

They've moved from that to military operations reaching from Libya to the Chinese border in Afghanistan. North Atlantic Treaty Organization.

We need to know, and we need to ask what role French Air Force General Abrial and current supreme allied commander of NATO for transformation may have played in the development of operation Southern Storm and in discussions with the U.S. and the expansion of the U.N. mandate into NATO operations.

What has been the role of the U.S. African Command and Central Command in discussions leading up to this conflict?

What did the administration know, and when did they know it?

The United Nations Security Council process is at risk when its members are not fully informed of all the facts when they authorize a military operation. It is at risk from NATO, which is usurping its mandate, the U.N. mandate, without the specific authorization of U.N. Security Council Resolution 1973.

Now, the United States pays 25 percent of the military expense of NATO, and NATO may be participating in the expansion in exceeding the U.N. mandate.

The United Nations relies not only on moral authority, but on the moral cooperation of its member nations. If America exceeds its legal authority and determines to redefine international law, we journey away from an international moral order and into the amorality of power politics where the rule of force trumps the rule of law.

What are the fundamental principles at stake in America today? First and foremost is our system of checks and balances built into the Constitution to ensure that important decisions of state are developed through mutual respect and shared responsibility in order to ensure that collective knowledge, indeed, the collective wisdom of the people is brought to bear.

Two former Secretaries of State, James Baker and Warren Christopher, have spoken jointly to the "importance of meaningful consultation between the President and Congress before the Nation is committed to war."

Our Nation has an inherent right to defend itself and a solemn obligation to defend the Constitution. From the Gulf of Tonkin in Vietnam to the allegations of weapons of mass destruction in Iraq, we've learned from bitter experience that the determination to go to war must be based on verifiable facts carefully considered.

Finally, civilian deaths are always to be regretted, but we must understand from our own Civil War more than 150 years ago that nations must resolve their own conflicts and shape their own destiny internally. However horrible these internal conflicts may be, these local conflicts can become even more dreadful if armed intervention in a civil war results in the internationalization of that conflict. The belief that war is inevitable makes of war a self-fulfilling prophecy.

The United States, in this new and complex world racked with great movements of masses to transform their own government, must, itself, be open to transformation away from intervention, away from trying to determine the leadership of other nations, away from covert operations to manipulate events, and towards a rendezvous with those great principles of self-determination which gave birth to our Nation.

In a world which is interconnected and interdependent, in a world which cries out for human unity, we must call upon the wisdom of our namesake, our Founder, George Washington, to guide us in the days ahead. He said: "The Constitution vests the power of declaring war in Congress. Therefore, no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject and authorized such measure."

Washington, whose portrait faces us every day as we deliberate, also had a wish for the future America. He said: "My wish is to see this plague of mankind, war, banished from the Earth."

I yield back the balance of my time.

□ 1320

#### PROVIDING FOR CONSIDERATION OF H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 189

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure, 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the

text of the Rules Committee Print dated March 22, 2011. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. WEBSTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts, my good friend, Mr. MCGOVERN, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

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

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 189 provides for a structured rule for the consideration of H.R. 658, the FAA Reauthorization and Reform Act of 2011. The rule provides for ample debate and opportunities for Members of the minority and majority to participate in the debate.

This structured rule has made in order dozens of amendments on a wide range of provisions in this bill, but also in transportation policy in general.

In addition to the 1 hour of equally divided general debate on the bill, the rule has made 33 amendments in order, including 18 amendments from the minority, 12 from the majority, and three bipartisan amendments. Of the 24 amendments offered by the minority, 21 were made in order by this rule.

I point out the number of amendments made in order by this rule by specificity because it is so unusual. The last long-term FAA reauthorization passed Congress in 2007, and the rule for that bill allowed for only five amendments to be debated on the floor.

Since the last long-term FAA reauthorization expired, Congress has passed 18 short-term extensions, and never once has any of the rules allowed for any amendment of any kind to be debatable on this floor.

While many at home may assume that when the House debates something as important as the aviation system, their Member of Congress is given the opportunity to offer and submit ideas and debate those ideas on this floor, it has not been the case in recent years.

Today, we will likely hear from Members of the minority insisting that the underlying bill contains inadequate funding, despite the fact that our Nation is facing a \$1.6 trillion deficit and we should be tightening our belts just like families across America are doing.

We may hear Members from the other side of the aisle complaining that the legislation eliminates government subsidized "essential" air services to rural areas of America, despite skyrocketing costs to taxpayers during an already stressful economic time.

And we may also hear from colleagues that suggest that the legislation contains a poison pill provision on rewriting union election rules, despite those rules being in place and overwhelmingly effective for the last 70 years.

To those complaints, I would specifically and simply ask and suggest: Vote for the rule. The rule allows for amendments to debate alternatives of all kinds to the base bill, to be debated and heard on this floor. To me, that is a good thing.

□ 1330

To be sure, some of the above issues are addressed by amendments, those issues I just mentioned, and they are all going to be debated shortly, as soon as we pass this rule and begin debate on the bill.

So, if you have any concerns with the bill, I would implore my colleagues to support the rule which allows for those concerns to be debated by the duly elected Members of this body. Amendments will pass or fail based on the merits of arguments made by proponents and opponents of these ideas, and if at the end of the process the Members are still not satisfied with the final product, they can vote against it.

However, to vote against the rule, which would allow this debate to take place, suggests satisfaction with the underlying bill as it is currently written. And I would understand that position, because I support the bill as well. I support passing a 4-year extension that would allow for long-term aviation system planning instead of a merely short-term cookie-cutter fix that accomplishes very, very little.

I support tightening our belt and rolling back funding to 2008 levels to save taxpayers \$4 billion over the next several years.

I support consolidating aging, obsolete and unnecessary FAA facilities

and expanding the cost-effective contract tower program, which allows airports to utilize privately operated, more efficient control towers.

I support passing a reauthorization that is 100 percent free of earmarks, tax increases or passenger facility charges. And the list goes on.

But most importantly, this debate we have here on the floor right now is for this particular rule. If you don't support these things, the rule allows Members to bring alternative proposals before this House for an open and honest debate.

So, once again, Mr. Speaker, I rise to support this rule and the underlying legislation. The committees of jurisdiction have worked to provide us a long-term reauthorization that can streamline the modernization of our aviation system while ending the practice of short-term fixes when it comes to funding this crucial service. I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I want to thank the gentleman from Florida (Mr. WEBSTER) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, here we go again. Instead of bringing meaningful legislation to create jobs to the floor of the House of Representatives, the new Republican majority continues to show just how out of touch they are. Two weeks ago, it was cutting off funding for National Public Radio. Yesterday, it was private school vouchers in Washington, D.C. But today's bill is even worse, because this bill will actually destroy jobs.

H.R. 658 starts by reducing the Federal Aviation Administration's funding back to the Republicans' favorite sound bite number of FY 2008 levels. We know that every \$1 billion of Federal investment in infrastructure creates or sustains approximately 35,000 jobs. That is 35,000 Americans who can pay their mortgages and stay in their homes, 35,000 Americans that can better afford to put their kids through college, 35,000 Americans that could help our economy to recover.

Instead, H.R. 658 cuts almost \$2 billion from the Airport Improvement Program, which provides grants to airports for constructing and improving runways and terminals. This provision alone will cost us 70,000 jobs over the course of this 4-year authorization period.

H.R. 658's reduced funding levels will result in the layoffs of hundreds of safety inspectors, engineers and support personnel. These drastic cuts will also delay transitioning our outdated air traffic control system to the modern NextGen system. Without 21st century infrastructure and technology, the United States cannot keep up with our global competitors. It is just that simple.

Mr. Speaker, in the past, the FAA reauthorization bills have garnered a

great deal of bipartisan support. Unfortunately, this time is very different because, in addition to the inadequate funding levels, this bill continues an emerging and disturbing Republican trend toward destroying the collective bargaining rights for American workers. From Wisconsin to Ohio to Maine, we have seen how Republican politicians are attempting to destroy a century of hard-fought labor protections. This bill represents more of the same.

This bill would reverse a National Mediation Board rule that allows a majority of those voting in aviation and rail union elections to decide the outcome. Instead, tea party extremists want to count workers who chose not to vote as automatic "noes" against the union.

I wonder if my friends on the other side of the aisle would be willing to use that same standard in congressional elections? I wonder if they would agree that every registered voter who didn't vote, for whatever reason, last November would automatically be counted as a "no" vote against them? I doubt it, because in the 2010 midterm elections, 40.9 percent of eligible voters cast ballots nationwide.

Under the standard in this bill, not a single current Member of Congress would have won election last year. Not one. Let me make this a little more clear. Neither I nor my colleague from the other side of the aisle, the new Member representing the Eighth District of Florida, would be standing here today if this undemocratic standard is enacted. In fact, my friend from Florida would have received only 23.1 percent of the vote, well below the 50 percent threshold included in this bill that he supports today.

I ask my friend from Florida, where in the Constitution does it say that any registered voter who doesn't cast a vote in an election has their vote counted as a "no"? If this standard doesn't make sense for Members of Congress, if we are unwilling to use it on ourselves, then it isn't fair for working people trying to organize.

Mr. Speaker, this bill, unfortunately, abandons a long and proud tradition of bipartisanship on the Transportation Committee, which I am honored to say I once had the privilege of serving on, and I urge my colleagues to reject this rule.

By the way, we have yet to have a truly open rule in this Congress. Notwithstanding the promises that we would see nothing but open rules, we have yet to have a single truly open rule. So I urge my colleagues to reject this rule and the underlying bill.

I reserve the balance of my time.

Mr. WEBSTER. I yield myself such time as I may consume.

Mr. Speaker, I will say this: I came here to talk about the rule. I didn't come here to talk necessarily about the underlying bill, although I do support the underlying bill. The rule is what is before us right now, not necessarily the policy that is underneath

it. We will be discussing that. There will be amendments offered that could change many of the things spoken of by my good friend from Massachusetts.

But I ran for election to this House of Representatives based on the fact that I told people America is not broken; Washington is. One of the things that was broken in Washington was the process. The process that I saw, the process that was inherited by our own Speaker, was a process based on a pyramid of power, and that pyramid of power was so high, it was as high as the Space Needle, probably, and a few people at the top of that pyramid are the ones that made the decision, not anyone else.

So why were there so many closed rules? Because the pyramid of power said this is what we're going to do and this is what you've got to do, and you've got to go vote, unfortunately. That is what I came here to change, and I think the Speaker did, too, and he created a process by which there were amendments offered on the floor of this House on these bills so people can address the problems that they have.

So he has pushed down the pyramid of power and spread out the base so every single Member had an opportunity to file an amendment, and almost every one of those were made available to be used on the floor of this House by this rule. It was done because we want the membership, as the Speaker has said, he wants this to be the people's House. He wants the people to have an opportunity to have their Member heard on particular issues and particular amendments.

Yes, there will be debate on this bill, there will be debate on the underlying measure, and we will be talking about that and I will be voting for that. But that is not what we are here to talk about right now, and, that is, there is a process. It was broken, and we are doing everything we can to fix it. This rule helps do that.

This rule is a rule that allows for open and honest debate on amendments, on the bill itself, and, to me, that is a great improvement over where we have been in the past. So push down that pyramid of power. Spread out the base. Let every Member be a player. Do it by voting for this rule.

I would now yield 5 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman for yielding.

I want to begin by congratulating the gentleman from Florida (Mr. WEBSTER). I understand this is the first rule he is managing, and you're doing a brilliant job so far. Hopefully that will be the case for the next 50 minutes as well.

I want to also congratulate Chairman DREIER and the Rules Committee for coming up with this rule. I have been here in the minority, I have been here in the majority, and the 33 amend-

ments made in order under this rule beat by 28 the number made in order when we last considered this piece of legislation. So congratulations to you.

□ 1340

Sadly, I think for my friends in my party, one of the amendments made in order is mine. And it's what's caused me—although I fully support the rule; I'm going to vote for the rule—it's what causes me some angst relative to the bill.

I have to give a little bit of context and history. I was on the Transportation Committee when the first reauthorization of this bill was supposed to take place. This bill hadn't been reauthorized since 2003. This bill is about America's future because, among other things, it takes our air traffic control system from ground-based radar to satellite-based so that we can do a lot of wonderful things and continue to be the world leader. So we need to get this bill done.

But a funny thing keeps happening to this bill on the way to the bank, I guess. We first had a fight between Federal Express and UPS. It really doesn't have a lot to do with NextGen, but that screwed up the bill for a while. Then we had a fight with the air traffic controllers in the Bush administration, and that screwed up the bill for a while. Then we had a problem with something called PFCs; how much a passenger pays as a landing charge. Those fees, of course, are then turned into runways and infrastructure and employ a lot of people. So we didn't have a bill.

And then we almost got a bill. In the last Congress, Jim Oberstar and JOHN MICA and JERRY COSTELLO and TOM PETRI did a really nice job, sent the bill over to the Senate, and a couple of Senators decided that they wanted to favor one airline over others and have additional flights—long-distance flights—from Reagan National Airport to their homes, I guess, on the west coast. And so one airline would have received 48 percent of the benefit and everybody else would have gotten the scraps. We didn't have a bill. Again, you say, Why do people get frustrated with Washington? What do any of those things have to do with whether or not we continue to be the world leader in aviation?

So now we come to this bill. And I have to tell you there is a poison pill in this bill. The Senate will not take up the bill as currently written. The President issued a statement of administration policy last night indicating he will veto the bill. And it's all over this one issue. This one issue doesn't belong in the bill.

Now, there are people around here that love unions and the unions can do no wrong. There are people around here that hate unions and unions can't do anything right. But what happened is the airlines and the railroads are organized and regulated under the Rail Labor Act, as opposed to the National

Labor Relations Board Act. It's been that way since the 1930s. And for years the rule was that—75 years, actually—that if they wanted to certify a union, you had to get a majority of people in the whole class.

And Mr. MCGOVERN is exactly right. Can you imagine there's about 200,000 people that are registered to vote in my congressional district. And so I stand for election, and if I got 70 percent, so 100,000 people show up—only half, which is about what we're averaging in this country—100,000 people show up, 70,000 vote for me. I'm pretty happy, popping the champagne corks, thinking I got a nice election going. But under the structure that's been in existence for all these years, those 100,000 people that didn't show up, they're counted against me. They're counted as "no" votes. Americans don't understand that kind of election process. It just doesn't make any sense. And the argument and the pushback against this is, Well, it's been that way for 75 years.

Now, the Speaker, I know, is a learned historian of American history. When the Constitution was written, only white men who owned property could vote in this country. And I'll bet if you asked the white guys, they were probably pretty happy about that, and they would say it works okay. For another hundred years, the women in this country couldn't vote. And maybe if you asked some of the men, they were probably happy about that as well. Just because something has been around for a long time doesn't make it right, doesn't make it fair. So the National Mediation Board, which has jurisdiction, changed the rule. They had a hearing. They asked for comments. They had a public meeting. They took a vote. And they changed the rule to the more fair procedure wherein those people that actually show up and vote, that's going to be the vote.

Now, have horrible things happened since this rule went into effect? No. One of the prime proponents of this rule change, Delta Airlines, they've had four elections since the rules were changed. The union has lost all four. And this dumb argument I heard the other day that only three people can come and form a union, that's nonsense. They had a 94 percent turnout at their election. So this encourages turnout.

The other thing I just want to mention is there's a lawsuit pending on this. The Air Transport Association sued the National Mediation Board. They lost.

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

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

Mr. LATOURETTE. It's now in the Court of Appeals. We do our darnedest to say we're going to drain the swamp and do all the other stuff around here. But in this lawsuit—they've got a lot of members, the Air Transport Association—but here are the airlines—and I

want everybody listening and following at home figure out what's going on here. The following members of the Air Transport Association opted out of this lawsuit: American Airlines, Continental Airlines, Southwest Airlines, UPS Airlines, United Airlines, and US Airways.

This is a bad deal and we shouldn't be doing it.

Mr. MCGOVERN. I yield myself such time as I may consume.

First, I want to commend the gentleman from Ohio for his efforts on trying to promote fairness and would reiterate that the issue in question has no business being in this bill. This should not have been put into this bill. I consider it a poison pill. Again, I think it reflects this troubling pattern that we see all across the country where my friends on the other side of the aisle seem to be siding against working people.

I would also just say about the process that we were told that there would be open rules, open rules, open rules. We have not had one. Every member on the Republican side in the Rules Committee has been given an opportunity to vote for an open rule, and they have voted it down every single time.

This afternoon we're going to take up this bill, this deem and pass bill, or whatever people are calling it, which I think is not constitutionally sound but nonetheless we're bringing it up. We'll have another opportunity then to have a vote on an open rule. I wonder where my friends on the Republican side will be on opening up that process. My guess is it will come to the floor either under a closed rule or very restrictive process. So let's be clear: There's not been one truly open rule yet.

At this point I would like to yield 5 minutes to the distinguished ranking member on the Rules Committee, the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I appreciate my colleague for yielding, and I want to congratulate my colleague, Mr. WEBSTER, on management of his first rule.

I rise today in opposition to the Shuster amendment that would undermine the strong flight safety regulations passed by this Congress and meant to protect air travelers throughout the Nation.

Last July, Congress came together to pass the Airline Safety and Federal Aviation Administration Extension Act of 2010. It was landmark legislation requiring the FAA to implement the findings of the National Transportation Safety Board, which many of us thought the FAA already did, to establish a pilot records database to provide airlines with fast, electronic access to a pilot's record; to direct all airlines and Web sites that sell airline tickets to disclose who is operating each flight; and, of vital importance to those of us who live in western New York, make the necessary changes that address the underreported and deadly issue of pilot fatigue and inability to

fly in bad conditions. My concern, Mr. Speaker, is that this amendment stands to undermine all of these reforms. It would lay additional layers to the FAA's already cumbersome rule-making process, only delaying what we fought so hard to create last year. And we must not go back.

Mr. Speaker, I have the privilege of representing western New York, and flight safety is one of our highest priorities. It was outside Buffalo, in the suburb of Clarence, New York, on a snowy February evening that Continental Connection Flight 3407, operated by regional carrier Colgan Air, crashed to the ground, killing all 49 passengers and one man on the ground. It was a tragedy deeply felt in western New York and sent shock waves throughout the aviation community.

As we discovered more details that fateful evening, we learned that the young pilot had never been trained on stall recovery techniques, which were needed that snowy night, and he had failed five different tests, but his employer only knew about two of those failures. One pilot had slept in the airport in a chair. The other had taken a red-eye flight from Seattle just the night before. It exposed delinquencies in commercial aviation that desperately need solutions. Pilots are often exhausted and underpaid. Discrepancies in the training requirements exist between major carriers and their regional partners. And pilot records are inconsistent, meaning a pilot's entire flying record was not available to his employer.

In the 2 years that followed, we took tremendous effort to learn from the lessons of that painful night. Led by heroic family members of victims of Flight 3407, Congress passed the Airline Safety and Federal Aviation Administration Extension Act. I want to take a moment to recognize the courage and tenacity of those family members. In the past 2 years, they worked through the grief of their own loss and advocated for safer skies for the rest of us. Collectively, they have made 40 trips to Washington on their own money, constantly reminding Members of the House, Senate, and administration that improving aviation safety is never a cause that can be pushed aside.

□ 1350

They have become the most effective group of citizens I have seen in my time in government. Every one of us, and we all do almost every week, who steps into an airplane owes them tremendously, and I am pleased to call them my friends.

The Nation cannot thank them individually, but this Congress can thank them by voting "no" on the Shuster amendment. Because of their work and of those in Congress, there is no better way to mark the lessons we have learned as a Nation about flight safety than by honoring the people who died on that cold and snowy night. This has been the mission of their families, and it has become a mission of mine.

Any attempt to turn back the clock on landmark provisions we passed last July will hurt everyone, including all the Members of Congress who, as I say, mostly fly back and forth to our districts each week.

To think that the pilot flying that plane is so fatigued that he or she is not at their peak is astounding and dangerous to all of us. These safety provisions must stay intact. They must apply to all pilots. It should not take another tragedy for us to have to relearn the lessons of flight safety.

I urge my colleagues to vote "no" on this amendment, which should not be in this bill.

Mr. WEBSTER. I yield myself such time as I may consume.

Mr. Speaker, I still want to bring it back to the issue at hand. We're talking about a rule here, and I have found that no matter what you're making—you could be making widgets or you could be making laws—if the process is flawed, whatever you manufacture, whatever you make is flawed. And that's what we're trying to improve here.

The previous Congress, I believe, had a flawed process. This is an improvement. It allows for 33 amendments. I will remind everyone there were 18 extensions of this particular piece of legislation over the past several years. Not one of them ever, ever had an amendment offered on the floor of this House. This is one piece of legislation with 33 amendments being offered. That, to me, is an improved process.

What happens when you improve the process? When you improve the process, the product is always going to improve. I have a business, and I know, Mr. Speaker, you do. And you know that everything you can do starts with first making that process better. That's what we're doing. That's what this rule does. It improves the process, and by improving the process, the product that's produced by this House—which is not in question right now because there are 33 amendments filed for this underlying bill that have been made available for this House to debate. So we don't know what the final product is going to be, and we'll have to wait and see. That's a whole lot better process than coming in and voting "yes" or "no" on a particular piece of legislation.

I reserve the balance of my time.

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

Let's talk about process. Notwithstanding the promises of open rules, we've been here for 13 weeks and not a single open rule. Not a single open rule. And I will tell you that there's something wrong with the process when after all this time we have yet to do anything to help create jobs or promote jobs in this country. Jobs are the most important issue.

A couple of weeks ago, we were dealing with National Public Radio. It was brought to the floor under an emergency rule. An emergency rule. What

kind of process is that? You would think that we were going to talk about something important like the potential war in Libya or about how we put people back to work. Instead an emergency rule was utilized to bring a bill to defund National Public Radio. There's something wrong with this process when we're talking about that and not talking about jobs.

At this point, Mr. Speaker, I would like to yield 2 minutes to my friend, the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

I'm here to talk about the abandonment of essential air service in rural America.

My problem with this bill, among others, is that this legislation turns its back on rural America. The FAA budget is about providing a transportation system that is going to serve all of America, all of our taxpayers in urban and in rural areas. And this bill is an assault on the \$200 million a year that had been available for essential air services in rural America.

How is it that rural America gets left behind? We have needs, we have companies, we have taxpayers, and we have travelers. And we can have that commitment to rural America be continued, not abandoned.

Let me give an example. The Rutland Southern Vermont Regional Airport serves southern Vermont. That county is rural, 63,000 people. There's no interstate access, Mr. Speaker. To help ensure the three daily flights to and from Boston Logan International Airport, the air services are subsidized at \$800,000 a year. It's a good and efficient use of taxpayer money. That airport has the fifth-lowest EAS subsidy in the country, but it's had the greatest number of passenger enplanements since 1985.

This relatively small investment has spurred private investment in the region. We've got a GE plant there. We've got the local hospital. It resulted in \$25 million in economic impact for the region, and in the past year bookings have risen by 25 percent.

So the question I have is, yes, kick the tires on any program. Make them accountable. But how is it accountable and how is it responsible to rural America when the budget gets smashed, and we're going to leave the Rutland regional airports of this country behind, and we're turning our back on the prospects and hope of rural America?

Mr. WEBSTER. I yield myself such time as I may consume.

Mr. Speaker, I just want to remind the House again we're talking about this rule. And there was an opportunity to file amendments on all the issues that are being brought up.

There was an amendment filed on that very issue. It wasn't my fault it was withdrawn. It was the sponsor's fault it was withdrawn. Had it not been, there might have been a difference. It might have been heard here.

We might have been able to discuss and wouldn't have to discuss it while we're discussing a rule. But for some reason it was withdrawn.

I also want to remind the membership that last Congress, zero open rules. Zero. None. No amendments were offered on this floor. It was like a silence that existed for a long period of time. No Member could stand up and give an amendment to any type of piece of legislation. That's a sad thing. That, to me, is a broken process.

And I'm glad Chairman DREIER came because he too, along with the Speaker, has said we want to have as open a process as we possibly can. We want to allow for amendments. We want to allow for opportunities in a process that's better than last time; that as we improve this process, we're also going to improve the policy that we present to this floor and to the public once it passes and it's signed by the President.

Mr. DREIER. Will the gentleman yield?

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

Mr. DREIER. I thank my friend for yielding.

I would just like to say, Mr. Speaker, that I have listened to my friend from Worcester keep throwing out this term "open rule," "open rule," that we've had all these chances for open rules and we haven't passed a single open rule.

First, let me say, based on the definition that our colleagues on the other side of the aisle had, we've had open rules. Bills considered under what we correctly describe as a modified open rule were described by our friends when they were in the majority as an open rule. Now, having said that, what we repeatedly said was that since in the entire 4 years of Speaker PELOSI's leadership of this House, we had one measure in 4 years considered under an open rule, we said in our Pledge to America that we wanted to make sure that the appropriations process is done under an open amendment process. And we're going to do our doggonedest to make sure that we have an open amendment process for consideration of that.

And I think it's important to note that if you look at, as Mr. WEBSTER said so well—and I want to congratulate him on his management of his first rule here in the House—making 33 amendments in order has not in any way predetermined the outcome of the measure when we had all of these extensions that went on for FAA. And my friend Mr. MICA, the chairman of the Transportation and Infrastructure Committee, is here. We know that we've had these constant renewals without a single amendment being offered. So we're going to have 33 amendments.

So our commitment to a more open process has, in fact, been met and exceeded in the eyes of many. And I will tell you the praise that we've gotten from Members in the leadership on the Democratic side of the aisle for having

gone through all of the amendments that we did—it was virtually unprecedented—on H.R. 1, the measure that allowed us to work overnight and have a modified open rule, meaning any Member could offer a germane amendment. It was, as I said, virtually unprecedented. So I am very proud at what we've done, certainly juxtaposed to what we've seen in the last 4 years. And I believe, Mr. Speaker, that by virtue of our doing this, we're allowing the people of this country to have a chance to be heard. That has not been there for quite a long period of time.

I again thank my friend for his superb management.

□ 1400

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

Mr. MCGOVERN. I yield myself such time as I may consume.

Madam Speaker, I've listened with great interest. My friend from California (Mr. DREIER) kind of amended a little bit what the Republican majority promised. I think I heard him right, that open rules now are only limited to appropriations bills and nothing else.

Mr. DREIER. Will the gentleman yield on that?

Mr. MCGOVERN. I would be happy to yield to the gentleman.

Mr. DREIER. I never said that we're going to limit an open amendment process, open rules, to the appropriations process. What I said was and the commitment that we made was that, since we had the appropriations process completely shut down in the last two sessions of Congress, we wanted to now have this done in an open amendment process.

I thank my friend for yielding.

Mr. MCGOVERN. I thank the gentleman for his clarification.

It seems like, to me, a little bit of revisionist history, but I guess later this afternoon we're going to rewrite the Constitution, so why not rewrite history? We were promised open rules. Under the definition of an "open rule," we have not had one single open rule in this Congress. Again, this afternoon, we are going to be dealing in the Rules Committee with the demon and pass a bill.

We had on this floor, not too long ago, the reading of the Constitution. I guess my friends on the other side of the aisle weren't paying attention, because what they are trying to do this afternoon, in my opinion, or, I think, in anybody's opinion, doesn't fit with the Constitution. It will be interesting to see whether or not that comes to the floor under an open process. My guess is it will be a very restrictive process, which we've become accustomed to.

At this point, I yield 2 minutes to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I thank the gentleman.

Madam Speaker, I rise to express my strong opposition to an amendment made in order under this rule, an

amendment which would block the implementation of regulations to prevent pilot fatigue.

Our current pilot fatigue regulations are outdated and have been on the books for decades. In that time, we have seen many preventable accidents occur due to pilot fatigue, including the crash of Flight 3407, near Buffalo, in which 50 people died 2 years ago.

In response to that tragedy and after over a year of consideration, last year the House and the Senate unanimously passed legislation to update our pilot fatigue rules. They are pending implementation by the Federal Aviation Administration.

These reforms have been on the National Transportation Safety Board's "most wanted" list for the past 20 years. They are based on science, on fact, on real input from the professional aviation community. However, the amendment offered by Mr. SHUSTER would have the effect of blocking their implementation.

Pilots are people who have a huge responsibility to the flying public. It doesn't matter whether they are flying a cargo plane, a regional plane or a large passenger plane. They need adequate rest to perform their duties.

Quite simply, these pilot fatigue reforms will save lives. Fifty lives were needlessly lost 2 years ago. Last year, we voted unanimously to enact these reforms due to the dogged advocacy and determination of the families who lost their loved ones in that crash. These families want nothing more than to make our airways safer and to prevent this tragedy from happening again.

I urge my colleagues to stand with these families, to stand with aviation safety, and to please vote against the Shuster amendment.

Mr. WEBSTER. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL).

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

Mr. BOSWELL. First, I thought I would start off by acknowledging the efforts to have open rules and so on and by giving you a little praise, but you're doing enough to give yourselves praise, so I guess I won't have to do that today.

Madam Speaker, I rise to oppose this rule. I rise to address yet another attack on our Nation's workers and the middle class which have been snuck into the FAA Reauthorization Act. As a senior member of the committee and as a pilot myself, I am appalled that Republicans have chosen to play politics with legislation as important as this—one that ensures our skies are safe and operating at peak performance.

In H.R. 658, Republicans march on in their crusade against working Americans and middle class families by targeting union representation elections

for hardworking Americans. Under this legislation, Republicans would deny transportation workers and their unions the basic tenets of democracy by ordering an absent vote in a representation election to be counted as a "no" vote. By this math, not a single one of us serving in the House today would be here when we compare voting populations in our districts with the percentage of the "yes" votes we all mustered. On average, we would have earned about 25 percent of the vote.

In targeting our Nation's transportation workers, Republicans have once again drawn a line in the sand between the needs of middle class America and protecting the interests of CEOs and Wall Street, and it is obvious which side they're on.

Instead of stripping our aviation and rail workers of their democratic rights, why don't the Republicans look within their own ranks and apply this election concept to Wall Street? From here on out, make every corporation that received government assistance count an absent shareholder vote as a "no" vote when considering executive compensation and bonus packages.

But that won't happen.

Instead of focusing on real issues like jobs and education, Republicans are attacking middle class rail and aviation workers who do dangerous jobs to keep our transportation system going.

I urge my colleagues to stand with the middle class workers who put their lives on the line every day at work to make sure that goods and people are being moved across this Nation. Vote "yes" on the amendment to be offered by Congressmen LATOURETTE and COSTELLO.

Mr. WEBSTER. Madam Speaker, I would like to inquire as to how much time remains on both sides.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida has 12½ minutes remaining. The gentleman from Massachusetts has 11 minutes remaining.

Mr. WEBSTER. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

I rise in opposition to the rule because it includes a manager's amendment with problematic provisions.

The manager's amendment will prevent the disclosure and use of safety data. It provides immunity to all persons and organizations involved in the implementation of a safety management system, and it provides total immunity for volunteer pilots, volunteer pilot organizations and referring agencies.

By preventing the disclosure of safety information, the manager's amendment severely hinders the ability of people injured by the negligence of the aviation industry, or their surviving family members, from obtaining crucial information that they need in a

court of law to determine whether or not their loss was due to the industry's negligence. Essentially, it allows the negligent airline companies and their employees to hide and to keep evidence of their negligence secret.

Additionally, by granting immunity to any "person that is required to implement a safety management system" and for volunteer pilots and pilot organizations, the manager's amendment would potentially provide immunity to the entire aviation industry. This immunity provision is so broad that it would protect individuals who negligently fail to follow a safety standard even if that failure led to massive passenger deaths.

Madam Speaker, this is outrageous, and it essentially asks the airline passengers to put their lives in the hands of aviation teams which could possibly have no liability for any negligence that occurs during a flight. This is unnecessary because we already have in law the Volunteer Protection Act, which provides immunity only for volunteers. This amendment will interrupt the careful balance achieved through that act by giving volunteer organizations and others immunity as well.

The airline industry is free to purchase liability insurance to ensure that people are protected from the negligent acts of its employees. This amendment exempts the industry from having the responsibility for the safety of the public and its employees, and it is certainly not in the best interests of the flying public.

This rule should be defeated so that that amendment cannot be offered.

Mr. WEBSTER. I yield myself such time as I may consume.

First of all, I want to go back again to where we were. We are talking about a rule. We are talking about a process, a good process, that allows for amendments. I know that the other side is thinking, Wow, we've got to come in here and argue this bill. We've got to argue the underlying part. You don't. You've got plenty of time to do it because this rule will allow for good, lengthy debate, not only on the bill, itself, but also on the 33 amendments that have been offered.

I would encourage them to think about the fact that this rule is what we are voting on. This rule is a good rule and an open process, one that allows for every Member to participate. I would tell them, again, to vote for this rule. That's my response to any of the criticisms of this bill.

□ 1410

Yes, they're going to be addressed by an amendment. Come make your case, and see if you can pass it.

I would now yield 5 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. The gentleman from Florida is correct, Madam Speaker, that this is about the rule, and the Rules Committee serves a very important purpose because we have 435 Members.



When we come to the floor, you just can't have chaos. There has to be some structure. All Members are afforded the opportunity to speak if we go through our regular business.

Mr. MCGOVERN. Will the gentleman yield?

Mr. MICA. I won't at this time because I have very limited time and you have lots of time left, so I won't yield. And mine is limited.

And that's part of the process. Again, I was just yielded 5 minutes. So the Rules Committee sets the order of debate, how much time there shall be, how many amendments that are submitted.

Now, I've been here awhile. My family's been around Congress awhile. The last 4 years, for anyone to come and say that this is an unfair rule is so far from being accurate. Fifty amendments were offered. As the chair of the committee, I pay attention to the amendments. I went before the Rules Committee and asked that they carefully consider these; and what you want to do is make sure you don't have duplicate, you don't have nongermane, and be fair to Members so everybody gets a chance.

Some 48 were offered, 48 actually I understand. Thirty-nine were left after Members withdrew them. Thirty-three were accepted. That leaves six that they took out. If that's unfair in any way, it's hard to believe. So we have been fair. Mr. WEBSTER's been fair, Mr. DREIER's been fair. I've never seen a fairer process. And in the last 4 years, when the place was run under basically martial law, you couldn't bring amendments up.

Then, how did we get ourselves in this situation? For 4 years they had complete control of this body. They could have passed anything. But what did they do, they passed things but they passed so much and spent so much that the American people threw them out. They had enough votes in the House to pass anything. They had enough votes in the Senate to pass anything, and the last 2 years they've had a President that would sign anything.

This aviation bill, 17 times they did an extension. I was the chairman in 2003 when we did a 4-year bill. We did a 4-year bill. It expired in 2007. My bill expired that I helped draft and author in 2003, expired after 4 years in 2007. Seventeen times they left the aviation policy, the funding formula, all the programs for safety and everything go on the most erratic basis you could imagine. Seventeen extensions, costing the taxpayers millions of dollars. Go talk to the FAA administrator. And every time they did that, what they did to the disruption of one of the most important industries in the United States; 9.2 percent of our gross domestic product and activity is in the aviation industry, and they had 4 years to pass it. Unbelievable.

In less than 4 months, we've already worked with the United States Senate.

They've passed the bill. We've passed it through two other committees, and now our Transportation and Infrastructure Committee is bringing it up here, under a fair rule, one of the most open rules with open participation by all Members on every side. So don't talk to me about fairness in rules. This is fair.

Let's get it done and pass this rule, get the people's business done and get people working in the United States of America, instead of more hot air passing through this Chamber.

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

Madam Speaker, I am amazed by the comments of the gentleman from Florida when it comes to rules because when we were in charge of the House, I don't recall a single time where the gentleman came before the Rules Committee and did not advocate for an open rule. This is not an open rule.

Members who have ideas that they want to bring to the floor in response to amendments that are being offered will be denied that opportunity, and there is a restriction on the ability of Members to be able to participate in the debate. Under a true open rule, every Member would have at least 5 minutes, if they chose, to be able to talk on a bill. So it's interesting this revisionist history by the Republicans who promised open rules but have not produced a single open rule yet. That's just a fact, and we can spin it any way you want to, but you promised open rules, and we haven't seen a single one yet.

Now, as far as the bill goes, H.R. 658, one of the reasons why we are concerned is because this is a job-destroying bill. We should be obsessed in this Congress about protecting jobs and creating jobs; yet, what we have seen is attention being given to everything else but jobs. A couple of weeks ago, we spent a whole week on National Public Radio, should we defund National Public Radio when people are out of work. And here you bring a bill, H.R. 658, to the floor that will destroy American jobs with \$4 billion in cuts that will have dire consequences for our Nation's infrastructure, jobs and economy.

The aviation industry, I will remind my friend, accounts for nearly 11 million American jobs and \$1.2 trillion in annual economic activity. This Republican bill would cut the airport improvement grants for runway maintenance and safety enhancements by almost \$2 billion, costing us 70,000 jobs, especially hurting small airports. The Senate measure, passed with a bipartisan majority, adds tens of thousands of jobs.

Now, there are cuts in this bill that would also lead to a reduction in safety personnel and delay important air safety initiatives, a bad choice for the flying public as highlighted by the recent Reagan National incident.

In February, the FAA administrator under President George W. Bush, Marion Blakey, stated that "the prospect

is really devastating to our jobs and to our future, if we really have to roll back to 2008 levels and stop NextGen in its tracks."

This bill also eliminates essential air service for 110 rural communities needed to connect them with global commerce, support local jobs and spur economic growth. It's important to invest in our infrastructure in order to keep this economy strong.

And this bill, as has been said over and over again, extends the assault on American workers, collective bargaining, and the middle class to workers in the aviation and railroad sectors by overturning a rule for union elections which, as with other elections, calls for a majority of votes cast to win. This continues this pattern, this assault on American workers.

I ask my friends on the Republican side, when did the American worker become the bad guy? My friends on the other side go out of their way to protect Wall Street. Under their open process, when they brought up their H.R. 1, their bill that cuts all these essential programs, they wrote it in a way that it protected the taxpayer subsidies to big oil companies so we couldn't get at them. It protected all these special interest tax loopholes that are there for big business and big corporations. And after what happened to our economy, this mess that was created in large part by Wall Street, here we go again with this Republican majority attacking working families, workers.

Well, someone has got to stand up for working families and workers, and I'm glad that there are Members on my side of the aisle that are willing to do that. This controversial provision should not be in this bill. This is a throwaway to the extreme right wing, and it should not be in this bill.

Madam Speaker, let me close by saying we need to start talking about jobs and how we protect jobs and create jobs. This bill, because of the dramatic cuts in this bill, will destroy jobs. You want to find savings, go after taxpayer subsidies to the oil companies. You want to find savings, then if you're going to fight these wars, pay for it. You want to find savings, close some of these grotesque tax loopholes for the richest interests in this country. Instead, you go after things that help average American families, that go after American workers.

This is wrong. I urge my colleagues to vote against this rule, which is not open, and I urge my colleagues to vote against the underlying bill.

I yield back the balance of my time.

□ 1420

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

Madam Speaker, as you heard me say earlier, my Republican colleagues and I are committed to providing a more accountable, transparent, and open process than the minority allowed during previous Congresses. Today's bill is another step in that right direction, an

example of the House Republicans' commitment to reform the way things are done here in Washington. The underlying bill has bipartisan support, it went through regular order, and it was provided a structured rule to allow Republicans and Democrats alike to offer amendments, their ideas, in an open and honest debate.

While I am supportive of the underlying legislation, this vote on the rule that provides an open and transparent process, which allows 33 amendments from both sides of the aisle, where ideas and policy will rise or fall on the basis of their merit and not on any particular sponsor's party affiliation, this is what the American people expect in their elected officials.

I would like to introduce to you one of the new Americans that was born last night at 10:50. This is Claire. She is our seventh granddaughter, and we're excited about her. And she, just like the rest of the American people, believes that it is an expectation that is fulfilled by this rule, the rule that we have here before us, which is that we will have an opportunity to express ourselves in a real, transparent, open way on amendments and the underlying bill and have the opportunity to present ourselves and afford ourselves a chance to vote on each one of those proposals.

I encourage my colleagues to join me in supporting the passage of this rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. MCGOVERN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the resolution will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 872.

The vote was taken by electronic device, and there were—yeas 249, nays 171, not voting 12, as follows:

[Roll No. 205]

YEAS—249

|             |             |              |
|-------------|-------------|--------------|
| Adams       | Bono Mack   | Coffman (CO) |
| Aderholt    | Boustany    | Cole         |
| Akin        | Brady (TX)  | Conaway      |
| Alexander   | Brooks      | Cravaack     |
| Amash       | Broun (GA)  | Crawford     |
| Austria     | Buchanan    | Crenshaw     |
| Bachmann    | Bucshon     | Culberson    |
| Bachus      | Buerkle     | Davis (KY)   |
| Barletta    | Burgess     | DeFazio      |
| Bartlett    | Burton (IN) | Denham       |
| Bass (NH)   | Calvert     | Dent         |
| Benishkek   | Camp        | DesJarlais   |
| Berg        | Canseco     | Diaz-Balart  |
| Berman      | Cantor      | Dold         |
| Biggert     | Capito      | Dreier       |
| Bilbray     | Carney      | Duffy        |
| Bilirakis   | Carter      | Duncan (SC)  |
| Bishop (UT) | Cassidy     | Duncan (TN)  |
| Black       | Chabot      | Ellmers      |
| Blackburn   | Chaffetz    | Emerson      |
| Bonner      | Coble       | Farenthold   |

|                 |                 |               |
|-----------------|-----------------|---------------|
| Fincher         | Lance           | Rigell        |
| Fitzpatrick     | Landry          | Rivera        |
| Flake           | Lankford        | Roby          |
| Fleischmann     | Latham          | Roe (TN)      |
| Fleming         | LaTourette      | Ros-Lehtinen  |
| Flores          | Latta           | Rogers (MI)   |
| Forbes          | Lewis (CA)      | Rohrabacher   |
| Fortenberry     | LoBiondo        | Rokita        |
| Fox             | Long            | Rooney        |
| Franks (AZ)     | Lucas           | Ros-Lehtinen  |
| Galleghy        | Luetkemeyer     | Roskam        |
| Gardner         | Lummis          | Ross (AR)     |
| Garrett         | Lungren, Daniel | Ross (FL)     |
| Gerlach         | E.              | Royce         |
| Gibbs           | Mack            | Runyan        |
| Gibson          | Manzullo        | Ryan (WI)     |
| Gingrey (GA)    | Marchant        | Scalise       |
| Gohmert         | Marino          | Schiff        |
| Goodlatte       | Matheson        | Schilling     |
| Gosar           | McCarthy (CA)   | Schmidt       |
| Gowdy           | McCaul          | Schock        |
| Granger         | McClintock      | Schweikert    |
| Graves (GA)     | McCotter        | Scott (SC)    |
| Graves (MO)     | McHenry         | Scott, Austin |
| Griffin (AR)    | McKeon          | Sensenbrenner |
| Griffith (VA)   | McKinley        | Sessions      |
| Grimm           | McMorris        | Sherman       |
| Guinta          | Rodgers         | Shimkus       |
| Guthrie         | Meehan          | Shuler        |
| Hall            | Mica            | Shuster       |
| Harper          | Miller (FL)     | Simpson       |
| Harris          | Miller (MI)     | Smith (NE)    |
| Hartzler        | Miller, Gary    | Smith (NJ)    |
| Hastings (WA)   | Mulvaney        | Smith (TX)    |
| Hayworth        | Murphy (CT)     | Southerland   |
| Heck            | Murphy (PA)     | Stearns       |
| Heinrich        | Myrick          | Stivers       |
| Heller          | Neugebauer      | Stutzman      |
| Hensarling      | Noem            | Sullivan      |
| Herger          | Nugent          | Terry         |
| Herrera Beutler | Nunes           | Thompson (PA) |
| Himes           | Nunnelee        | Thornberry    |
| Huelskamp       | Olson           | Tiberi        |
| Huizenga (MI)   | Palazzo         | Tipton        |
| Hultgren        | Paul            | Turner        |
| Hunter          | Paulsen         | Upton         |
| Hurt            | Pearce          | Walberg       |
| Issa            | Pence           | Walden        |
| Jenkins         | Peters          | Walsh (IL)    |
| Johnson (IL)    | Petri           | Webster       |
| Johnson (OH)    | Pitts           | West          |
| Johnson, Sam    | Platts          | Westmoreland  |
| Jones           | Poe (TX)        | Whitfield     |
| Jordan          | Pompeo          | Wilson (SC)   |
| Kelly           | Posey           | Wittman       |
| King (IA)       | Price (GA)      | Wolf          |
| King (NY)       | Quayle          | Womack        |
| Kingston        | Reed            | Woodall       |
| Kinzinger (IL)  | Rehberg         | Yoder         |
| Kissell         | Reichert        | Young (AK)    |
| Kline           | Renacci         | Young (FL)    |
| Labrador        | Ribble          | Young (IN)    |
| Lamborn         | Richardson      |               |

NAYS—171

|               |               |                |
|---------------|---------------|----------------|
| Ackerman      | Cooper        | Hastings (FL)  |
| Altmire       | Costa         | Higgins        |
| Andrews       | Costello      | Hinchey        |
| Baca          | Courtney      | Hinojosa       |
| Baldwin       | Critz         | Hirono         |
| Barrow        | Crowley       | Holden         |
| Bass (CA)     | Cuellar       | Holt           |
| Becerra       | Cummings      | Honda          |
| Berkley       | Davis (CA)    | Hoyer          |
| Bishop (GA)   | Davis (IL)    | Insee          |
| Bishop (NY)   | DeGette       | Israel         |
| Blumenauer    | DeLauro       | Jackson (IL)   |
| Boren         | Deutch        | Jackson Lee    |
| Boswell       | Dicks         | (TX)           |
| Brady (PA)    | Dingell       | Johnson (GA)   |
| Brown (FL)    | Doggett       | Johnson, E. B. |
| Butterfield   | Donnelly (IN) | Kaptur         |
| Capps         | Doyle         | Keating        |
| Capuano       | Edwards       | Kildee         |
| Cardoza       | Ellison       | Kind           |
| Carnahan      | Engel         | Kucinich       |
| Carson (IN)   | Eshoo         | Langevin       |
| Castor (FL)   | Farr          | Larsen (WA)    |
| Chandler      | Fattah        | Larson (CT)    |
| Chu           | Filner        | Lee (CA)       |
| Cicilline     | Frank (MA)    | Levin          |
| Clarke (MI)   | Fudge         | Lewis (GA)     |
| Clarke (NY)   | Garamendi     | Lipinski       |
| Clay          | Gonzalez      | Loeb           |
| Cleaver       | Green, Al     | Lofgren, Zoe   |
| Clyburn       | Green, Gene   | Lowe           |
| Cohen         | Grijalva      | Lujan          |
| Connolly (VA) | Gutierrez     | Lynch          |
| Conyers       | Hanabusa      | Markey         |

|                |                  |               |
|----------------|------------------|---------------|
| Matsui         | Price (NC)       | Speier        |
| McCarthy (NY)  | Quigley          | Stark         |
| McCollum       | Rahall           | Sutton        |
| McDermott      | Rangel           | Thompson (CA) |
| McGovern       | Reyes            | Thompson (MS) |
| McIntyre       | Rothman (NJ)     | Tierney       |
| McNerney       | Roybal-Allard    | Tonko         |
| Meeks          | Ruppersberger    | Towns         |
| Michaud        | Rush             | Tsongas       |
| Miller (NC)    | Ryan (OH)        | Van Hollen    |
| Miller, George | Sánchez, Linda   | Velázquez     |
| Moran          | T.               | Visclosky     |
| Nadler         | Sanchez, Loretta | Walz (MN)     |
| Napolitano     | Sarbanes         | Wasserman     |
| Neal           | Schakowsky       | Schultz       |
| Owens          | Schrader         | Waters        |
| Pallone        | Schwartz         | Watt          |
| Pascarella     | Scott (VA)       | Waxman        |
| Pastor (AZ)    | Scott, David     | Weiner        |
| Payne          | Serrano          | Welch         |
| Pelosi         | Sewell           | Wilson (FL)   |
| Perlmutter     | Sires            | Woolsey       |
| Peterson       | Slaughter        | Wu            |
| Pingree (ME)   | Smith (WA)       | Yarmuth       |

NOT VOTING—12

|               |          |             |
|---------------|----------|-------------|
| Barton (TX)   | Giffords | Olver       |
| Braley (IA)   | Hanna    | Polis       |
| Campbell      | Maloney  | Richmond    |
| Frelinghuysen | Moore    | Rogers (KY) |

□ 1445

Ms. BERKLEY and Messrs. PASCARELL and CARDOZA changed their vote from "yea" to "nay."

Messrs. FLORES, TIBERI, and HEINRICH changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REDUCING REGULATORY BURDENS ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 872) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 292, nays 130, not voting 10, as follows:

[Roll No. 206]

YEAS—292

|           |             |             |
|-----------|-------------|-------------|
| Adams     | Biggert     | Bucshon     |
| Aderholt  | Bilbray     | Buerkle     |
| Akin      | Bilirakis   | Burgess     |
| Alexander | Bishop (GA) | Burton (IN) |
| Altmire   | Bishop (UT) | Butterfield |
| Amash     | Black       | Calvert     |
| Austria   | Blackburn   | Camp        |
| Baca      | Bonner      | Canseco     |
| Bachmann  | Bono Mack   | Cantor      |
| Bachus    | Boren       | Capito      |
| Barletta  | Boswell     | Capps       |
| Barrow    | Boustany    | Cardoza     |
| Bartlett  | Brady (TX)  | Carney      |
| Bass (NH) | Brooks      | Carter      |
| Benishkek | Broun (GA)  | Cassidy     |
| Berg      | Buchanan    | Chabot      |