (SC)

NOES—347

Abercrombie Altmire Baker
 Ackerman Andrews Baldwin
 Aderholt Arcuri Barrow
 Alexander Baca Bartlett (MD)
 Allen Baird Barton (TX)

Bono
 Boozman
 Bordallo
 Boren
 Boswell
 Boucher
 Boustany
 Boyd (FL)
 Boyda (KS)
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brown (SC)
 Brown, Corrine
 Brown-Waite,
 Ginny
 Buchanan
 Butterfield
 Calvert
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson
 Carter
 Castle
 Castor
 Chandler
 Christensen
 Clay
 Cleaver
 Clyburn
 Cohen
 Cole (OK)
 Conyers
 Costa
 Costello
 Courtney
 Cramer
 Crenshaw
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis (KY)
 Davis, Lincoln
 Davis, Tom
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Dicks
 Dingell
 Doggett
 Donnelly
 Doolittle
 Doyle
 Drake
 Edwards
 Ehlers
 Ellison
 Elsworth
 Emanuel
 Emerson
 Engel
 English (PA)
 Eshoo
 Matheson
 Etheridge
 Everrett
 Faleomavaega
 Fallin
 Farr
 Fattah
 Ferguson
 Filner
 Forbes

NOT VOTING—12

Bachus Davis, Jo Ann Myrick
 Bishop (UT) Higgins Pence
 Clarke Honda Tancredo
 Cubin Marshall Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN
 The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1806

So the amendment was rejected.
 The result of the vote was announced as above recorded.

Stated against:

Mr. FORTENBERRY. Mr. Chairman, on roll-call No. 702, I inadvertently voted “yes.” My vote should have been recorded as a “no.”

AMENDMENT NO. 25 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) 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 Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 158, not voting 10, as follows:

[Roll No. 703]

AYES—268

Abercrombie Brown-Waite, Davis (CA)
 Ackerman Ginny Davis (IL)
 Allen Butterfield Davis (KY)
 Altmire Calvert Davis, Lincoln
 Andrews Capito DeFazio
 Arcuri Capps DeGette
 Baca Cardoza Delahunt
 Baird Carney DeLauro
 Baldwin Carter Dent
 Barrow Castor Diaz-Balart, L.
 Bartlett (MD) Chabot Diaz-Balart, M.
 Becerra Chandler Dingell
 Berkeley Christensen Doggett
 Berry Clay Donnelly
 Bilbray Cleaver Doyle
 Bishop (GA) Clyburn Ellison
 Bishop (NY) Cohen Ellsworth
 Blumenauer Cole (OK) Emerson
 Bono Conyers Engel
 Boozman Cooper English (PA)
 Bordallo Costa Eshoo
 Boren Courtney Etheridge
 Boswell Cramer Faleomavaega
 Boyd (FL) Crenshaw Farr
 Boyda (KS) Crowley Fattah
 Brady (PA) Cuellar Ferguson
 Brady (TX) Cummings Filner
 Braley (IA) Davis (AL) Fortenberry

Fortuño	Manzullo	Sánchez, Linda	McMorris	Pickering	Smith (NE)				
Fossella	Markey	T.	Rodgers	Pitts	Smith (TX)				
Gallegly	Matheson	Sanchez, Loretta	Mica	Price (GA)	Souder	Abercrombie	Ehlers	LoBiondo	
Gerlach	Matsui	Sarbanes	Miller (MI)	Pryce (OH)	Spratt	Ackerman	Ellison	Loebsock	
Giffords	McCarthy (CA)	Saxton	Miller, Gary	Putnam	Stearns	Akin	Ellsworth	Lofgren, Zoe	
Gilchrest	McCarthy (NY)	Schakowsky	Mitchell	Reichert	Thompson (CA)	Alexander	Emanuel	Lowey	
Gillibrand	McCauley (TX)	Schiff	Moran (VA)	Reynolds	Turner	Allen	Emerson	Lucas	
Gohmert	McCollum (MN)	Schwartz	Murphy (CT)	Rodriguez	Upton	Altmire	English (PA)	Lungren, Daniel	
Goodlatte	McCotter	Scott (GA)	Musgrave	Rogers (AL)	Van Hollen	Arcuri	Eshoo	E.	
Gordon	McDermott	Scott (VA)	Napolitano	Rogers (KY)	Velázquez	Baca	Etheridge	Lynch	
Green, Al	McGovern	Serrano	Nunes	Rohrabacher	Visclosky	Bachmann	Everett	Mack	
Gutierrez	McHugh	Sestak	Oberstar	Rothman	Walberg	Baird	Faleomavaega	Mahoney (FL)	
Hall (NY)	McIntyre	Shea-Porter	Obey	Roybal-Allard	Walden (OR)	Baker	Fallin	Maloney (NY)	
Hall (TX)	McKeon	Sherman	Oliver	Royce	Wamp	Baldwin	Feehey	Marchant	
Hare	McNerney	Shimkus	Ortiz	Schmidt	Weldon (FL)	Barrett (SC)	Filner	Markey	
Harman	McNulty	Shuler	Pastor	Sensenbrenner	Westmoreland	Barrow	Flake	Matsui	
Hastings (FL)	Meek (FL)	Shuster	Pearce	Sessions	Wicker	Barton (TX)	Forbes	McCarthy (CA)	
Heller	Meeks (NY)	Sires	Pence	Shadegg	Wilson (NM)	Bean	Fortenberry	McCauley (TX)	
Herseth Sandlin	Melancon	Skelton	Peterson (PA)	Shays	Wolf	Becerra	Fortuño	McCollum (MN)	
Hill	Michaud	Slaughter	Petri	Simpson		Berkley	Fossella	McCreery	
Hinchee	Miller (FL)	Smith (NJ)				Berman	Fox	McDermott	
Hinojosa	Miller (NC)	Smith (WA)				Berry	Frank (MA)	McGovern	
Hobson	Miller, George	Snyder	Bachus	Davis, Jo Ann	Myrick	Biggert	Frank (AZ)	McHenry	
Hodes	Mollohan	Solis	Bishop (UT)	Higgins	Young (AK)	Bilbray	Giffords	McHugh	
Holt	Moore (KS)	Space	Clarke	Honda		Bilirakis	Gilchrest	McIntyre	
Hooley	Moore (WI)	Stark	Cubin	Marshall		Bishop (GA)	Gillmor	McKeon	
Hoyer	Moran (KS)	Stupak				Bishop (NY)	Gingrey	McMorris	
Inlee	Murphy, Patrick	Sullivan				Blackburn	Gonzalez	Rodgers	
Israel	Murphy, Tim	Sutton				Blumenauer	Goodlatte	McNerney	
Issa	Murtha	Tancredo				Boehner	Gordon	McNulty	
Jackson (IL)	Nadler	Tanner				Bonner	Granger	Meek (FL)	
Jackson-Lee	Neal (MA)	Tauscher				Bono	Graves	Meeks (NY)	
(TX)	Neugebauer	Taylor				Bordallo	Green, Al	Melancon	
Jefferson	Norton	Terry				Boren	Green, Gene	Mica	
Johnson (GA)	Pallone	Thompson (MS)				Boswell	Grijalva	Michaud	
Johnson (IL)	Pascarell	Thornberry				Boucher	Gutierrez	Miller (MI)	
Jones (NC)	Paul	Tiahrt				Boustany	Hall (TX)	Miller, Gary	
Jones (OH)	Payne	Tiberi				Boyd (FL)	Hare	Miller, George	
Kagen	Perlmutter	Tierney				Boyda (KS)	Harman	Mitchell	
Kanjorski	Peterson (MN)	Towns				Brady (PA)	Hastert	Mollohan	
Kaptur	Platts	Udall (CO)				Brady (TX)	Hastings (WA)	Moore (KS)	
Kennedy	Poe	Udall (NM)				Braley (IA)	Hayes	Moore (WI)	
Kildee	Pomeroy	Walsh (NY)				Brown (SC)	Hensarling	Moran (KS)	
Kilpatrick	Porter	Walz (MN)				Brown, Corrine	Herger	Moran (VA)	
King (NY)	Price (NC)	Wasserman				Burgess	Herseth Sandlin	Murphy, Patrick	
Klein (FL)	Radanovich	Schultz				Burton (IN)	Hill	Murphy, Tim	
Kucinich	Rahall	Waters				Butterfield	Hinojosa	Murtha	
Kuhl (NY)	Ramstad	Watson				Buyer	Hirono	Musgrave	
Langevin	Rangel	Watt				Camp (MI)	Hobson	Nadler	
Lantos	Regula	Waxman				Campbell (CA)	Hodes	Napolitano	
LaTourette	Rehberg	Weiner				Capito	Hoekstra	Neal (MA)	
Lee	Renzi	Welch (VT)				Capps	Holden	Neugebauer	
Levin	Reyes	Weller				Capuano	Hoolley	Norton	
Lewis (CA)	Rogers (MI)	Wexler				Cardoza	Hoyer	Oberstar	
Lewis (GA)	Ros-Lehtinen	Whitfield				Carnahan	Hulshof	Obey	
Linder	Roskam	Wilson (OH)				Carney	Hunter	Oliver	
LoBiondo	Ross	Wilson (SC)				Carson	Inglis (SC)	Ortiz	
Loebsock	Ruppersberger	Woolsey				Castor	Inslee	Pastor	
Lowey	Rush	Wu				Chabot	Jackson (IL)	Paul	
Lucas	Ryan (OH)	Wynn				Clay	Jackson-Lee	Pearce	
Lynch	Ryan (WI)	Yarmuth				Cleaver	(TX)	Pence	
Mahoney (FL)	Salazar	Young (FL)				Clyburn	Jefferson	Perlmutter	
Maloney (NY)	Sali					Coble	Jindal	Peterson (MN)	
						Cohen	Johnson (GA)	Peterson (PA)	
						Cole (OK)	Johnson (IL)	Petri	
						Conaway	Johnson, E. B.	Pickering	
						Conyers	Johnson, Sam	Pitts	
						Cooper	Jones (OH)	Platts	
						Costa	Jordan	Poe	
						Costello	Kagen	Pomeroy	
						Courtney	Kanjorski	Porter	
						Cramer	Kaptur	Price (GA)	
						Crenshaw	Keller	Price (NC)	
						Crowley	Kennedy	Pryce (OH)	
						Cuellar	Kildee	Putnam	
						Cummings	Kilpatrick	Rahall	
						Davis (AL)	Kind	Ramstad	
						Davis (CA)	King (NY)	Rangel	
						Davis (IL)	Kingston	Regula	
						Davis (KY)	Kirk	Rehberg	
						Davis, David	Klein (FL)	Reichert	
						Davis, Lincoln	Kline (MN)	Renzi	
						Davis, Tom	Knollenberg	Reyes	
						Deal (GA)	Kucinich	Rodriguez	
						DeFazio	Kuhl (NY)	Rogers (AL)	
						DeGette	LaHood	Rogers (KY)	
						Delahunt	Lamborn	Rogers (MI)	
						DeLauro	Lampson	Rohrabacher	
						Dent	Langevin	Roskam	
						Diaz-Balart, L.	Larsen (WA)	Ross	
						Diaz-Balart, M.	Larson (CT)	Royalbal-Allard	
						Dicks	Latham	Royce	
						Dingell	LaTourette	Ruppersberger	
						Doggett	Lee	Rush	
						Donnelly	Levin	Ryan (OH)	
						Doyle	Lewis (GA)	Ryan (WI)	
						Drake	Lewis (KY)	Salazar	
						Duncan	Lipinski	Sánchez, Linda	
						Edwards		T.	

NOES—360

NOT VOTING—10

□ 1810

Mr. FRANK of Massachusetts changed his vote from “aye” to “no.”

Mr. ISRAEL changed his vote from “no” to “aye.”

No the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. ROTHMAN. Mr. Chairman, on rollcall vote No. 703 on the amendment offered by Mr. HASTINGS of Florida, I inadvertently voted “no”, while intending to vote “aye”.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN) 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 Acting CHAIRMAN. This will be a 2-minute vote. Members are urged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 65, noes 360, not voting 11, as follows:

[Roll No. 704]

AYES—65

Aderholt	Culberson	Herger	Aderholt	Gerlach	Pallone
Akin	Davis, David	Hirono	Andrews	Gillibrand	Pascarell
Alexander	Davis, Tom	Hoekstra	Bartlett (MD)	Gohmert	Payne
Bachmann	Deal (GA)	Holden	Blunt	Goode	Radanovich
Baker	Dicks	Hulshof	Blunt	Hall (NY)	Reynolds
Barrett (SC)	Doolittle	Hunter	Brown-Waite,	Hastings (FL)	Ros-Lehtinen
Barton (TX)	Drake	Inglis (SC)	Ginny	Heller	Rothman
Bean	Dreier	Jindal	Buchanan	Hinchee	Sali
Berman	Duncan	Johnson, E. B.	Calvert	Holt	Sensenbrenner
Biggert	Edwards	Johnson, Sam	Cannon	Israel	Sestak
Bilirakis	Ehlers	Jordan	Cantor	Issa	Shays
Blackburn	Emanuel	Keller	Carter	Jones (NC)	Shimkus
Blunt	Everett	Kind	Castle	King (IA)	Simpson
Boehner	Fallin	King (IA)	Chandler	Lewis (CA)	Tancredo
Bonner	Feehey	Kingston	Christensen	Linder	Terry
Boucher	Flake	Kirk	Culberson	Doolittle	Thornberry
Boustany	Forbes	Kline (MN)	Doolittle	Matheson	Waters
Brown (SC)	Fox	Knollenberg	Dreier	McCarthy (NY)	Weller
Brown, Corrine	Frank (MA)	LaHood	Engel	McCotter	Whitfield
Buchanan	Franks (AZ)	Lamborn	Ferguson	Miller (FL)	Wicker
Burgess	Frelinghuysen	Lampson	Frelinghuysen	Miller (NC)	Wilson (SC)
Burton (IN)	Garrett (NJ)	Larsen (WA)	Gallegly	Murphy (CT)	Young (FL)
Buyer	Gillmor	Larson (CT)	Garrett (NJ)	Nunes	
Camp (MI)	Gingrey	Latham			
Campbell (CA)	Gonzalez	Lewis (KY)			
Cannon	Goode	Lipinski			
Cantor	Granger	Lofgren, Zoe			
Capuano	Graves	Lungren, Daniel			
Carnahan	Green, Gene	E.			
Carson	Grijalva	Mack			
Castle	Hastert	Marchant			
Coble	Hastings (WA)	McCreery			
Conaway	Hayes	McHenry			
Costello	Hensarling				

Sanchez, Loretta	Solis	Visclosky
Sarbanes	Souder	Walberg
Saxton	Space	Walden (OR)
Schakowsky	Spratt	Walsh (NY)
Schiff	Stark	Walz (MN)
Schmidt	Stearns	Wamp
Schwartz	Stupak	Wasserman
Scott (GA)	Sullivan	Schultz
Scott (VA)	Sutton	Watson
Serrano	Tanner	Watt
Sessions	Tauscher	Waxman
Shadegg	Taylor	Weiner
Shea-Porter	Thompson (CA)	Welch (VT)
Sherman	Thompson (MS)	Weldon (FL)
Shuler	Tiahrt	Westmoreland
Shuster	Tiberi	Wexler
Sires	Tierney	Wilson (NM)
Skelton	Towns	Wilson (OH)
Slaughter	Turner	Wolf
Smith (NE)	Udall (CO)	Woolsey
Smith (NJ)	Udall (NM)	Wu
Smith (TX)	Upton	Wynn
Smith (WA)	Van Hollen	Yarmuth
Snyder	Velázquez	

NOT VOTING—11

Bachus	Davis, Jo Ann	Marshall
Bishop (UT)	Fattah	Myrick
Clarke	Higgins	Young (AK)
Cubin	Honda	

□ 1814

Mr. BARRETT of South Carolina and Mr. MARIO DIAZ-BALART of Florida changed their vote from “aye” to “no.” So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1815

The Acting CHAIRMAN (Mr. CARDOZA). The Committee will rise informally.

The SPEAKER pro tempore (Mr. RYAN of Ohio) 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 without amendment a joint resolution of the House of the following title:

H.J. Res. 44. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1868. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

AMENDMENT OFFERED BY MS. HARMAN

Ms. HARMAN. 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. HARMAN:

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

SEC. ____ . 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. Mr. Chairman, this bipartisan amendment is offered by Mr. UPTON, Mr. LIPINSKI, Mr. INGLIS and me, and what it would do is deny funds under this appropriations bill if the ENERGY STAR and the Federal Emergency Management program standards are not met.

Mr. Chairman, it takes 18 seconds to switch one incandescent light bulb. If everyone did this, just one, we would save \$8 billion in energy costs, prevent the burning of 30 billion pounds of coal, remove 2 million carts worth of greenhouse gas emissions, and make a big dent in our climate problem.

This amendment has been accepted to every appropriations bill so far, and I would urge its adoption now.

It is now my pleasure to yield to the gentleman from Michigan.

Mr. UPTON. I would just say that this is a bipartisan amendment. We have been asked to expedite our remarks tonight so we can finish votes later this evening.

The Federal Government is the largest purchaser of light bulbs. This will save \$30 per bulb, hundreds of millions of dollars to the taxpayers every year. It is something that has been adopted on every bill, and I would like to think that we can adopt it by voice again this evening.

Mr. OLVER. Will the gentlewoman yield?

Ms. HARMAN. Reclaiming my time, I would be happy to yield.

Mr. OLVER. I thank the gentlelady for yielding.

I am quite happy to accept the amendment that is being offered by you and Mr. UPTON.

Mr. KNOLLENBERG. Mr. Chairman, I have no objection. We agree. We accept. Thank you.

Ms. HARMAN. 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. PETERSON OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. 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. PETERSON of Pennsylvania:

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

SEC. ____ . None of the funds made available under this Act may be used to establish

or collect tolls on Interstate 80 in the Commonwealth of Pennsylvania.

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

The Chair recognizes the gentleman from Pennsylvania.

Mr. PETERSON of Pennsylvania. I will be very brief because I believe the amendment has been agreed to.

My amendment is a simple amendment that says Federal funds cannot be used to establish or collect tolls on Interstate 80 in Pennsylvania.

Mr. OLVER. Will the gentleman yield?

Mr. PETERSON of Pennsylvania. I will yield to the gentleman.

Mr. OLVER. I am happy to accept the amendment by the gentleman from Pennsylvania.

Mr. KNOLLENBERG. And likewise, I accept as well.

Mr. PETERSON of Pennsylvania. I thank the two gentlemen. We will let the process move forward.

This was offered both on behalf of Congressmen PETERSON and ENGLISH.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. 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. HUNTER:

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

SEC. ____ . None of the funds made available under this Act may be used to participate in a working group pursuant to the Security and Prosperity Partnership.

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

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, I am offering this amendment on behalf of myself and the gentlelady from Ohio (Ms. KAPTUR).

And Mr. Chairman, this is an amendment which goes directly to the security of this country, the homeland security of this country, and particularly the border security and the sovereignty of the Nation.

We have right now in Texas a project that is underway, a massive project to build a 12-lane highway heading north, presumably funded largely by private funds, which will head north toward Oklahoma. And the understanding that I have, looking at the statements which have been made by the Security and Prosperity Partnership, is that this is part of an overall plan to develop a corridor between Mexico and Canada transiting the United States.