

Grow'' congressional plan. It's common sense. First cut spending, then the economy will grow. That is the best way to produce jobs by small businesses.

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

CONGRESSIONAL PAY ACCOUNTABILITY ACT

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

Mr. HULTGREN. Mr. Speaker, I rise today to ask whether Congress can raise itself to the standard of accountability of your home State, the State of California, that was set there recently.

On April 15 of this year, I introduced the Congressional Pay Accountability Act of 2011, a bill that requires Congress to pass a budget and appropriations bills before the beginning of the fiscal year. If we don't, we don't get paid.

I introduced this bill because if Congress is unable to perform its basic fundamental duties—to pass the budget and appropriations bills—we aren't doing our job and should be held accountable and should not get paid.

Recently, I read that California voters approved a ballot measure that requires the same thing of their State legislators—pass a budget or don't get paid. California voters, facing one of the worst budget crises in U.S. history, spoke up and said that they wanted to hold their elected officials accountable.

As America faces the worst debt crisis in its history, I hope Congress can stand up and declare that we, too, want to be held accountable.

Ask yourselves: If California can do it, why can't Congress do it?

□ 1410

GENERAL LEAVE

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2055, and that I may include tabular material on the same.

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

There was no objection.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RE- LATED AGENCIES APPROPRIA- TIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 288 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. 2055.

□ 1412

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. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. MCCLINTOCK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 2, 2011, the amendment offered by the gentleman from Texas (Mr. CULBERSON) had been disposed of and the bill was open for amendment from page 2, line 8, through page 60, line 9.

AMENDMENT OFFERED BY MR. MICA

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, insert after the dollar amount the following: "(increased by \$25,000,000)".

Page 9, line 21, insert after the dollar amount the following: "(decreased by \$25,000,000)".

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

Mr. MICA. Mr. Chairman, I come to the floor this afternoon to present an amendment that would transfer \$25 million from one of the accounts, that is the NATO Security Investment Program, to the Military Construction Army National Guard Account. I take this action for several reasons.

First, in our State of Florida, we have at least two projects that are very important to the operation of the National Guard. Our men and women who belong to the National Guard, not only in Florida but across the Nation, deserve an upgrade in their facilities. We have several projects that have gone on for years and years. One of the projects I understand has had difficulty in the contract falling apart. Nonetheless, whether it is in Florida, again, in south Florida, central Florida, or in any State, we should adequately fund the account that protects and provides the accommodations necessary for the facilities for our National Guard. So here we want to plus-up by \$25 million from the NATO Security Investment Program to our National Guard facilities. Across the country I hear the same thing—that National Guard facilities, many of which are two or three times older than those who are serving there, need replacement.

So this is a general amount, \$25 million, but I believe that it can help boost up the facilities account that is so important for Florida and for the Nation. I am willing to work with the committee in any fashion to plus-up this account. I am not trying to pick on NATO, although I believe that there is room in their budget to transfer

these funds without doing any damage. I would ask my colleagues to consider this amendment.

I thank the committee. I usually don't get into other folks' turf, particularly military construction. I deal mostly with transportation in the House, and I understand the difficulty sometimes when other Members come in and try to manage some of the important dollars that are made available. I know the difficult choices that the committee has in trying to assign appropriate dollars, particularly for defense facilities construction.

Again, I won't just take up the House's time in unnecessary conversation, but it is a simple matter. We transfer \$25 million from the NATO security investment account to fund military construction for our National Guard. We have the need across the Nation. It is evident in every State where we have National Guard activities. This isn't a great amount, but I think it can make a significant difference on a number of projects throughout the United States.

I urge my colleagues to support the amendment.

I yield back the balance of my time. Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. BISHOP of Georgia. Mr. Chairman, this amendment would decrease the NATO Security Investment Program by \$25 million and increase the Army National Guard account by \$25 million. We support the Guard and our Reserves wholeheartedly, but I want to join Chairman CULBERSON in some concerns that I have about the amendment.

The MilCon portion of this bill for the most part is flat-funded, and the resources provided in this title were distributed, we believe, in a very judicious manner. The bill funds the Guard account at the budget request level, which makes the needed investments in Guard facilities.

In addition, I am concerned that the offset that the gentleman has chosen could cause shortfalls in the NATO Security Investment Program, which in turn could cause further delays in the NATO Security Construction Program. The Security Investment Program provides support for many of the important operations that we are involved in, including our current operations in Afghanistan. I believe that we have to get the NATO program back on track because it will ultimately save us money in the long run.

□ 1420

While I agree with the spirit of the amendment, I do have some concerns about the gentleman's amendment. I won't oppose it at this time, but I hope that we will be able to work through those concerns as we work through this process and as the bill goes to the Senate and it comes back and we can deal with these concerns in conference.

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

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

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

Mr. CULBERSON. I certainly agree with the gentleman from Florida, our distinguished chairman of the Transportation and Infrastructure Committee, that we need to do everything we can to support our National Guard. I look forward to working with the gentleman in conference.

We will accept the amendment, again, as an expression of our support for making sure that our National Guard and Reserve components have all the support they need. But we'll work with the chairman in conference to see if we can find the best source of funding for this addition plus-up on the National Guard. We, of course, want to make sure that they're not only taken care of in the State of Florida but around the Nation.

I know the chairman shares my concern with border security. The National Guard plays a vital role in helping our Border Patrol agents and in helping all of our law enforcement and Homeland Security folks in securing the border. So we want to make sure those elements of the National Guard's role in securing our Nation's borders are fully funded as well.

So we will accept the amendment at this time.

Mr. MICA. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Florida.

Mr. MICA. Thank you.

Again, I want to thank Mr. CULBERSON for his leadership and for his willingness to work with us, both sides of the aisle. Again, if it is necessary to take funds from another account—and we chose NATO in this instance for this amendment—we would welcome any assistance in plussing-up our National Guard facilities and construction accounts.

So, again, thank you so much for your leadership—I know you have difficult choices and I know the people that serve in our National Guard are grateful for your leadership—and also for accepting the amendment at this time.

Mr. CULBERSON. Mr. Chairman, again, we accept the amendment and move its adoption.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 414. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or co-operative agreement with, or to make a grant to, any corporation that was convicted of a felony criminal violation under any Federal or State law within the preceding 24 months.

SEC. 415. None of the funds made available by this Act may be used to enforce Executive

Order 13502 (41 U.S.C. 251 note), FAR Rule 2009-005, or any agency memorandum, bulletin, or contracting policy that derives its authority from Executive Order 13502 or FAR Rule 2009-005.

AMENDMENT OFFERED BY MR. LATOURETTE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, strike lines 16 through 21.

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

Mr. LATOURETTE. This is a simple, straightforward amendment.

During the committee markup of the Military Construction bill, under the able leadership of the subcommittee chairman, an amendment was offered by Mr. FLAKE of Arizona to deny funding to the President's Executive order dealing with project labor agreements. The matter was accepted by voice vote. It was accepted by voice vote because, quite frankly, I couldn't rustle up enough votes in the committee to overturn it.

However, this continues a pattern that we've seen in this Congress. I believe we've had on the floor four votes on whether or not Davis-Bacon should be the law of the land. In each one of the cases, the proponents of Davis-Bacon have been successful, the last one garnering 52 Republican votes. This would be the third vote by those who would wish to do away with project labor agreements that will occur on the House floor. In the previous two, again, the proponents of project labor agreements have prevailed. In the last instance, 28 Republicans were, in fact, supportive of project labor agreements.

Mr. Chairman, basically, project labor agreements are those agreements wherein someone who is doing a construction project determines that they want to have an all-encompassing universal agreement that covers the construction from start to finish. If union labor is involved, it denies unions the ability to strike. It denies the contractor the ability to lock out. Wages are set. Terms are set. Conditions are set. And, quite frankly, the project labor agreements have been resounding successes.

As a matter of fact, project labor agreements, 90 percent of them are used by private industry. Some of the biggest users of project labor agreements are the Disney Corporation and, in fact, Walmart. So neither of those companies have ever been sort of identified as big labor-loving organizations.

Now, this is a backdoor piece of language in line 16 to 21 because it doesn't attack project labor agreements. What it does is, if you go back and look in February when President Obama enacted this Executive order, he said: I don't know which is going to be better and which is going to be cheaper, based upon the size of the project, where the project is located, what it is we want to get done.

So funds are appropriated to the agencies. Say it's the Department of Veterans Affairs and they're going to build a new hospital. You say, Department of Veterans Affairs, you study which is going to bring that project in at the best quality, the best price, on time, and giving the taxpayer the best bang for his or her buck.

Well, this amendment strikes that funding. And so it doesn't say you can't use project labor agreements. What it does say is that the agency can't make that comparison. And if you're not making that comparison to find out which is better for the taxpayer, which is in fact going to cause the project to come in at the lowest cost and with the best quality and under time, then it has nothing to do with saving the taxpayer money.

We hear a lot about these are tough times and we have to tighten our belts. I agree with that. I voted for that consistently. But that is just union bashing. This is just saying we don't want to know whether a project labor agreement can develop a project that is cheaper, of better quality, and under time.

Quite frankly, although there are studies on both sides, there is an organization called ABC. They have a study that shows that it adds so much cost. You have a study by organized labor that says it reduces so much cost. I choose not to look at either of those because each of those folks and organizations, quite frankly, have some skin in the fight and have some incentive, if you will, to look at the data one way or another.

I would go with our nonpartisan, bipartisan Congressional Research Service, which last October was asked to study this issue, and they indicated, quite frankly, that the jury is out and, if anything, the data indicates that they really can't say and they can't find any convincing data as to whether or not project labor agreements save money or don't save money, which really is the genius of the President's Executive order because it says you should study it.

Quite frankly, the CRS goes on to indicate that in those areas of the country where there's a lot of organized labor, the project labor agreements tend to bring these projects in on time, under cost, with better quality. In those areas of the country which aren't heavily unionized, the opposite is, in fact, true.

So with the jury being out and all of us wanting to achieve the greatest savings for the taxpayer and build good, quality projects in the military construction account which benefits our men and women in uniform, why would we deny the departments the opportunity to study which way is cheaper, better, more effective, and with a better quality? So there's only one reason. It's to continue this constant drumbeat of: We hate unions. And that's not a good reason to have this language in the bill.

I urge support of the amendment.

I yield back the balance of my time.

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

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

Mr. CULBERSON. This is a straightforward vote to the House about whether or not we will, on behalf of American taxpayers, vote to impose union collective bargaining requirements on any private company doing business with the Federal Government. The Executive order that our bill does not fund and the amendment attempts to strike, language in our bill which does not fund this Executive order, the Executive order says that “in awarding any contract in connection with a large-scale construction project, the administration may require the use of a project labor agreement.”

□ 1430

A project labor agreement, under the Executive order's own definition, means a pre-hire collective bargaining agreement with one or more labor organizations. So the Obama administration through this Executive order is attempting to unionize any private company in America that wants to do business with the Federal Government. That's just an outrage.

Again, in looking at a Wall Street Journal editorial from April 14 of 2010, it reiterates data that is widely available and that has been repeatedly verified: that only about 15 percent of the Nation's construction workers are unionized. So from now on, under this Executive order, the other 85 percent of America's construction workers will have to give up the opportunity to work on a Federal project, or not be unionized.

This is just a blatant attempt by the Obama administration to impose union collective bargaining on any private company in America that wants to do business with the Federal Government. If indeed the idea were to reduce the costs, that's fine. We are in an era of austerity unlike anything this Nation has ever experienced. We confront record debt, record deficit, record public debt held by foreign nations. This is unlike anything we have ever seen before.

As I showed when we debated this bill earlier, just before the break, every single dollar of Federal revenue that comes in the door is already spent on existing social welfare programs. In fact, 104 percent of Federal income is obligated to pay for the existing social safety net. Social Security, Medicare, Medicaid, veterans' benefits, and interest on the national debt consume 104 percent of our Nation's income. Therefore, America is living on borrowed money, and it is our obligation as stewards of the Treasury to ensure that we do not waste any of these precious dollars and that we cut spending everywhere we possibly can so that we do everything within our power to limit the atrocious debt burden that we are pass-

ing on to our children and grandchildren. This is an unacceptable direction the Nation is taking because of uncontrolled spending by previous Congresses.

Why would we voluntarily, knowingly, allow our kids and grandkids to pay, as The Wall Street Journal points out and as the Veterans Administration discovered, and why would we voluntarily pay 12 to 14 percent more for construction contracts? In a study they did, the VA discovered, when they looked at the construction costs for hospitals in three of five markets, the cost of construction would jump by as much as 9 percent. The Beacon Hill Institute at Boston Suffolk University in 2006 said, when you impose these project labor agreements, it will increase school construction costs by 12 to 14 percent. Why would we voluntarily do that?

This amendment must be defeated. This amendment is an effort to prevent Congress from saving precious tax dollars. If this amendment passes, the Obama administration will be able to impose collective bargaining on any private company that wants to do business with the Federal Government. I strongly urge Members to oppose this amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

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

Mr. BISHOP of Georgia. Mr. Chairman, as much as I agree with many of the objectives expressed by the chairman in his discussion just a few moments ago, particularly that we want to make the most efficient use of taxpayer dollars, I think the very arguments that he makes support why we need to have project labor agreements.

This has nothing to do with union or nonunion workforce standards. The project labor agreements do not mandate or predetermine that a workforce has to be union or nonunion. It allows for the project owner, such as the government or a private sector entity, to establish workforce standards that both union and nonunion workers have to meet in order to be hired by contractors and subcontractors under the project labor agreements.

This is a model that increases the efficiency and the quality of construction projects. Of course the ultimate objective is that we will have a workforce that will ensure construction projects are built correctly the first time so that we won't have cost overruns, so that they are built on time, so that we won't have to extend the contracts, and so that we won't have safety problems because of having unskilled workers. Basically, in the awarding of these contracts, these project labor agreements will make sure that the government's money is spent well. We want to get the most bang for taxpayer bucks. We want to make sure we make the most efficient use of taxpayer dollars.

There has been study after study after study that illustrates how the use of these project labor agreements does not extend costs to the taxpayers or to other projects—rather, that they often save money. In fact, in most cases, they do save money because, as a result of having a higher skilled workforce, they don't have to worry about equipment being broken; they don't have to worry about the waste of resources and materials; they don't have to worry about the contracts not being performed on time. It's to the contrary. If you're worried about protections, project labor agreements will prohibit strikes or work stoppages by any kind of construction workers on the project. They will establish a single procedure for handling workforce disputes.

It is a tool for ensuring that large and complex projects, as many of our government projects are, are completed on time. It allows for the employment of local citizens. And right now, with the unemployment rate as it is and with so many of our skilled workers out of work, it allows for flexibility.

The Executive order, which seems to be the source of the complaint, really does not require that they be used. It gives the government the option of making a decision that is in the best interest of the American taxpayers. Certainly, we want to do everything that we can possibly do to make sure that we come in on budget or under budget, with the highest quality, with the safest work environment, and that we are able to employ the people in our communities to get the job done. As much as we need to improve employment, to increase the number of people who are working, these project labor agreements just add another tool to allow, in the awarding of taxpayer funded contracts, the most efficient use of those dollars. So I join the gentleman in support of this amendment. I think it is well thought out and that it's a benefit to the taxpayers.

With all due respect to my colleague on the other side who is opposed to this amendment, I think, when it is all said and done, the bottom line is these project labor agreements in this Executive order, while not requiring the use of project labor agreements, will be an added tool in our arsenal to get the most bang for taxpayer bucks to enhance what we do for our country, for our citizens whom we put to work, and to make sure that the conditions and terms of their employment and the work that they do is done with appropriate standards.

I yield back the balance of my time.

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

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

Mr. HARRIS. I thank my colleague from Ohio for introducing this amendment and, once again, for this dialogue on an important issue.

I will remind my colleague that, although he brings up the fact that this has been decided in the Chamber twice already in other similar circumstances, it's not really the same because, last Friday, of course, we found out that our unemployment rate is rising in the country. It's now 9.1 percent again. We only created 54,000 jobs, not the 200,000 jobs we'd hoped we would create and certainly much fewer than the 150,000 jobs we need to create in order to get back to full employment. That's how many we need to create every month.

What this amendment means, very simply, is that we are going to have to spend 10 to 20 percent more on every single project that ends up in a project labor agreement—and more projects will. If more projects wouldn't, then the advocates wouldn't care about whether we put this provision in. It clearly will result in project labor agreements, so let's review what a project labor agreement does.

First and foremost, it increases the cost 10 to 20 percent on every project. Now, Mr. Chairman, if you or I or people in my congressional district were going to contract to build something around their homes, they wouldn't put a provision in normally that says that we're only going to hire union contractors.

□ 1440

They will go out. They will get the bids. They will go out. They will seek to find out what the reputations of the bidders are, and then they will make the decision based purely on price and quality and value whether or not to make that deal, not whether someone is a member of a union or hires union laborers; but that's what a project labor agreement does.

So let's talk about jobs a little bit. What is our important role here in Congress? Our role in Congress is to try to get our unemployment rate up. Well, if we save 10 to 20 percent on every job, we certainly can do more construction jobs. I just met over lunch with one of the people in my district who is an electrical contractor and he's not unionized, and he asked me to come down here and he said, please, go to the floor today and ask so that those 80 percent, or 7 percent, of us who are contractors who are not unionized can get a piece of that pie so that we don't have to fire our employees.

Mr. Chairman, it's simple. If we can save 10 to 20 percent on every project, we can hire 10 to 20 percent more people to do more projects. And again, the sad fact is our unemployment rate is 9.1 percent. It's going up, not down. The number of new jobs created last month, 54,000, going down, not up. We've got to reverse that, and we've got to do it by being efficient and being smart with our dollars, and one way is to not require project labor agreements.

Finally, let me address the issue of local citizens. I want these contracts to go into the First Congressional Dis-

trict of Maryland; but, Mr. Chairman, I don't have a lot of union contractors in my district. There are a lot of districts that don't have a lot of union contractors. So if we want local contractors to be employed, if we want local citizens to get jobs, our local unemployment rates to go down, Mr. Chairman, I would suggest we defeat this amendment, which will frequently require that in order to qualify for a contract you have to hire out of district. You may have to go to another State. That's not good for anyone, certainly not good for the folks in the First Congressional District of Maryland.

Mr. Chairman, again, I want to thank my colleague from Ohio for bringing this issue up, but we do need to revisit this issue because we don't live in the same world we lived in one week ago. We live in a world where the talk of the double-dip recession is sincere and it's serious and our unemployment rate going up, not down; the number of jobs going down, not up. The last thing we should do is to take those hard-earned taxpayer dollars and to use them, and I will say to waste them, in some circumstances, on project labor agreements.

I yield back the balance of my time.

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

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

Mr. DICKS. The gentleman's amendment would strike the provision in the bill prohibiting the use of project labor agreements on any project funded in this bill. PLAs are a benefit to both employers and unions. They provide uniform wages, benefits, overtime. A PLA sets the terms and conditions of employment for all workers on site, including work conditions and rules. In addition, a PLA prohibits strikes and work stoppages. A PLA provides a single collective bargaining unit which allows for easier management of a project.

Executive order 13502 only encourages executive agencies to consider the use of project labor agreements. There is no requirement to use a PLA. It should be up to the agency and project manager if the use of a PLA is appropriate for their particular project. And I was pleased that the chairman, Mr. CULBERSON, read the language and it says "may," not "shall."

Two weeks ago during the consideration of the FY 2012 Homeland Security appropriations bill, an amendment was offered to prohibit the Department from allowing project labor agreements, and it was defeated. We should support the option on the use of PLAs.

I urge the adoption of the LaTourette amendment.

Mr. LATOURETTE. Will the gentleman yield?

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

Mr. LATOURETTE. I thank the distinguished ranking member very much; and, you know, Mr. HARRIS from Mary-

land is a wonderful new Member, and I enjoyed his remarks very much and his passion, and it would be a compelling argument if his facts were correct.

The difficulty is no one on this floor would support project labor agreements if the evidence was that project labor agreements increased the cost of a construction project by 10 to 20 percent. The study cited by Mr. CULBERSON, the chairman of the Subcommittee, by the U.S. Department of Veterans Affairs, concluded that the effect of PLAs on construction costs was strongly influenced by the degree of unionization in an area. In highly unionized cities, the costs of a PLA are less and the project comes in under cost, under time, better quality. And those that don't have, as apparently the First District of Maryland doesn't have as many unions, the evidence does, in fact, come in; in some of those cases costs can increase by 5 to 9 percent, not 10 to 20.

But the problem with this language is, it doesn't condemn project labor agreements. This is an appropriations bill. What this amendment does is deprive the agency of the funds to study in your area—my area happens to be heavily unionized, so Cleveland, Ohio—prevents the VA from studying whether or not use of the PLA would save the government money or cost the government money.

And I've got to tell you, if the conclusion is that it's going to cost the government money, it's like "I Love Lucy" and Ricky Ricardo. I mean, I'm sure that somebody is going to ask the head of that agency, you know, you've got a lot of explaining to do why you went with a program that's going to cost the government more money.

That isn't what this is about. This is union bashing. This isn't costing or saving money. It's just we don't like unions, and I thank the gentleman for yielding.

Mr. DICKS. I thank the gentleman for offering the amendment, and I completely agree with him. I don't think there's any evidence that except for some of the people like the Wall Street Journal who say this, I don't see any evidence of it; and as the gentleman says, if there was evidence, Congress would not approve of project labor agreements.

So I, again, rise in strong support of the LaTourette amendment and urge that it be adopted.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. GRAVES of Georgia. Mr. Chairman, I'm here today in opposition to this amendment, and I've heard a lot of the compelling arguments here today as to why this amendment should be adopted.

Well, first, let me remind the Members that the Appropriations Committee passed the language that's in this bill right now that restricts funding from going to projects that require

project labor agreements. That's all this does, and I think we should all be for it. We should all be for free markets. We should all be for capitalism, for the best contractor competing against the best contractor and putting up the best price for the project.

Now, they said that there were reports cited in *The Wall Street Journal*, and I just happen to have what *The Wall Street Journal* cited, and they did cite the independent study that was commissioned by the Department of Veterans Affairs that says in the study, the Obama project labor agreement would likely raise the VA construction costs for hospitals by as much as 9 percent in three of the five markets. So it's clear that there is a study by an independent organization there that says costs will go up.

Now, can we not accept that as evidence enough that we do not need project labor agreements as a mandate to receive the funding for projects throughout this Nation? I mean, we live in a day and a time in which the debt and deficit are out of control, and it seems to be what we spend our arguments about and our debates about is spending, and that's an important topic. But the number one issue facing this Nation right now is the economy and the job losses.

Mr. HARRIS, he was so eloquent as he was talking about unemployment, 9.1 percent now. We all know that. We're here on the celebration of the 1 year since the beginning of the summer of recovery, and yet we don't see any recovery.

These project labor agreement requirements by the executive order were placed in effect in 2009; and as Mr. BISHOP referenced, you know, this was good for jobs, good for creating local jobs. Well, where are the jobs? They do not exist. In essence, we've had 2 years of a failed experiment, Mr. Chairman; and I think it's time to say, you know what, look, the experiment didn't work, let's put it up on the shelf, and let's try something new. Let's go back to what we know works and that's empowering the private sector, empowering the free markets, allow competition to thrive, allow costs to come down and the quality of goods to go up.

I have to tell you, Mr. Chairman, when I go home, it pains me to see the new "For Sale" signs that are up, the new "For Rent" signs that go up each and every time, and I'm sure we see it in each and every one of our districts as we go home. And oftentimes previously, 4 or 5 years ago, you might see a vacancy in a shop because they had moved out, because they had expanded their operations and they were moving up. But now it's just the opposite. We know that businesses are not moving out and expanding as much as they once did. Instead, they're shutting down and closing the doors and that "For Rent" or "For Sale" sign goes up.

It's time to reverse that back, and we know how to do that. It is so simple; it is so clear. Why it binds this Congress

up, I have no idea, when our Nation was founded on such great principles as we have been founded on and yet over the years we feel like we can manipulate the marketplaces, just like the project labor agreement requirements are going to do as well.

Mr. Chairman, I say we defeat this amendment, and we think about that 1-year anniversary here of that summer of recovery declaration from last year. And I know there was a lot of hope that that summer of recovery would occur; but the one thing that is true, Mr. Chairman, is you cannot change the facts, and the facts are clear. Americans are ready to be empowered with new jobs and employment. The only way we can do that, though, is to empower the private sector, and let's get government out of the way to do it.

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

□ 1450

Ms. RICHARDSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. RICHARDSON. Mr. Chairman, I rise in strong support of the LaTourette amendment. But before I get into the details, I would like to speak to the comments that were just made.

I happen to have the privilege of serving currently on the Transportation and Infrastructure Committee, and I would say to any Member of Congress who would like to know about the thousands of jobs that were, in fact, created and maintained through the American Recovery Act, I would be more than happy to give them a copy of that document. Let me move into, though, the topic that is at hand, which is really the LaTourette amendment, which is not in reference to the American Recovery Act.

I strongly speak in support of this amendment because, one, it protects American jobs; two, it completes projects safely; and, three, it often-times saves the taxpayers money. The LaTourette amendment ensures that funds for large-scale construction projects utilize the most cost-effective and efficient process for the awarding of Federal contracts. Section 415 of H.R. 2055 prohibits agencies from being able to use all available methods to ensure that Federal contracts are cost efficient, including the utilization of project labor agreements.

Our ranking member, Mr. DICKS, just recently spoke a few moments ago about section 415, and I will only reiterate two points: One, section 1, subsection (b) says, "Accordingly, it is the policy of the Federal Government to encourage executive agencies to consider requiring the use of project labor agreements." Section 3, subsection (a) says, "In awarding any contract, executive agencies may, on a project-by-project basis." And then finally, section 5 says, "This order does not require an executive agency to use a project labor agreement."

So, if we're going to speak on the floor of this House, it's important, if we're going to talk about facts, let's actually say those facts. So this dispels the myth that Executive Order 13502 makes requirements in the awarding of Federal contracts.

Now let's talk a little bit about those project labor agreements.

There is no substantial evidence that says that PLAs decrease the number of bidders on a project or increase the costs of construction projects. In fact, project labor agreements promote cost-effectiveness and efficiency in those construction projects. Having project labor agreements prevents labor disputes; it eliminates project delays and, thereby, helps us to get the projects done.

We can all talk about facts and figures and dates and sections, but I would like to talk about what's happening in my district. I know from firsthand experience that project labor agreements work. In California, we have seen project labor agreements negotiated and implemented with incredible success.

There have been many who have talked about project labor agreements. Here are just a few of the many examples of successful project labor agreements in California:

One, the construction of the L.A. Metro's Blue Line; number two, the expansion and renovation of the Los Angeles World Airports; the recent Middle Harbor Project at the Ports of Los Angeles and Long Beach, which are the largest ports in this country; and then, finally, the \$2.2 billion Alameda Corridor Project. That was a project that was completed on time and under budget.

So, with that, Mr. Chairman, I would ask respectfully that Mr. LATOURETTE's amendment would be found in order and that all of our colleagues will join in support of it.

Finally, I would just like to say, for those who say that PLAs drive up the cost of construction, if they would say that, then we would simply ask: Why is it that Walmart is increasingly using PLAs and Toyota Motor Corporation has built every one of its North American manufacturing facilities under a project labor agreement?

So, when we talk about this, Mr. LATOURETTE has been a leader on this issue. I strongly support his amendment. I stand in lockstep.

Mr. LATOURETTE. Will the gentlewoman yield?

Ms. RICHARDSON. I yield to the gentleman from Ohio.

Mr. LATOURETTE. First of all, I want to thank the gentlewoman very much. I want the body to know that Ms. RICHARDSON was going to offer this amendment and, over the weekend, permitted me to offer it as a member of the committee. I appreciate that very much. She is certainly a champion of PLAs.

I want to address the gentleman from Georgia's observations because he is

exactly right, and it doesn't change anything that I said.

The VA said that you should study both PLAs and non-PLAs based upon the area of the country. Now, he is correct. The VA study said that in three of the five that they studied, PLAs would have increased labor costs. It doesn't say anything about the benefit from having increased quality, on time, and all that other business.

But what happened to the other two? In 40 percent of them, the answer is either there was no difference or they reduced costs, which is exactly the point. The amendment strikes out the language inserted in the bill by the gentleman from Arizona (Mr. FLAKE) that would prevent an agency from studying which way gets you the bigger bang for the buck. Why would we want to do that?

I thank the gentlelady.

Ms. RICHARDSON. All of us in Congress are looking for ways to rein in the deficit.

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

Ms. RICHARDSON. I strongly support the LaTourette amendment.

PROJECT LABOR AGREEMENT ACTIVITY IN CALIFORNIA 1984 THROUGH MARCH 2010

This is a working list maintained by Kevin Dayton, Government Affairs Director of Associated Builders and Contractors of California. Identification comes from primary documents as well as secondary sources that include web sites, union publications, and newspaper articles. PLAs on private projects are often not publicized, so this list may not include all PLAs imposed on refineries, power plants, industrial facilities, and housing projects.

LARGE INFRASTRUCTURE IMPLEMENTED

Los Angeles Metropolitan Transportation Authority—Blue Line—1984.

San Joaquin Hills Transportation Corridor—1993.

Metropolitan Water District of Southern California—Eastside (Domenigoni) Reservoir Project—1994.

Contra Costa Water District—Los Vaqueros Reservoir Project—Three Components—1994-1995.

Contra Costa Water District—Ralph D. Bollman Water Treatment Plant Upgrade—1995.

Metropolitan Water District of Southern California—Inland Feeder Project—1996.

San Francisco International Airport Expansion and Renovation—1996.

U.S. Department of Energy—Lawrence Livermore National Laboratories—National Ignition Facility—1997.

Sacramento Regional Transit District—South Corridor Extension—1998.

Alameda County Transportation Authority—Alameda Corridor Project—1998.

Los Angeles to Pasadena Metro Construction Authority—Gold Line—1998.

Los Angeles Department of Public Works—Hyperion Full Secondary Treatment Plant—1998.

Port of Oakland Maritime and Aviation Expansion and Renovation—1999.

Golden Gate Bridge Highway & Transportation District—Seismic Retrofit Phase I—1999.

San Diego County Water Authority—Emergency Storage Project—1999.

Los Angeles World Airports Expansion and Renovation—2000.

Contra Costa Water District—Multi-Purpose Pipeline Project—2000.

Los Angeles Department of Public Works—East Central Interceptor Sewer and North-east Interceptor Sewer—2000.

Port of Los Angeles/Long Beach—Pier 400 Phase II—2002.

San Jose International Airport Expansion and Renovation—2002.

Metropolitan Water District of Southern California—Capital Program—2003.

Sacramento Regional County Sanitation District—Affholder, Inc. (a general contractor) signed for Lower Northwest Interceptor Northern and Southern Sacramento River Tunnel Crossings—2004.

San Diego County Water Authority—Policy to Consider PLAs for Projects Over \$100 Million—2005.

Contra Costa Water District—Brentwood Water Treatment Plant—2005.

Port of Los Angeles/Long Beach—Berths 90-91 Cruise Terminal Baggage Handling Building—2006.

Napa County Flood Control and Water Conservation District—Three contractors signed for Napa River Flood Protection Project—2006.

City of San Francisco—Measure A—Water System Improvement Program (Hetch Hetchy)—2007.

Contra Costa Water District—Alternative Intake Project—2007.

Port of Los Angeles/Long Beach—Berth 408 Liquid Bulk Petroleum Terminal—2008.

Port of Long Beach—Middle Harbor Project—2010.

NEGOTIATIONS APPROVED

East Bay Municipal Utility District—Supplemental Water Supply Project—1999.

Port of Los Angeles/Long Beach—All Future Projects on Port Property—2008.

PROPOSED

Temperance Flat Dam—Madera/Fresno Counties—2002.

Contra Costa Water District—Los Vaqueros Reservoir Expansion—2003.

Port of Los Angeles/Long Beach—Berth 93C-94 Boardwalk—2003.

San Francisco International Airport—West Field Cargo Redevelopment Project—2003.

City of Santa Paula—Wastewater Treatment Plant—2008.

City of Long Beach—Airport Expansion—2009.

Los Angeles County Metropolitan Transportation Authority—Metro Gold Line Foothill Extension—2009.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Los Osos Community Services District—Wastewater Project—2003.

San Diego County Water Authority—Twin Oaks Valley Water Treatment Plant—2005.

Palmdale Water District—All Work—2007.

Central Marin Sanitation Agency—Wet Weather Improvement Project—2007.

San Diego County Regional Airport Authority—Terminal 2 Expansion—2009.

PROHIBITED BY PRESIDENTIAL EXECUTIVE ORDER 13202

Golden Gate Bridge Highway & Transportation District—Seismic Retrofit Phase II—2001.

East Bay Municipal Utility District—Walnut Creek-San Ramon Valley Improvement Project—2001.

Sacramento Regional Transit District—Folsom Line Extension—2001.

Los Angeles Metropolitan Transportation Authority—Interstate 405 Improvements—2006.

Port of Los Angeles/Long Beach—Highway Improvements to Harry Bridges Boulevard—2010.

MUNICIPAL IMPLEMENTED

City of Los Angeles—Convention Center—1990.

Contra Costa County—Merrithew Memorial Regional Medical Center—1994.

City of West Sacramento—Palamides Bridge—1995.

City of Concord—Police Station—1995.

City of Sacramento—Sump 2 Improvement Project—1998.

City of Concord—Concord Avenue Parking Garage—1999.

Contra Costa County—Family Law Center—2001.

Contra Costa County—All Work Over \$1 Million (revised—original policy never implemented)—2002/2003.

Solano County—Government Center and Parking Garage—2002.

City of San Jose—City Hall/Civic Center—2002.

Contra Costa County—Two Small Renovation Projects in Richmond and Antioch—2002.

Contra Costa County—New Discovery House Facility—2003.

City of San Mateo—New Main Library—2004.

Santa Clara County—Valley Specialty Center Bid Package 2—2004.

City of Carson—All General Contracts over \$125,000, All Specialty Contracts over \$25,000—2005.

City of Santa Cruz—West Coast Santa Cruz Hotel and Conference Center Redevelopment—2005.

Santa Clara County—Gilroy Valley, Fair Oaks, and Milpitas Health Centers; New Crime Lab—2005.

Santa Clara County—Required Staff Analysis of PLA Benefits for Projects Over \$10 Million—2005.

Los Angeles Department of Public Works—New Police Headquarters, Metro Detention Center, Harbor Area Police Station and Jail Facility, Fire Station 64, Hollenback Police Station, Main Street Parking/Motor Transport Division and Aiso Street Parking, Automated Traffic Surveillance and Control (ATSAC) Systems—2005-2009.

Port of Los Angeles/Long Beach—2005-06, 2006-07 Site Improvements—2005.

City of San Fernando—All General Contracts over \$150,000, All Specialty Contracts Over \$25,000—2005.

City of San Mateo—New Police Station—2005.

El Camino Hospital District—Measure D—Hospital Bldg. Replacement and Central Utility Plant—2005.

City of Milpitas—New Library, Parking Garage, and Other Midtown Projects—2006.

Solano County—All Work Over \$10 Million (Threshold Increased from \$1 Million Estab. in 2004)—2007.

City of Richmond—Civic Center—2007.

San Joaquin County—New Administration Building—2007.

City of Los Angeles Community Redevelopment Agency—All Work—2008.

City of Milpitas—Senior Center—2008.

City of Brentwood—Civic Center—2009.

Solano County—321 Tuolumne Street/Solano Justice Center and 355 Tuolumne Street Renovation—2009.

City of Vallejo—Downtown Parking Garage—2009.

Upper San Gabriel Valley Municipal Water District—Future Capital Improvement Projects—2010.

City of Brentwood—Parking Garage—2010.

Sacramento Municipal Utility District—Corporation Yard—2010

NEGOTIATIONS APPROVED

City of Long Beach—All Work—2005, 2007.

Alameda County Medical Center—Highland Hospital Acute Care Tower Replacement—2008.

Alameda County—All Work—2008.

Santa Barbara County—All Work—2010.

PROPOSED

City of San Diego—New Central Library—1999.
 City of San Jose—Convention Center Expansion—2002.
 City of Union City—Intermodal Station Mixed Use Development Project—2002.
 City of Alhambra—West Main Street Corridor Redevelopment—2005.
 City of South El Monte—All Work—2007.
 City of Los Angeles—All Work—2004, 2008.
 City of San Leandro—All Work—2009.
 Various Projects in Ventura County (Santa Paula, Fillmore, Oxnard, Piru)—2009.
 City of Long Beach—Airport Expansion—2009.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

City of Sacramento—Sewer Maintenance Building—1996.
 City of Pinole—City Hall—1996.
 City of Redding—Civic Center—1998.
 City of Sacramento—All Work—1998.
 City of San Francisco—All Work—1998.
 City of West Hollywood—All Work—1999.
 City of San Diego Convention Center Expansion—1999.
 City of Fresno—All Work—2000.
 Sacramento County—Sacramento International Airport Parking Garage—2000.
 City of Sacramento—Sacramento River Water Treatment Plant Replacement Intake—2000.
 City of Santa Rosa—The Geysers Recharge Project—2000.
 City of Santa Rosa—Downtown Hotel and Convention Center—2000.
 City of West Sacramento—City Hall/Civic Center—2001.
 City of San Diego—SeaWorld Hotel and Expansion—2002.
 City of Cupertino—New Library—2003.
 City of Watsonville—Civic Center—2004.
 City of Gardena—Gardena Transit Facility Project—2006.
 City of Fairfield—All Work—2007.
 Washington Township Health Care District—Measure FF—Central Plant and Hospital Expansion—2007, 2008.
 Imperial County—Green Retrofit Program—2009.

TERMINATED

San Francisco Housing Authority—All Work—1994-2003.
 Orange County—All General Contracts over \$225,000, All Specialty Contracts over \$15,000—2000-2005.
 Solano County—All Work Over \$1 Million (Threshold Increased to \$10 Million on 5/22/07)—2004-2007.

PROHIBITED BY PRESIDENTIAL EXECUTIVE ORDER 13202

City of Richmond—Former Ford Motor Assembly Building.
 City of Richmond—Bay Area Rapid Transit Village.
 City of Richmond—Former Port Terminal One.
 City of Vallejo—Downtown Parking Garage (not built during Bush Administration)—2000.
 Orange County—Resurfacing of Santiago Canyon Road.
 Los Angeles County/USC Medical Center Replacement Project—2003.
 San Mateo County Youth Services Center—2004.
 City of Pasadena City Hall Restoration—2004.
 Orange County—Glassell Street Bridge Replacement Project—2004.
 City of Hayward—Water Pollution Control Facility Improvement Project—Phase 1—2005.
 Union City—Union City Intermodal Transit Village—2006.
 Santa Cruz Metropolitan Transit District—MetroBase Project—2006.

PROHIBITED

City of Fresno—All Work (ordinance)—2000.
 City of Antioch—All Work (sense of the council resolution)—2002.
 Orange County—All Work (ordinance)—2009.
 San Diego County—All Work (ordinance)—2010.
 PROPOSED BUT REJECTED OR ABANDONED PROHIBITIONS
 Riverside County—All Work (ordinance)—2010.

PROPOSED PROHIBITIONS

City of Chula Vista—All Work (June—2010 ballot initiative for proposed ordinance)—2009.
 City of San Diego—All Work (qualification for Nov. 2010 ballot initiative for charter amendment)—2009.
 City of Oceanside—All Work (June 2010 ballot initiative for new charter)—2009.
 City of Roseville—All Work (proposed June 2010 ballot initiative for proposed charter amendment)—2009.

EDUCATIONAL IMPLEMENTED

Los Angeles Unified School District—Proposition BB, Measure K, Measure R, Measure Q—1999-2009.
 West Contra Costa Unified School District—Measure E, Measure M, Measure D—2000-2005.
 Vallejo City Unified School District—Measure A—2001.
 Los Angeles Community College District—Proposition A—2001.
 Rialto Unified School District—District High School #3—2001.
 San Mateo Community College District—Proposition C—2002.
 San Mateo Union High School District—San Mateo High School Modernization Phases I and II—2002.
 Rancho Santiago Community College District (Orange County)—Measure E—2003.
 East Side Union High School District (San Jose)—Measure G, Measure E—2003, 2008.
 Solano County Community College District—Measure G—Certain Larger Projects—2004.
 Oakland Unified School District—Measure A after February 2004 (adopted by administrator)—2004.
 Peralta Community College District—Vista Campus (Measure E)—2004.
 Hartnell Community College (Salinas)—Measure H—Five Small Contracts—2004.
 Pittsburg Unified School District—All Work Over \$1 Million/Measure E—2005.
 City College of San Francisco—Proposition A after February 2005—2005.
 Albany Unified School District—Measure A—2005.
 Rio Hondo Community College District (Whittier)—Measure A—2005.
 Compton Unified School District—Remainder of Measure I—2005.
 Sacramento City Unified School District—Remainder of Measures E and I—2005.
 San Jose/Evergreen Community College District—2006.
 Mt. Diablo Unified School District—Pilot Project—Prototypical Classrooms 2006 Groups 1 and 2—2006.
 Chabot-Las Positas Community College District—Seven Projects Funded by Measure B—2006.
 San Leandro Unified School District—Measure B—2007.
 Mt. Diablo Unified School District—Certain Projects Over \$2 Million for One Year—2007.
 Foothill-DeAnza Community College District—Measure C—2008.
 College of Marin—Two Large Projects Funded by Measure C—2008.

San Francisco Unified School District—Proposition A (2006)—2008.
 Mt. Diablo Unified School District—Classroom Projects and HVAC Work—2008.
 John Swett Unified School District—Measure A—2009.
 San Mateo Union High School District—Half of Measure M—2009.
 San Diego Unified School District—Proposition S (Original and Revised Versions)—2009.

Alum Rock Union Elementary School District (San Jose)—Measure G—2009.
 Fremont Union High School District—All Outdoor Athletic Facilities—2009.
 Hayward Unified School District—Measure I—2009.
 Peralta Community College District—Berkeley City College Build-Out, Phase 2—2009.
 Sacramento City Unified School District—All Projects More Than \$1 Million—Four-Year Renewal—2009.
 Riverside Community College District—Remainder of Measure C—2010.

NEGOTIATIONS APPROVED

Alisal Union School District (Salinas)—New High School—Not Built.
 Contra Costa Community College District—Measure A (2006)—2006.
 Centinela Valley Union High School District (Hawthorne, Lawndale, and Lennox)—Measure CV—2009.
 San Gabriel Unified School District—Future Construction—2010.

PROPOSED

West Valley-Mission Community College District—Measure H—2005, 2008.
 San Juan Unified School District—Measure C—2005.
 New Haven Unified School District—Measure A—2005.
 Konocti Unified School District—Measure G—2005.
 Allan Hancock Joint Community College District—Future Construction—2005.
 Natomas Unified School District—Measure D—2006.
 Napa Valley Unified School District—Measure G—2007.
 Jefferson Union High School District—Measure N—2007.
 Sweetwater Union High School District—Proposition O—2007.
 San Diego Community College District—Proposition N—2007.
 Alisal Union School District—Measure A (2006)—2008.
 Southwestern Community College District (Chula Vista)—Measure R—2010.
 San Bernardino City Unified School District—Future Construction—2010.
 Pasadena Unified School District—Future Construction 2010.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

San Diego Unified School District—Proposition MM—1999.
 Sacramento City Unified School District—Six Summer 2000 School Projects—2000.
 Grant Joint Union High School District (Sacramento)—2001.
 Fairfield-Suisun Unified School District—2001.
 Sonoma County Junior College—Measure A—2002.
 John Swett Unified School District (Crockett)—New Elementary School—2002.
 University of California at Merced—New Campus—2002.
 Ohlone Community College District—Measure A—2002.
 Oakland Unified School District—Measure A through February 2004—2002.

Contra Costa County Community College—Measure A (2002)—2002.

Ventura County Community College District—Measure S—2003.

Foothill-DeAnza Community College District—Measure E—2003 (?).

San Jose Unified School District—Measure F—2003.

Fairfield-Suisun Unified School District—Measure C after February 2004—2004.

Berryessa Union School District—2004.

Rialto Unified School District—Measure H—2004.

San Joaquin-Delta Community College District—Measure L—All Work—2004, 2010.

Hartnell Community College (Salinas)—Measure H—CALL Building—2004.

City College of San Francisco—Proposition A through February 2005—2002.

Washington Unified School District—Measure Q—2004.

Cabrillo Community College District (Aptos)—Measure D—2004.

Chino Valley Unified School District—Measure M—2004.

Napa Valley College—Measure N—2004.

Mt. Diablo Unified School District—Summer 2005 School Projects Funded by Measure C—2005.

Sonoma County Junior College—Measure A after May 2005—2005.

San Francisco Unified School District—Proposition A Work at least through January 2007—2004.

San Joaquin-Delta Community College District—Measure L—One Pilot Project in 2007—2005.

Montebello Unified School District—Measure M—2006.

Del Norte Unified School District—New and Modernization Projects—2009.

Mendocino-Lake Community College District—Measure W—2009.

TERMINATED

Santa Ana Unified School District—Measure C—2000–2005.

PROHIBITED BY PRESIDENTIAL EXECUTIVE ORDER 13202

East Side Union High School District—Network Upgrades at Three High Schools—2005.

Los Angeles Unified School District—Networking Projects at Various Schools—2001–2005.

MUNICIPAL POWER PLANTS

IMPLEMENTED

Sacramento Municipal Utility District—Carson Ice-Gen Plant—1993.

Sacramento Municipal Utility District—Proctor & Gamble Company Generation Plant—1995.

Sacramento Municipal Utility District—Campbell Soup Cogeneration Plant—1996.

Los Angeles Department of Water and Power—Valley Generating Station—2001.

City of Santa Clara—Pico Power Project—2003.

Sacramento Municipal Utility District—New Cosumnes Power Plant—2003.

City of Burbank Magnolia Power Project—2003.

City of Pasadena Glenarm Power Plant—2003.

City of Vernon/Malburg Generating Station—2003.

Kings River Conservation District (Fresno) Peaker Plant—2004.

City of Roseville—Roseville Energy Park—2004.

Imperial Irrigation District—Niland Gas Turbine Plant—2007.

City of Vernon Power Plant—Cancelled.

City of Palmdale Hybrid Power Plant—2009.

Sacramento Municipal Utility District—Solano Phase 3 Wind Project—2010.

PROPOSED

Kings River Conservation District (Fresno)—Community Power Plant—2007.

Northern California Power Authority—Lodi Power Plant—2008.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Modesto Irrigation District Electric Generation Station—Ripon—2004.

Turlock Irrigation District—Walnut Energy Center—2004.

City of Riverside Acorn Peaker—2004.

City of Victorville Solar Hybrid Power Plant—2007.

City of Riverside Energy Resource Center—Units 3 & 4—2008.

PRIVATE PROJECTS

IMPLEMENTED

Alameda 1 and 2 Residential and Commercial Developments, Alameda

Alameda Point Community Partners Housing and Office Development, Alameda

Alexandria Parking Structure, S.F. Redevelopment Agency (Alexandria Real Estate Equities)

ARCO Refinery Project, Carson (Cherne Contracting Corp.)

Ballpark District, East Square Village, San Diego

Buck Center for Research in Aging, Novato Buena Vista Rancheria of Me-Wuk Indians

Casino (City of Ione, Amador County)—Proposed.

Carson Terminal Expansion Project (Kinder Morgan Energy Partners)—2004.

Chevron El Segundo Refinery Project (Cherne Contracting Corp.)

Chevron Richmond Refinery Upgrade

CIM Downtown Redevelopment, San Jose—2002.

Coast Santa Cruz Hotel Renovation—Not Built.

Community Health Systems Downtown Campus, Fresno

ConocoPhillips 66 Refinery Project, Rodeo

ConocoPhillips 66 Conversion to Ultra-Low Sulfur Diesel, Rodeo—2004.

Cypress Walk Development, Pacifica (The Olson Company)—Proposed.

Diablo Canyon Nuclear Power Plant Dry Cask Storage (PG&E)—2006.

Diablo Canyon Nuclear Power Plant Steam Generator Replacement Project (SGT)—2008.

Diablo Grande Golf Development, Patterson

Dixon Downs Racetrack and Development (Magna Entertainment Corp.)—Rejected.

Downtown Vallejo Redevelopment Project

East Housing/Fleet Industrial Supply Center, Alameda (Catellus Development Company)—2007.

Equilon Refinery Project, Wilmington (Cherne Contracting Corp.)

Estrada de Santa Barbara

Ethanol Plant, Goshen (Phoenix Bio Industries)—2005.

Ethanol Plant, Madera (Pacific Ethanol)—2005.

Ethanol Plant, Pixley (Calgren Renewable Fuels)—2005.

Ethanol Plant, San Joaquin County/Stockton (Pacific Ethanol)—2006.

Ethanol Plant, Stanislaus County (Cilion)—2006.

Exxon Clean Fuels Project, Benicia

Federated Indians of Graton Rancheria Casino (Sonoma County)—Proposed.

Genentech Phases I and II, Vacaville

The Getty Center, Los Angeles

Kern River Pipeline Expansion (Williams Gas Pipeline/MidAmerican Energy Holdings)

L.A. Live (Anschutz Entertainment Group)—2005.

Lagoon Valley Development, Vacaville (Triad Communities)—Proposed.

Long Beach Memorial Medical Center Expansion—2005.

Lytton Band of Pomo Indians Casino (City of San Pablo)—Proposed.

Marina Hotel Renovation, Los Angeles Harbor (San Pedro Ownership, Inc.)—2005.

Marine World, Vallejo

Mission Bay Project (Catellus Development Company), San Francisco

Motorplex at Yuba County—Not Built.

Myers Development Retail/Commercial, Bay Area

Pacific Bell Park, San Francisco Giants Baseball Stadium

Pacific Commons (Catellus Development Company), Fremont

Pacific L.A. Marine Terminal, Port of Los Angeles/Long Beach, Pier 400—Berth 408—2009.

Park Station Lofts, South San Francisco (James E. Roberts, Obayashi Corporation)—2006.

Petco Park, San Diego Padres Baseball Stadium (cost \$474 million; received \$300 million subsidy from City of San Diego)

Playa Vista Development, Los Angeles

Poseidon Resources Corporation—Carlsbad and Huntington Beach Desalination Plants—Proposed.

Providence Holy Cross Medical Center (Mission Hills) Expansion—2010.

River Islands at Lathrop (Cambay Development Group)—Proposed.

Roman Catholic Diocese of Los Angeles—Cathedral of Our Lady of Los Angeles

San Diego Ballpark Development Project (JMI Realty and Lennar-San Diego Urban Division)—2005.

San Mateo Marriott Addition (Tarsadia Hotels)

Santee Court, Downtown Los Angeles (MJW Investments)—2005.

Shell Clean Fuels Project, Martinez

Sheraton Grand Hotel, Sacramento (received subsidy from City of Sacramento)

Signature Properties Oak to Ninth Street Project, Oakland

616 East Carson Street Project, Carson (Community Dynamics)—required by city council—2009.

655 Broadway, San Diego (Lankford & Associates)

Staples Center, Los Angeles (cost \$375 million; City of Los Angeles borrowed \$38.5 million for it)

Station District Family Housing, Union City (Mid-Peninsula Housing Coalition)—2009.

Sutter Health—Sacramento Medical Center Expansion

Taco Bell Discovery Science Center, Santa Ana

Tongva Casino, Compton—Gabrielino-Tongva Tribal Council

Tosco Refinery Upgrade (Bechtel)

Trans Bay Cable Project, Pittsburg (Babcock & Brown Power Operating Partners)—2007.

United Spiral Pipe Manufacturing Plant, Pittsburg—2007.

Uptown Project, Oakland (Forest City)—2006.

Valero Improvement Project—Refinery Upgrade, Benicia

Westfield San Francisco Center (Westfield Corporation and Forest City)—2005.

Westfield Roseville Galleria Expansion—2006.

Wild Goose Storage, Inc. Natural Gas Storage Expansion Project and Pipeline, Butte County—2002.

Yerba Buena Project, San Francisco

PROPOSED

Roman Catholic Diocese of Oakland Cathedral—2000.

Roman Catholic Diocese of San Bernardino—All Work—2002.

Sutter Health—San Francisco, San Mateo, Vallejo Facilities—2002.

Mitsubishi Liquified Natural Gas Terminal—Los Angeles Harbor—2003.

HCA Regional Medical Center San Jose—2003.

San Diego Chargers Football Stadium—2004.

BHP Billiton Cabrillo Port Liquified Natural Gas Deepwater Port (off Ventura County coast)—2004.

Wood Street/West Oakland Train Station Development, Oakland—2005.

Treasure Island, Treasure Island Development Authority, San Francisco—2005.

Chula Vista Bayfront Redevelopment—Gaylord Entertainment Co.—Abandoned.

Tesoro Refinery Coker Upgrade, Martinez—2006.

Anaheim NFL Stadium—2006.

Orange County Great Park—Lennar Corporation—2006.

New Sacramento Kings Arena—Maloof Sports & Entertainment—2006.

MacArthur BART Transit Village Project (receiving subsidy from City of Oakland)—2006.

Grand Avenue Redevelopment Project, Los Angeles—2006.

Target Store, City of Davis—2006.

Universal City Vision Plan (NBC Universal)—2006.

Hunters Point Development, San Francisco (Lennar/BVHP)—2007.

Candlestick Point Development, San Francisco (TopVision)—2007.

La Bahia Hotel, Santa Cruz (1999—King Ventures, 2007—Barry Swenson Builder)—1999, 2007.

Alameda Street Redevelopment between First & Temple Streets, Los Angeles—2007.

Placer Vineyards Specific Plan, Placer County—2007.

Lane Field Development, San Diego (Woodfin Hotels)—2007.

Marriott Convention Hotel at Ballpark Village (JMI Realty)—2007.

Greenbriar, City of Sacramento (AKT Development and Woodside Homes)—2008.

CityWalk in Oakland (The Olsen Company)—2008.

Douglas Park, Long Beach (Boeing Realty Corporation)—2008.

Santa Ana Renaissance Plan—2008.

TrePac Terminal Expansion, Berth 136-147, Port of Los Angeles—2008.

Placer County Developments: Riolo Vineyards, Curry Creek—2008.

City of Roseville Developments: Creekview, Sierra Vista, Placer Ranch, Brookfield—2008.

Sacramento County Development: Cordova Hills/University of Sacramento (Conwy LLC)—2008.

Sutter Health—Elk Grove Facility—2008.

PrimaFuels, Inc. Biofuel Plant, West Sacramento—2008.

Drexel University New West Coast Campus and Related Development, Placer County—2008.

Delta Shores, City of Sacramento (M&H Realty Partners LLC)—2009.

San Leandro Crossings/Cannery Court (BRIDGE Housing) (receiving subsidy from San Leandro)—2009.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED
Raley Field—Sacramento River Cats AAA Baseball Stadium—1999.

Roman Catholic Diocese of Sacramento—Cathedral of the Blessed Sacrament Renovations—2002.

Save Mart Center—Fresno State University—2000.

Thunder Valley Casino—United Auburn Indian Community (Placer County)

Casino—Upper Lake Band of Pomo Indians (West Sacramento)—Cancelled.

Bay Street Emeryville, Phase II

Las Lomas (Los Angeles)—Rejected.

Flying J/Big West Refinery Upgrade (Bakersfield)—Cancelled.

Sacramento Railyards Project (Thomas Enterprises)—2007.

Sonoma Mountain Village (Coddling Enterprises)—2009.

Pomona Valley Hospital Medical Center Upgrade Phase 1—2010.

PRIVATE POWER PLANTS

IMPLEMENTED

The State Building and Construction Trades Council of California claimed on April 30, 2003 that “of the 35 power plants that have been licensed for construction, 34 have signed Project Labor Agreements for their construction.” As of November 1, 2009, the State Building and Construction Trades Council of California claims that since 1999, developers of 57 of the 63 power plants larger than 50 megawatts built in California have signed PLAs.

Blythe, Blythe (Caithness)—Completed.
Colusa, Colusa County (Reliant Energy)—Not Built.

Costa Costa, Antioch (Mirant)—On Hold.
Delta Energy Center, Pittsburg (Calpine/Bechtel)—Completed.

East Altamont Energy Center, Alameda County (Calpine)—On Hold.

Elk Hills, Kern County (Semptra/Occidental)—Completed.

Fourmile Hill Geothermal Project, Siskiyou County (Calpine)

Hanford, Hanford (GWF Power Systems)—Not Built.

High Desert, Victorville (Constellation Power)—Completed.

High Winds Energy Center expansion, Colinsville (Florida Power & Light)

Inland Empire Energy Center, Romoland (Calpine)—On Hold.

Ivanpah Solar Electric Generating System (BrightSource Energy/Bechtel)—Proposed.

La Paloma, Kern County (PG&E/NEG)—Completed.

Los Medanos Energy Center, Pittsburg (Calpine)—Completed.

Metacalf, San Jose (Calpine/Bechtel)—Under Const.

Midway-Sunset, Kern County (Edison)—On Hold.

Morro Bay, San Luis Obispo (Duke Energy)—On Hold.

Moss Landing, Monterey County (Duke Energy)—Completed.

Mountainview, San Bernardino (Edison)—On Hold.

Nueva Azalea, South Gate (Sunlaw)—Not Built.

Orange Grove Energy Peaking Power Plant (J-Power USA Development)—Proposed.

Otay Mesa, San Diego (Calpine)—On Hold.

Palomar, Escondido (Semptra Energy)—Under Const.

Pastoria, Kern County (Calpine)—Under Const.

Rio Linda, Rio Linda (Florida Power & Light)—Not Built.

Russell City, Hayward (Calpine/Bechtel) Calpine/General Electric)—On Hold.

Salton Sea Six Geothermal Plant (CE Obsidian Energy)—Approved.

San Joaquin Valley Energy Center, San Joaquin (Calpine)—On Hold.

Stirling Energy Systems Solar Two Project, Imperial County—Proposed.

Sunrise Cogeneration, Kern County (Texaco and Edison Mission)—Completed.

Sutter Power, Yuba City (Calpine)—Completed.

Tesla (Florida Power & Light)—On Hold.

Three Mountain, Burney (Ogden Energy)—On Hold.

Tracy Peaker Project (GWF Energy)—Completed.

United Golden Gate, San Mateo County (El Paso Merchant)—Not Built.

PROPOSED

Altamont Pass Wind Resource Area expansion (Florida Power & Light)

Solar Thermal Power Plant, San Luis Obispo County (Ausra)—Cancelled.

Beacon Solar Energy Project (Florida Power & Light)—Proposed.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Huntington Beach Units 3 and 4 (AES)—Completed.

Valero Energy Corporation Cogeneration Unit I—Completed.

Sun Valley Energy Project, Romoland (Edison Mission)—Under Const.

HOUSING DEVELOPMENTS

IMPLEMENTED

Bay Area (Kaufman & Broad)

Brentwood (Pulte Homes)—496 houses—2002.

Foster City (Summerhill Construction)—160 houses

Foster City (Webcor Builders)

Half Moon Bay (Ailanto Builders)—145 houses

Hercules (Hercules Victoria and subsequent developers)—Victoria by the Bay—plumbers & elect.

Oakley Magnolia Park Project (Pulte Homes)

Pacifica (Ryland Homes)—43 houses

San Francisco (HMS Gateway Office).

San Francisco (Waterford Associates)—21 houses

San Francisco (Western Pacific)—74 houses

San Francisco (Saddle Mountain Estates)—74 houses

San Francisco (Greystone Homes)—212 units

San Francisco (Parkside Homes Developers)—156 condos

San Pedro—Pointe Vista (Bisno Development Co.)—Proposed.

Vacaville Southtown Project (Western Pacific Housing)—2004.

PROPOSED

Sebastopol (Schellinger Brothers)—157 units—2002.

San Rafael-St. Vincent School for Boys Development (Shappell Industries)—2002.

IMPLEMENTED THEN DECLARED ILLEGAL BY NLRB

Anatolia-Sacramento County (Sun Ridge)—2714 houses—2002-2004.

PUBLIC/PRIVATE HYBRID PROJECTS

Contra Costa Community College District—San Ramon Valley Center—2004.

This project is covered by the Windemere Development private PLA with U.A. Local 159 Plumbers and Steamfitters Union. The college board of trustees did not vote on this PLA.

Brentwood Union School District (Pulte Homes—Magnolia Park Project)—2004.

This project is covered by the Pulte Homes private PLA with three unions.

West Roseville Specific Plan (Westpark Property)—Roseville City School District—2005.

This development is covered by the Signature Properties private PLA with three unions. The district board of trustees voted to cut language in their documents ratifying the PLA.

Rio School District—RiverPark East Elementary School—2005.

This project was covered by a Shea Homes private PLA.

PROPOSED

City of San Diego Civic Center Complex—2009.

Leading prospective bidder Gerdling Edlen has indicated intent to sign a PLA.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Rio School District—RiverPark East Intermediate School—2006.

This project was initially covered by a Shea Homes private PLA.

Solar Project at Fresno Yosemite International Airport—2007.

World Water & Solar Technologies Corp. is building this private project to serve the airport and rental car facilities at the airport.

UNION-ONLY LANGUAGE IN BID SPECIFICATIONS IMPLEMENTED

Capitol Park Safety and Security Improvements—2005.

State Compensation Insurance Fund (State Fund)—Fresno District Office Automation System—2008.

REJECTED

Arvin-Edison Water District—North Canal Spreading Works—1999.

South San Joaquin Irrigation District—South County Water Supply Program Turn-out Facilities—2003.

Santa Cruz Metropolitan Transit District—MetroBase Project Parking Garage—2005.

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

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

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

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 416. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

AMENDMENT NO. 1 OFFERED BY MR. MEEKS

Mr. MEEKS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available by this Act may be used to declare as excess to the needs of the Department of Veterans Affairs or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the St. Albans campus, consisting of approximately 55 acres of land, with borders near Linden Boulevard on the northwest, 115th Avenue on the west, the Long Island Railroad on the northeast, and Baisley Boulevard on the southeast.

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

Mr. MEEKS. Mr. Chair, I rise in support of the amendment I have regarding the St. Albans VA Hospital in New York.

First of all, this is clearly a bipartisan bill. I have the support of my good friends PETER KING and MICHAEL GRIMM of New York to stop the enhanced lease process for the St. Albans VA in my district. There is rarely a

time that you have an issue where everybody has come together, and, clearly, here is an issue where members of the community and the veterans have spoken with one voice to say that what is being proposed there is against the best wishes of the veterans and the needs of the veterans and against the wishes of the community, basically changing the whole complexity of the community so that the people that live there would have a terrible injustice and disservice.

Now, I know that the EUL process works in certain areas because part of it is supposed to be where the EUL process works with the community and veterans and everybody agreeing and working together. That is not the case in this scenario.

In this scenario, we have veterans from all over—in fact, we have the Queens County Council of VFWs. We have the Vietnam Vets of America. We have the New York Vets Advocacy Group. We have the Department of New York District 1 VFW, United Council for Veterans Rights, Nassau County VFW, Vets Helping Vets, Inc., all of whom are supportive of this amendment saying that this is not in the best interests of veterans.

The VA has come up with the idea of putting together a facility that doesn't even include a full-service hospital and is not based upon the number of vets that we have coming back from Afghanistan and Iraq. Now, they have put everything on the line for them, and here we have the opportunity to make sure that we do the very best that we can for our veterans. And here the whole community surrounds us, and we want what the veterans want. We want to stand behind them in 100 percent lockstep. And it seems as though, to some at the VA, there is a deaf ear in regard to that.

So we will continue to fight. And what this bill says is that we will stop the EUL process in New York at the St. Albans facility because it is not what is needed. It is not what the vets want. It just seems to me that, instead of working with the community, the VA has chosen to go out and do a high-density residential area, residential building in this facility that is not even just for veterans, which will then have a devastating impact on the local community.

So we're saying no, that shouldn't happen. You can't destroy the very fabric of a great community, and you can't produce something that does not benefit the very vets that we're supposed to be here to help.

So, Mr. Chair, I urge support of this amendment regarding the St. Albans VA Hospital. I urge that we support our veterans who are absolutely united on this matter.

I yield back the balance of my time.

□ 1500

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

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

Mr. CULBERSON. Mr. Chairman, I rise in support of the amendment. We will accept Mr. MEEKS' amendment because it's vitally important that all Federal agencies, the VA included, understand that the Member of Congress representing that district, he's their voice.

I represent Houston, Texas. I'm proud to do so. I have an obligation, obviously, to look after the entire Nation. But first and foremost, I am the Representative of the people of District Seven in Houston, Texas, as Mr. MEEKS is the Representative of his constituents in New York. And I think it's vitally important that every Federal agency understand that they need to work with and earn the support of the Representative of that district before they move forward with a major project of any kind.

And as Mr. MEEKS has said, the community is opposed to the direction the VA is taking. And I would join with my friend, Mr. BISHOP. And we strongly support the VA looking to the private sector to partner with the private sector to find innovative, cost-effective ways of providing better services to our veterans by partnering with the private sector.

And certainly, the committee does not want to discourage in any way the VA's expansion of private partnerships to give better service to veterans. We encourage it. We want the VA to look for ways to save money, to provide better service to our veterans, to use the extraordinary expertise of hospitals and medical communities like the Texas Medical Center, which I represent. The work that Mr. BISHOP is doing with Fort Benning and the VA in his district has created a marvelous partnership with private physicians to provide better services. We want the VA to continue that effort.

But it is absolutely essential that the VA understand that they have to earn the support and approval of the community. That means they have to earn the support and approval of the Representative for that district. And in this instance, I hope the VA is tuned in and listening. The VA needs to earn the support and approval of Congressman MEEKS before they move forward with this effort.

So for that reason, we will accept the amendment. And I want to know that the VA is not only returning Mr. MEEKS' phone calls, but they are listening to, responding to, and satisfying the needs of the community, the needs of his constituents, the needs of the veterans that he represents; and that the VA, once they have earned the support of the community, they are going to have the support of Mr. MEEKS. And when Mr. MEEKS comes to the subcommittee and says that the VA has earned his support, the community has earned his support, then the committee will be prepared to move forward and support the VA work at St. Albans.

So for those reasons, we will accept the amendment. And I am looking forward to the day when Mr. MEEKS comes

and tells us the VA is in his office and earning his support and the support of the community.

I yield back the balance of my time.

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

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

Mr. ACKERMAN. Mr. Chairman, I rise in strong support of the Meeks amendment, which not only affects his district, but affects at least 11 congressional districts that surround his district, all in support of our veterans and fighting men and women who have returned from wars overseas, some of them severely injured and in need of our care, concern, and support at this very moment.

For 7 years now, the Department of Veterans Affairs has pursued a perhaps well-intentioned but a stubbornly wrongheaded plan for the St. Albans Primary and Extended Care facility which is located in the county of Queens. I am very concerned that the VA is proceeding full speed ahead with its plans to lease a property for 34 years, property currently dedicated exclusively for veterans. And what are the veterans supposed to do for the next 75 years without this facility, when there is a rising demand among our veterans for medical services?

The justification—you have to hear this—the justification for the VA's decision stems from an absurd outdated report that relied on data from 2003, 8 years ago, when we were only at the beginning of the wars in Iraq and Afghanistan. We have, unfortunately, seen tremendous increases in veterans homelessness, foreclosures, divorce, substance abuse, PTSD and, yes, suicides.

And yet the VA report from all those years ago projected at that time, almost a decade ago, that mental health services for our veterans was going to decrease over the next 20 years. It's been 8 years since that report. And what have we seen during the 8 years alone? And there's 12 years more to go. We've seen increases in all of these problems among our veterans. And yet they cling stubbornly to the data in that report, thinking that these things are going to go down among our veterans. And this, everybody knows, is certainly not going to be the case.

All evidence suggests that returning veterans are going to require a greater significant increase especially in VA mental health services. A Rand Center report alone found that already 18.5 percent of all U.S. servicemembers who have returned already from Afghanistan and Iraq currently suffer from PTSD or depression, and that 19.5 percent suffer from traumatic brain injury.

Where is the Veterans Administration's common sense? To give away this property, which is intended and secured right now for our veterans, is a huge mistake, based on a report that is already discredited by the facts. This is

something that we can't allow to continue.

These are veterans who have sacrificed so much. We have to stand here today on the floor. And I want to thank my colleagues on both sides of the aisle, colleagues in the majority especially, for seeing through the politics of this and understanding that these are our veterans that we are fighting for; that we, as Members of Congress, understand our constituencies and our needs and their needs.

I want to personally thank Representatives GRIMM and KING, who are among our delegation, as well as the rest of the Democratic members of the delegation in our region, and thank Representative MEEKS for his dynamic and great leadership in bringing this to our attention so that we could stand together as patriotic Americans all, at least on this issue, and fight for the needs of our veterans.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MEEKS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. AMASH

Mr. AMASH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ None of the funds made available by this Act may be used to administer or enforce the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, popularly known as the "Davis-Bacon Act."

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

Mr. AMASH. Mr. Chairman, the Davis-Bacon Act requires nearly all Federal construction contracts to pay a prevailing wage determined by the Department of Labor. Under the law, construction contractors and subcontractors may not pay their own workers wages lower than the department's pay rate, even if the workers bargain for a wage below the government-set rate.

My amendment blocks application of Davis-Bacon to the Military Construction and Veterans' Affairs appropriations bill. There are two main reasons why the House should block Davis-Bacon.

First, Davis-Bacon wastes taxpayer dollars on overpriced contracts. A recent study showed that, on average, nationwide, the government-set rate is 22 percent higher than the true market rate. For example, if sheet metal workers in Long Island, New York, are paid \$28.79 per hour, while the government-set rate for that area is \$45.40, factoring in the cost of materials and other supplies, studies suggest that the Federal Government overpays for construction contracts by between 10 percent and 15 percent.

Second, Davis-Bacon gives an unfair advantage to union employees. Small businesses, many of which are non-union, lower their prices to compete against larger union firms. The trade-off for nonunion employees is a lower-wage rate but more work. We should not disadvantage nonunion employees who are willing to perform more construction for less money. By eliminating government-mandated wages, we can better allocate resources, increase efficiency, and put hardworking Americans back on the job.

Providing for our national defense and the care of our veterans are critical priorities. Construction projects in the appropriations bill include VA facilities, family housing, schools and infrastructure for our National Guard troops stationed on the border. We owe it to our constituents to stretch every taxpayer dollar and spend wisely.

Blocking Davis-Bacon's application to military construction and VA projects will honor our commitment to fiscal responsibility and to our veterans. Let's let competition determine wages, not the Federal Government. Please support my amendment to block Davis-Bacon.

□ 1510

I now yield to the gentleman from Texas.

Mr. CULBERSON. I thank the gentleman from Michigan for bringing this important amendment. I strongly support this amendment and urge the House to adopt the gentleman's amendment because it will save, again, our children and grandchildren a significant amount of money.

We are in an era of austerity unlike anything America has ever experienced. We are living on borrowed money. Every dollar the Federal Government brings in goes right out the back door to pay for the existing social safety net. Social Security, Medicare, Medicaid, interest on the national debt and veterans' benefits consume 104 percent of America's revenue. Therefore, all the money we appropriate for the entire year for military construction, for the VA, for transportation, for homeland security, for the Defense Department, all of it, is borrowed. Therefore, we need to do everything we can to cut, to save money, to eliminate fraud, waste and abuse and to avoid spending more money than we should.

Here, very straightforward, the gentleman's amendment would save American taxpayers a significant amount of money. It depends on what study you're looking at, but my very capable staff has looked at this and analyzed a whole variety of studies that indicate that there's a whole range of savings. The Chamber of Commerce believes that Davis-Bacon, or paying union prevailing wages in, for example, a free market environment like in Texas, we don't pay prevailing wage. We in Texas on a highway project pay the competitive free market wage.

First of all, not only are we going to save money, but why would we discourage competition? Why, in this terrible

economy, would we prevent contractors, businesses, from coming in and competing for a job?

As on the last amendment, the LaTourette amendment, which I hope the House defeats, that amendment we need to defeat so that we could encourage companies to come in and compete for Federal contracts, this amendment needs to be adopted to encourage businesses to come in and compete for Federal contracts. This would expand the universe of companies that could compete and apply for work. As in Texas, for example, on a highway project, we pay the competitive, best price for bids, and in the Chamber of Commerce's opinion, if we eliminate the Davis-Bacon prevailing wage, it would save about 15 percent on average on project construction. The Cato Institute estimates a 10 percent savings.

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

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

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

Mr. CULBERSON. Thank you very much.

If I could, Mr. Chairman, point out that the Heritage Foundation estimates that there will be a 22 percent savings to taxpayers by eliminating the Davis-Bacon requirement. The Beacon Hill Institute at Suffolk University in Boston estimates a 10 percent savings.

This whole variety of savings, if you line them up, for example, we'll just say, for the sake of argument, that there is about a 10 percent savings in construction costs, we as a Nation living on borrowed money should not voluntarily, willingly pay 10 percent more. It makes no sense.

The gentleman's amendment is extraordinarily important. It will save taxpayers a significant amount of money on every construction project. On average, you're going to wind up saving, under the gentleman's amendment, about 10 percent. Ten percent goes a long way on a lot of these massive construction projects. The gentleman's amendment is vitally important in this economy. The adoption of the gentleman's amendment will increase the number of jobs available for people to work on Federal projects. The gentleman's amendment will create jobs and save money for taxpayers. In an era of record debt, record deficit, and record burden that we simply cannot pass on to our kids, it is vitally important that the House approve the gentleman's amendment, and I urge its adoption.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

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

Mr. BISHOP of Georgia. Mr. Chairman, I rise in opposition to this amendment.

The Davis-Bacon Act is a pretty simple concept, and it's a fair concept.

What it does is to protect the government as well as the workers in carrying out the policy of paying decent wages for government contracts.

I noticed that the previous speaker was really concerned about the possibility that Davis-Bacon would raise the cost of the performance of these contracts, but it only requires that prevailing wages in the area where the contract is going to be performed is maintained. For example, if in some of the urban areas where labor costs are very, very high and the prevailing wages are there, the standard of living and the wage payment for that area would be consistent. If it was in a lower wage area, then Davis-Bacon wages would be the wages that were paid in that market. So basically it just allows the workers to be paid at a rate consistent with where the project is being conducted.

The act requires that every construction contract that the Federal Government participates in in excess of \$2,000 has to have this provision defining the minimum wage. It was taken up by this House just a few days ago, and, of course, three times this House has defeated attempts to repeal this Davis-Bacon requirement. It would appear to me that this House has exercised great wisdom three times in this session in preserving the right of workers to earn the wages that are paid in the area where the project is being constructed. That just makes sense. We want our workers to be paid fairly. We don't want the government to overpay. So we won't pay higher wages in an area where prevailing wages are lower. We won't pay lower wages in an area where the prevailing wages are higher, where the cost of living is higher, where the cost of doing business is higher, where the cost of doing the construction would be higher. We want the government to get the best bang for the buck.

These amendments are probably very well-intentioned. We want to save the taxpayers' dollars, but we cannot and we should not be penny-wise and pound-foolish. The repeal of Davis-Bacon, I think, and I think that this House has stated on at least three occasions on this floor during this session of Congress, would be pound-foolish.

I yield back the balance of my time.

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

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

Mr. SHERMAN. I join the gentleman from Georgia in opposing this amendment and associate myself with his remarks.

The Federal Government is in a different position from a private company having construction done, for two reasons: First, one of the greatest social problems we face in this country is the eroding wages of middle class families. We see that even in times when there are sufficient jobs, the average American doesn't make any more on an inflation-adjusted basis than a decade or

two decades ago. The Federal Government should not play a role in pushing down people out of the middle class. We have a social responsibility to work to a return to what used to be the American norm, and that is that each generation does better than the last.

But the second, even from a crudely proprietary position, the Federal Government is in a very different position than a private homeowner, private property owner. I know I was tempted the last time we fixed our home, maybe I should go with the slipshod, cheap-skate company. After all, I'm only going to live there a few more years. Even many private owners, they're only going to own the building for a few years.

So many of us in our daily lives use government-constructed projects from the 1930s. When the government builds something, it is normally going to be owned and operated by the government and used by our citizens for many, many decades. Why do we want slipshod construction? Why do we want those who are not looking to have skilled craftsmen and craftswomen but, rather, are looking to slap it up there in the cheapest possible way?

□ 1520

Our public works need to be built by those with the proper construction skills; it's not a matter of just hiring as many hands as you can as cheaply as possible.

And so I support the gentleman from Georgia and his comments, and I urge the defeat of this amendment.

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

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

Mr. DICKS. Mr. Chairman, I rise in strong opposition to this amendment. Some in the minority continue to try to repeal Davis-Bacon, despite the House being on record supporting the protection of labor standards.

Two weeks ago, the full committee voted to strip the anti-Davis-Bacon provision that was added by the chairman of the subcommittee. A similar amendment repealing Davis-Bacon was offered during the consideration of the FY 2012 Homeland Security appropriations bill. It failed on a vote of 183-234.

I have been a longtime supporter of Davis-Bacon's prevailing wage requirements. It helps ensure that local projects provide local jobs with affordable middle class wages. The law protects the government from contractors trying to win Federal contracts by bidding too low to attract competent workers. I strongly oppose this amendment.

I point out, if there is a problem here, it's because we do not do the wage surveys on a continuing and consistent basis. That is a real problem. That rests with the Department of Labor, and we need to make sure that they're doing their part of the equation.

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

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

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

Mr. BISHOP of Georgia. Mr. Chairman, let me just say that the Davis-Bacon Act prevents competition for construction contracts from artificially depressing local labor standards. The Davis-Bacon Act will prevent subverting the prevailing wage laws, which will lead to shoddy construction and substantial cost overruns.

Under the prevailing wage laws, contractors are forced to compete on the basis of who can best train, best equip, and best manage a construction crew, not on the basis of who can assemble the cheapest, most exploitable workforce, either locally or through importing labor from outside.

The Davis-Bacon Act does not require a union wage; it requires prevailing wage based upon surveys of wages and benefits that are actually paid to various job classifications of construction workers, such as iron workers in a community, without regard to whether they belong to a union or not.

According to the Department of Labor, a whopping 72 percent of prevailing wage rates issued in 2000 were based upon nonunion wage rates. A union wage prevails only if the Department of Labor survey determines that the local union wage is paid to more than 50 percent of the workers in that job classification.

Now higher wages and skills result in greater productivity and lower cost. It's so much greater among high-wage, high-skill workers that projects that use high-skilled workers and high-paid workers often cost less than those that use the low-wage, low-skilled workers due to repairs, revisions, and lengthy delays.

The opponents who claim that the government could save billions by eliminating the Davis-Bacon protections ignore the productivity, quality, safety, community development and other economic benefits which contribute to the real cost effectiveness of Davis-Bacon. A study of 10 States where nearly half of all of the highway and bridge work is done in the United States showed that when high-wage workers were paid double the wage of low-wage workers, they built 74.4 more miles of roadbed and 32.8 more miles of bridges for \$557 million less.

Driving wages down will not help balance the budget. The Davis-Bacon Act will improve our local economies and it will result in increased productivity.

I am convinced that, again, we have people with good intentions that want to save us money, but if you pay cheaper wages, you will have to employ less skilled workers. If you hire less skilled workers, they will, in all likelihood, have to have work redone that will have to be repaired. It will extend the

cost, it will extend the time, and ultimately it will cost our taxpayers more money, and we will not get the efficiencies that each and every tax dollar should have because they are hard-earned tax dollars, and our taxpayers don't give them up lightly. But when we do pay our taxes, everybody in this body and across this country wants to make sure that we get the best bang for the buck. Davis-Bacon would give us that result. It has proven that. The studies show that.

I would submit that this amendment is ill-advised and should be defeated.

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

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

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. SHERMAN

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

The Acting CHAIR. The Clerk will designate the amendment.

Mr. SHERMAN. May the Clerk read the amendment?

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

There was no objection.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

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

Mr. SHERMAN. Mr. Chairman, I had the Clerk read the amendment because it's a simple one-sentence amendment. It says that none of the money in this act can be used deliberately by the President to violate the law, in particular, the War Powers resolution, often referred to as the War Powers Act, which is found in title 50 of the United States Code.

This is the same amendment I offered to the Homeland Security appropriations bill. Some 208 Members of Congress voted for that amendment. The only argument against the amendment at that time was that it wasn't exactly appropriate or relevant to the Homeland Security bill. After all, I was preventing the funding of violation of the War Powers Act with the funds provided to the Department of Homeland Security.

Now that I offer this amendment to the MilCon bill, it is relevant. This is a bill that provides tens of billions of dollars for the Defense Department. And it is necessary and appropriate, if

we are going to adopt a policy that says that money is not going to be appropriated for deliberate violation of our law, that we apply this amendment not only to the Defense Appropriations bill, but to this second bill that funds the Pentagon.

Why is this amendment necessary? Because so many administrations have embraced the idea of an imperial Presidency, the idea that a President can send our forces into battle for unlimited duration, for any purpose, unlimited in scope. This is not what the Constitution and the law provides.

The War Powers Act is the law of the land, and it says the President may indeed commit our forces, but the President must seek congressional authorization and must withdraw within 60 days if that authorization is not provided by the affirmative vote of both Houses of Congress.

In Libya, we face not an attack on the United States, not an attack on our allies. But even in this circumstance, this President, like others, claims that he does not have to follow the law.

□ 1530

The administration has implied that there are substitutes for congressional authorization; they have implied that resolutions by the United Nations, the Arab League or NATO can be a substitute for congressional authorization; and they implied that consulting congressional leaders, a lunch with leadership, is a substitute for the affirmative vote of both Houses of Congress. It is time for us to stand up and say, No, Mr. President, you actually have to follow the law.

Obviously, this amendment is even more apropos to the Defense appropriations bill, but we will be dealing with that weeks from now. The President has been violating the War Powers Act for many weeks. It is time to act today.

Moreover, if we put this amendment only on the Defense appropriations bill and don't put it on this bill, then we invite the administration to try to figure out clever accounting ways to use the billions of dollars provided to the Defense Department in this bill to carry out operations in Libya. We should not invite a loophole hunt. We should put the same restriction on both of the bills that fund the Defense Department.

Now, if we can pass the amendment, the President will, I hope, request an authorization from Congress to take action in Libya, and he will have to accept an authorization that will, I expect, be limited in time and scope. Perhaps it will say that only air forces and not ground forces can be committed. Perhaps it will require renewal every 3 or 6 months. There may be conditions on funding sources. For example, perhaps we use some of the \$33 billion that Qadhafi was stupid enough to leave invested in the United States in ways that we could find and that we have frozen rather than use taxpayer dollars.

Congress will ask some tough questions. And we may put some conditions requiring certain action also by the Benghazi transitional government. We would ask why the Benghazi government has refused to disassociate itself from the al Qaeda fighters and the Libyan Islamic Fighting Group men who are in their midst and why they will not remove from that transitional government those that have American blood on their hands from Iraq and Afghanistan.

This is not just the issue of an aggrandizing President. It is also the issue of a derelict Congress. Continuing military action in Libya should be conducted only consistent with American law. If Congress habitually appropriates funds knowing that those funds will be used to violate the law of the land, then we are complicit in undermining democracy and the rule of law in the United States. The question is not democracy and the rule of law in Libya; the question is democracy and the rule of law in the United States.

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

Mr. CULBERSON. Mr. Chairman, I rise in support of the amendment.

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

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment, and I will happily accept it, because it is evident that the administration is in direct violation of the War Powers Act, which requires the President to either certify to the Congress that the United States has been attacked or there is a national security interest of the United States at stake, and, if not, then we need to be notified. I think we are still waiting for the administration to talk to us, to justify, to explain the involvement of U.S. forces in Libya. Now we read over the weekend that the administration may send U.S. forces, our young men and women, into harm's way in Yemen. What are we going to do, Syria next?

The Congress of the United States has an obligation to make sure that, in the stewardship of our precious tax dollars and the responsibility we have to ensure the protection of our men and women in uniform and the people of this Nation, that we are enforcing the War Powers Act, that we are directly involved as a partner in the defense of the United States.

The administration has persistently and consistently refused to involve the Congress in these decisions to send our men and women into Libya and whether or not we are going to go into Yemen. Mr. SHERMAN's amendment is very reasonable and points out that, simply, we are not going to spend any money in violation of the law, we are not going to spend any money in violation of the War Powers Resolution.

The distinguished Chairman of the Committee of the Whole House is unable to speak, but I have to say that Mr. MCCLINTOCK's editorial, the positions that the gentleman from Cali-

fornia has taken, I agree with completely.

The action in Libya, as Mr. MCCLINTOCK has said, there could not be a more clear violation of the War Powers Act than the President's involvement of American Armed Forces in Libya. The Congress has never been notified. There has been obviously no attack on the United States. There is no strategic interest of the United States at stake in Libya or in Yemen. Where else is he going to send our troops without notifying the Congress and the people of the United States as required by the War Powers Act?

So, Mr. Chairman, I rise in support of the gentleman's amendment. I want to rise in support of Mr. TOM MCCLINTOCK of California's eloquent defense of the War Powers Act, and I urge the House to adopt Mr. SHERMAN's amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. AMASH

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Senator in the United States Senate or as the President of the United States.

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

The Acting CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes on his amendment.

Mr. AMASH. Mr. Chairman, at the start of this Congress, the House made important changes to the way the institution operates. We began by ending earmarks. Americans understood that the practice favored Representatives' pet projects while the taxpayer was left to foot the bill. Earmarks diverted our constituents' hard-earned money to low-priority projects and, even worse, appeared corrupt. Americans started to lose confidence in their government when they saw their Representatives using public funds for personal gain.

In a similar vein, this Congress continued last Congress' prohibition on "monuments to me." Like earmarks, when House Members name Federal programs and buildings after themselves, Americans can't be sure wheth-

er the programs are funded because they are worthwhile or because they benefit a House Member personally.

The appropriations bill we are considering today has a prohibition on "monuments to me" that mirrors the House rules and bans naming programs and buildings after current House Members. My amendment extends that same prohibition to current Senators and the President.

Ending "monuments to me" is an important step to preventing the waste of taxpayer dollars and to ensuring that our appropriations are in the best interests of the public, not the personal interests of elected representatives. I ask you to support my amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I insist on my point of order.

I certainly agree with the gentleman's sentiment. It is important that we as Members of Congress don't spend any money to name anything after ourselves. It is inappropriate. It just ought not be done.

I know that my colleague from Texas (Mr. MCCAUL) has also been working on this to prevent the use of taxpayer funds from being spent on monuments built at taxpayer expense to Members of Congress that are still living. This rule is in place for the House of Representatives. It ought to be in place for the Senate and the President of the United States.

POINT OF ORDER

Unfortunately, the gentleman's amendment imposes a duty on Federal agencies in violation of clause 2 of rule XXI, so I regret reluctantly I have to raise a point of order against the gentleman's amendment in that it proposes to change existing law, Mr. Chairman, and therefore constitutes legislation in an appropriations bill in violation of clause 2 of rule XXI, and that the amendment seeks to impose additional duties on a Federal agency or entity.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this amendment includes language requiring a new determination by the relevant executive branch official of the current membership of a body in the legislative branch. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

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

□ 1540

AMENDMENT OFFERED BY MR. FLORES

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 4 _____. None of the funds made available by this Act shall be available to enforce section 526 of the Energy Independence and

Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

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

Mr. FLORES. Mr. Chairman, my amendment is quite simple. During the 110th Congress there was a section added to the Energy Independence and Security Act that bans Federal agencies from entering into contracts for procurement of alternative fuel sources unless the "lifecycle greenhouse gas emissions" are less than or equal to such emissions from an equivalent conventional fuel produced from conventional petroleum sources. This amendment would simply prohibit the government from enforcing this ban on Federal agencies funded by the underlying bill.

I was not yet in Congress when the Energy Independence and Security Act was considered, but section 526 raises concerns over national security, economic security, and it creates bureaucratic uncertainty. Section 526 was added to this bill to stifle the Defense Department's plans to buy and develop coal-based—or "coal-to-liquids"—jet fuels. Environmentalists allege that this coal-based fuel will ultimately produce more greenhouse emissions than would traditional petroleum resources. This allegation is uncertain at best and does not account for ongoing improvements in carbon-capture technologies in association with CTL technology.

My amendment prohibits funds in the bill from being used to enforce section 526. Section 526 makes it more difficult for our Defense Department to become energy independent and to rely on more domestic and more stable sources of fuel instead of sources located in more unstable, volatile parts of the world. This is very problematic for our Defense Department by creating uncertainty about what fuels DOD can procure, and it discourages development of new sources, particularly reliable domestic sources of energy supplies for the Armed Forces. Section 526 opens DOD up to court or administrative challenges for every fuel purchase it makes. Per a July 9, 2008, letter to Senator JAMES INHOFE from the Pentagon, "Such a decision could cause significant harm to the readiness of the Armed Forces because these fuels may be widely used and particularly important in certain geographical areas."

Not only have extreme environmental views, policies, and regulations like section 526 burdened American families, hurt job creation, and hurt American businesses, but they are now potentially causing significant harm to the readiness of the Armed Forces. The Defense Department should not be wasting its time studying fuel emissions and should not have to be stifled by the arguments over how to interpret a small section of an energy law. This is an unacceptable burden to continue to place on our Nation's military, and it is an unacceptable precedent set in regard to America's energy policy.

I urge my colleagues to support passage of this commonsense amendment. I yield back the balance of my time.

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

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

Mr. CULBERSON. Mr. Chairman, I rise in strong support of the gentleman's amendment.

The United States is the Saudi Arabia of coal. We've been blessed by the good Lord with extraordinary resources. We have, apparently, the world's largest supply of shale gas, shale oil. Yet the administration is doing everything in their power to prevent us from even finding or locating additional shale oil or gas. The administration is doing everything in their power to prevent us from drilling in the Gulf of Mexico, which we've done for decades cleanly, safely, economically.

We could create hundreds and hundreds and hundreds of thousands of high-paying jobs in the United States if the administration would simply get out of the way and let Texans run Texas, and let the gulf States and the energy community unleash American ingenuity to do what they do best—produce domestic oil and gas cleanly and safely. The jobs that are produced in the Gulf of Mexico in the energy industry across the United States are safe, high-paying, high-quality jobs that the economy and the people of America desperately need.

Mr. FLORES has brought a very important amendment to the floor which would expand the use of petroleum derived from coal. The United States is blessed with abundant amounts of coal. This Federal law, section 526 of the Energy Independence and Security Act, discourages the production of liquefied gas or fuel from coal—and that's a vital part of our energy future. We understand, as constitutional conservatives, as the new majority in the House, that the United States needs to continue to invest in alternative technologies for the future. We are all in support of finding new ways to generate electricity to move the United States into the next era of energy beyond petroleum. But in the meantime, in the short term, we need to drill here and drill now. We need to use every available resource that the good Lord has blessed this Nation with in a way that's obviously clean, safe, ecologically friendly. We've done it in Texas for years.

Mr. FLORES has extensive experience in the energy industry. I'm proud to represent the energy corridor of Texas. Houston is to the energy industry what California and Silicon Valley are to the computer industry. We've proven time and time again that we can produce oil and gas safely, cleanly. We desperately need to open up drilling in the gulf. This administration has deliberately and systematically shut down drilling in the Gulf of Mexico, which increases our dependence on foreign oil, while

the administration has used our tax dollars and its influence in the International Monetary Fund to attempt to prop up and support Brazilian exploration for oil and gas, discouraging American development of oil and gas. It's a policy that continues to drive up the unemployment rate and drive down the production of American oil and gas. Mr. FLORES' amendment will allow us to expand the production of one vital American resource that we have in abundance—and that's coal.

So I strongly support the gentleman's amendment and urge its adoption.

I yield back the balance of my time.

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

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

Mr. DICKS. I rise today in opposition to the gentleman's amendment. Section 526 of the Energy Independence and Security Act of 2007 is intended to ensure that any alternative fuel that is introduced to replace conventional petroleum-based fuels must have greenhouse gas emissions that are less than or equal to the fuel it is replacing. That is a commonsense approach. The Department of Defense alone is the single largest energy consumer in the world. Its leadership in this area is critical to any credible approach to dealing with energy independence issues. Section 526 provides an opportunity for DOD to play a substantial role in spurring the innovation needed to produce alternative fuels which will not further exacerbate global climate change.

I would like to congratulate Secretary Mabus, Secretary of the Navy, for his energetic approach to trying to find alternative fuels. I think he, as Secretary, has done an outstanding job. He has put the Navy on a path towards energy independence and reducing the amount of petroleum products that we're using today.

So I urge my colleagues to vote "no" on this very shortsighted amendment.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I move to strike the last word.

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

Mr. ROE of Tennessee. The amendment I've offered the past week would simply reduce the information technology account in the VA by \$70 million and increase the same account by \$70 million.

□ 1550

My intention is to make it clear to the Department of Veterans Affairs that we must see progress on efforts to integrate the Department of Defense's and the VA's electronic medical records.

It is unthinkable that as we seek to make the transition from the military back to the homeland as seamless as possible we have a system as befuddling as the one we have, where a servicemember literally needs a paper copy

of his or her medical records to ensure information isn't lost in transitioning between the two systems. When severely injured patients are released and transferred from Walter Reed to the VA center at Mountain Home in Johnson City, Tennessee, all the information regarding their injuries and transfers can be terribly difficult to access. That shouldn't be the case.

This is why I support Chairman CULBERSON's report language, which recommends that the Department of Veterans Affairs set aside \$70 million of the overall \$3.25 billion in the Information Technology account for the Virtual Lifetime Electronic Medical Record system. I would, in fact, like to strengthen this language by putting it in the underlying bill to ensure this money gets spent on integration.

The VA and DOD maintain the two largest health care systems in the Nation, providing health care to 6 million veterans and to over 1.5 million active duty servicemembers respectfully. Within the VA alone, there are over 1,500 different facilities that provide care to veterans. To provide this care, the DOD and VA both rely on electronic health record systems to create, maintain, and manage patient health information; but the two agencies for years have operated different systems that can't talk to each other.

Let me give you an example: Ten billion dollars has been spent. A soldier leaves the military, and his records can't be transferred electronically to the VA. I had someone in my office just before I walked over here on the House floor who showed where an electronic medical records system would have prevented the delay in treatment of a veteran.

This general lack of cooperation between the two Departments has occurred for years at the collective cost of billions of dollars. I first became aware of this problem when I arrived in Congress and didn't realize it had been worked on for years.

I applaud the Appropriations Committee for highlighting the need for the VLER in its committee report, and I think this language should be put in the bill to ensure the VA spends the money for this purpose. A lifetime electronic health records system would improve the delivery of care to servicemembers who are transitioning from military to civilian life.

As a physician myself, I know the importance of having an organized and efficient electronic medical records systems. In fact, I helped put an electronic medical records system in my office for over 70 providers and tens of thousands of patients. I do understand the difficulties, and I know how hard it is to be done, but I know the importance of it. I hope the committee will adopt this amendment and work on strengthening it in the final bill to ensure we make clear to the VA that this integration must be a priority.

Mr. DICKS. Will the gentleman yield?

Mr. ROE of Tennessee. I yield to the gentleman from Washington.

Mr. DICKS. We are trying to vote on the Flores amendment. Could you have waited until we had voted on the amendment to make your 5-minute speech? This is totally irrelevant to this debate.

Mr. ROE of Tennessee. I apologize to the gentleman.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COFFMAN OF COLORADO

Mr. COFFMAN of Colorado. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ None of the funds made available in this Act may be used to by the Secretary of Veterans Affairs to provide disability compensation under chapter 11 of title 38, United States Code, to any veteran for post-traumatic stress disorder if the required in-service stressor claimed by the veteran is related to the veteran's fear of hostile military or terrorist activity and the places, types, and circumstances of the veteran's service did not include a combat zone.

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

The Acting CHAIR. A point of order is reserved.

The gentleman from Colorado is recognized for 5 minutes.

Mr. COFFMAN of Colorado. Mr. Chairman, I stand with the American people in wanting to make sure that our returning servicemembers from Iraq and Afghanistan are taken care of.

The signature wound in this war has emerged to be post-traumatic stress disorder. Since 2008, almost 100,000 claims for disability based on post-traumatic stress disorder have been awarded at a tremendous cost; but the concern is, again, that these veterans are taken care of. In July of last year, new rules were promulgated as to the eligibility criteria for post-traumatic stress disorder. What they did was to no longer require the servicemembers to relate a specific combat occurrence or occurrences to their post-traumatic stress disorders.

It is my belief that these rules are too loosely written and that what we ought to have is more definition to say that someone who has never served in a combat zone should not be eligible for post-traumatic stress disorder disability benefits—not treatment. Certainly, one would be eligible for treatment, but I understand that this amendment will require the Veterans Administration to create a definition and to make decisions on something they currently don't do, which is: service in a combat zone.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. COFFMAN of Colorado. I yield to the gentleman.

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

I certainly can appreciate the concerns that the gentleman raises that have caused him to offer the amendment. Yet I want to remind the gentleman of the awful incident that occurred at Fort Hood in Texas. There were a lot of our servicemembers who were present who experienced that awful, awful situation. Under this amendment, it would prevent the veterans and servicemembers, once they're discharged, from being able to take advantage of the benefits of the Department of Veterans Affairs because they were at Fort Hood as opposed to Afghanistan or Iraq or in some other place of hostility.

Also, I would remind the gentleman that the servicemembers who operate our unmanned aerial vehicles, such as the Predator, which has great capability for causing destruction in war—it's one of our great weapons—actually can see on video, in realtime, the death and the destruction and the dismemberment that is caused by the utilization of that, although they're in Nevada and the weapon is actually making its impact in Afghanistan. Of course, because of that, they would be disqualified.

Under this amendment, I think the gentleman's point is well taken in wanting to make sure that only those people who are entitled to veterans benefits in fact get them, but I think that perhaps there are some problems in the artful drafting of the amendment, which should be clarified. Because of that, I am reluctant to support it, and of course must oppose this amendment.

Mr. COFFMAN of Colorado. Reclaiming my time, the chairman has raised a similar issue. I certainly agree with him and understand about the issue of expanding the definition in this amendment to reflect terrorist activity that would be beyond a combat zone. Again, certainly, treatment would be available. We're not talking about that. We're merely talking about disability compensation. I probably disagree with you, as a combat veteran myself, on the ground side of your UAV example.

I realize that the amendment is out of order because of the fact that it really impedes on authorizing versus appropriating. Certainly, it is my intent—and I'd be happy to work with the gentleman from Georgia as well as with the gentleman from Texas—to come up with a definition that makes sure that we take care of those veterans who are most in need.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. FITZPATRICK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3))) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

□ 1600

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

Mr. FITZPATRICK. Mr. Chairman, I rise today to offer an amendment that would level the playing field for our Nation's veterans when it comes to contracting with the Federal Government.

After putting their lives on the line and at times their families and careers on hold in the service of our Nation, America's veterans deserve every consideration we can give them to adjust to life once they return. Veteran-owned small businesses are part of the American fabric; and as a government and a people, we must do all we can to encourage them.

Here are a few facts: According to the most recent census, over 2.4 million of our Nation's veterans are now small business owners. Veteran-owned companies now make up 9 percent of all U.S. firms. The Small Business Administration now estimates that one in seven veterans are self-employed or a small business owner. And, finally, nearly a quarter of veterans say they're interested in starting or in buying a small business.

Despite these encouraging numbers, the truth of the matter is veterans are unemployed at a higher level than any of us find acceptable. For instance, the unemployment rate for young veterans returning from Afghanistan and Iraq reached a staggering 22 percent last year. Mr. Chairman, this number is simply unacceptable. We must work to reduce this number, and it should be the explicit, stated policy of all government agencies to assist veteran entrepreneurs.

As our Nation struggles to achieve an economic recovery, we should be looking to utilize the talent, expertise, and leadership skills of our Nation's veterans. These men and women volunteered to selflessly serve our country and, in order to succeed, must display self-discipline and leadership. It is characteristics and character traits like these that should be nurtured and fostered to help our economy grow again and put people back to work.

Veterans have served our Nation nobly across the world. Now, their in-

novation and expertise can help lead our American recovery. Ultimately, we must all be focused on putting our constituents back to work, and I believe, Mr. Chairman, that this amendment will help to do that.

This amendment will give veteran-owned small businesses preferences for contracts in this bill equal to any group eligible for preferred consideration, except for service-disabled veteran-owned small businesses. The practice of the Federal Government providing preferences to encourage government to do business with certain groups is well established. This amendment does not diminish preferences to any other group. It simply extends to veteran-owned small businesses the same level of consideration.

The amendment would apply to all Federal contracts authorized by the Military Construction and Veterans Affairs Act and would be attached to any portion of State and local projects funded with Federal dollars.

To preserve the integrity of the program, small businesses are considered those defined by the Small Business Administration, and eligible businesses must be registered veteran-owned businesses with the Department of Veterans Affairs. The VA's Center for Veteran Enterprise maintains a database of certified registered veteran-owned businesses. In many cases, this amendment will simply be codifying existing practice and ensure that it will continue to be the policy of our Nation.

Mr. Chairman, veterans have sacrificed much for our Nation. It is only fair that, if any group is given preferential contracting status, that veterans receive it as a well. I urge my colleagues to support this amendment. I yield back the balance of my time.

Mr. CULBERSON. I rise in support of the gentleman's amendment.

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

Mr. CULBERSON. I want to express the committee's strong support for the gentleman's amendment.

We are all in agreement that the Nation needs to look first to attempt to hire our veterans who have served this Nation, to attempt to encourage the businesses that are developed and built by veterans to thrive and to prosper; and the gentleman's amendment is a great way to encourage veteran-owned businesses to thrive.

We should, in the work the Federal Government contracts out, do everything we can to encourage the development of, and hiring of, small businesses owned and operated by veterans; and we strongly support the gentleman's amendment and urge its adoption.

I yield back the balance of my time. Mr. BISHOP of Georgia. I move to strike the last word.

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

Mr. BISHOP of Georgia. Let me just say that the gentleman's amendment is very, very well taken. I fully support it; and it works in tandem with some

other legislation, some authorizing legislation that I think the chairman, Mr. CULBERSON, and I, along with Mr. DICKS and Mr. YOUNG and many, many others, on a bipartisan basis, have often called the Hiring Heroes Act, which basically supports our veterans as they come back to make sure that they can be gainfully employed and that they are duly allowed to participate in the economy, to work and to engage in gainful employment.

I think that this amendment, as far as small businesses go, as far as veterans preferences, is very well taken, and I think that we ought to do that, as well as everything else we can possibly do, to make sure that the transition from full-time active service to the civilian population of our country on the part of our veterans is fully supported by this Congress and by the people of the United States.

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

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

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

Mr. DICKS. I rise in support of the gentleman's amendment. Veteran-owned companies are a great asset that we should be further encouraging. These businesses obviously play a positive role in the economy by providing not only jobs, goods, and services, but also are reducing unemployment amongst veterans who are already struggling with the unemployment rate greater than that of the general populace.

Furthermore, the government has done poorly in reaching its 3 percent contracting goal for veterans. For example, agencies' contract awards were below 1 percent from 2003 to 2006. The most recent figures for 2009 show agencies awarded only 1.98 percent to service-disabled veterans. We must do more to ensure that our veterans are transitioning from soldiers to civilians and we are actively encouraging new opportunities for vets.

I believe this amendment will help the Department of Defense and VA to do better. I support this amendment and urge its adoption.

I yield back the balance of my time.

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

The amendment was agreed to.

Mr. BISHOP of Georgia. I move to strike the last word.

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

Mr. BISHOP of Georgia. I rise to engage in a colloquy with the gentleman from Texas.

Mr. Chairman, the gentleman from Pennsylvania (Mr. FATTAH) brought a matter to our attention that is very, very important and significant, and I think it's appropriate that we ought to at least examine that in the form of a

colloquy here on the floor as we consider this Military Construction, Veterans Affairs, and Related Agencies appropriations bill.

Mr. Chairman, many veterans have returned home from Iraq and Afghanistan with severe disabilities; and when their service results in a disability, we have a duty to help them. And one way that veterans receive this help is through the use of guide dogs. Now, the way the process works, veterans are assessed and they're trained for orientation and mobility. If a veteran needs a guide dog, information on how to contact guide dog schools is provided. Essentially, the veteran is referred to a nonprofit. There's no funding provided directly from the VA to these nonprofits; and with the costs associated with training these dogs, it takes time to raise the money which, in turn, causes a backlog for veterans, as well as for nonveterans.

□ 1610

We have to look at this issue and see what it is that the Veterans Administration can do to help because these dogs mean so much to those who need them.

Mr. CULBERSON. Will the ranking member yield?

Mr. BISHOP of Georgia. I yield to the chairman of the subcommittee.

Mr. CULBERSON. Mr. BISHOP, the gentleman from Pennsylvania has raised a very important matter that we need to look into in the subcommittee as we move into conference. And I want to reassure the gentleman from Pennsylvania that the subcommittee and I will work diligently with him to look further into this issue to find ways that we can help make sure that the veterans who need guide dogs and service dogs get them.

Mr. BISHOP of Georgia. I am sure, Mr. Chairman, that Mr. FATTAH and other Members will be very, very appreciative of you. We thank you for your comments, and we look forward to working with all of our colleagues to support our veterans and their families.

Mr. DICKS. Will the gentleman yield?

Mr. BISHOP of Georgia. I would be delighted to yield to the gentleman from Washington.

Mr. DICKS. I just want to mention a program called Pets for Patriots. I happened to have attended an event here just about a week ago where there is a national organization being created to get pets for our returning veterans and especially for some of those who have very serious injuries. So I think there is a real need for this, and I think it's been demonstrated. And I commend Mr. FATTAH for his diligence and for your help in raising this issue.

Mr. BISHOP of Georgia. Thank you very much for your comments.

I yield back the balance of my time.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FITZPATRICK) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 13 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LANKFORD) at 6 o'clock and 30 minutes p.m.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 288 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. 2055.

□ 1832

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. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WESTMORELAND (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) had been disposed of and the bill had been read through page 61, line 2.

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

The amendment by Mr. LATOURETTE of Ohio.

Amendment No. 4 by Mr. AMASH of Michigan.

Amendment No. 2 by Mr. SHERMAN of California.

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

AMENDMENT OFFERED BY MR. LATOURETTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 204, noes 203, not voting 25, as follows:

[Roll No. 413]

AYES—204

Ackerman	Green, Gene	Neal
Altmire	Grimm	Olver
Andrews	Gutierrez	Owens
Baca	Hanabusa	Pallone
Baldwin	Hastings (FL)	Pascarell
Barrow	Hayworth	Pastor (AZ)
Barton (TX)	Heinrich	Payne
Bass (CA)	Himes	Pelosi
Becerra	Hinchey	Perlmutter
Berkley	Hinojosa	Peters
Berman	Hirono	Peterson
Biggert	Hochul	Petri
Bishop (GA)	Holden	Pingree (ME)
Bishop (NY)	Holt	Polis
Blumenauer	Honda	Price (NC)
Boswell	Hoyer	Quigley
Brady (PA)	Inslee	Rahall
Braley (IA)	Israel	Rangel
Brown (FL)	Jackson (IL)	Reichert
Capps	Jackson Lee	Reyes
Capuano	(TX)	Richardson
Carnahan	Johnson (GA)	Richmond
Carney	Johnson (IL)	Ros-Lehtinen
Carson (IN)	Johnson, E. B.	Roskam
Castor (FL)	Kaptur	Ross (AR)
Chandler	Keating	Rothman (NJ)
Chu	Kildee	Roybal-Allard
Ciulline	Kind	Runyan
Clarke (MI)	King (NY)	Ruppersberger
Clarke (NY)	Kissell	Ryan (OH)
Clay	Kucinich	Sánchez, Linda T.
Cleaver	Lance	Sanchez, Loretta
Clyburn	Langevin	Sarbanes
Cohen	Larsen (WA)	Schakowsky
Connolly (VA)	Larson (CT)	Schiff
Conyers	LaTourette	Schmidt
Cooper	Levin	Schock
Costa	Lewis (GA)	Schrader
Costello	Lipinski	Schwartz
Courtney	LoBiondo	Scott (VA)
Critz	Loeb sack	Scott, David
Crowley	Lofgren, Zoe	Serrano
Cuellar	Lowey	Sewell
Cummings	Luján	Sherman
Davis (CA)	Lynch	Shuler
Davis (IL)	Maloney	Sires
DeFazio	Markey	Smith (NJ)
DeGette	Matheson	Smith (WA)
DeLauro	Matsui	Stark
Deutch	McCarthy (NY)	Sutton
Diaz-Balart	McCollum	Thompson (CA)
Dicks	McCotter	Thompson (MS)
Doggett	McDermott	
Dold	McGovern	
Donnelly (IN)	McIntyre	
Doyle	McKinley	
Edwards	McNerney	
Ellison	Meeks	
Emerson	Michaud	
Farr	Miller (NC)	
Fattah	Miller, George	
Filner	Moore	
Frank (MA)	Moran	
Fudge	Murphy (CT)	
Garamendi	Murphy (PA)	
Gonzalez	Nadler	
Green, Al	Napolitano	