

great clarity that the 25 amendments that have been made in order by the Rules Committee are good for this institution, this body, and lives up to the promise not just that our Speaker, the gentleman, JOHN BOEHNER, and our Majority Leader, ERIC CANTOR, subscribe to, but also the chairman of the Rules Committee, the gentleman, DAVID DREIER.

Mr. Speaker, the bill we are discussing today provides a long-term certainty in the flood insurance market. It allows for greater transparency and accountability in the flood insurance program and removes or diminishes greatly the great risk that taxpayers incur from bailing out the current program.

This country is facing a \$14 trillion debt with almost \$18 billion of that coming from the NFIP. Congress sorely needed to retain its control over this program and to ensure that we relooked at it in its reauthorization. However, we still have a government that spends way too much, taxes too much, listens too little to the needs of the American people. And today, the Republican Party, through the leadership that we're being provided by Mrs. BIGGERT from Illinois, is doing exactly that one at a time, to take on the programs and needs of this great Nation.

Once again, this bill provides us much needed long-term reauthorization and amends the NFIP to ensure the immediate and near-term fiscal administrative health of this program. The bill also ensures the NFIP's continued viability by encouraging broader participation in the program, increasing financial accountability, eliminating unnecessary rate subsidies, and updating the program to meet the current needs of this great Nation.

I applaud my colleagues for introducing the bill, the gentlewoman, Mrs. BIGGERT, for her hard work, the hundreds of meetings that were involved taking feedback from Members of Congress, looking at their needs, and then addressing those.

I encourage a "yes" vote on this rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1000

PROVIDING FOR CONSIDERATION OF H.R. 2354, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 337 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 337

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal, year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration if the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. WEBSTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my colleague on the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

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

House Resolution 337 provides for an open rule for consideration for H.R. 2354, the Energy and Water Development and Related Agencies Appropriations Act of 2012. This rule provides for ample debate and opportunities for the

Members of the minority and majority to participate in that debate. The rule places no limitations on the number of amendments that may be considered, as long as they comply with the rules of the House.

This continues the Speaker's and the Rules chairman's desire and commitment to have transparency and openness, which was demanded by the American people. It's been a long time since we had this type of process, and it's great to have an open process. I think it helps with the partisanship that we have experienced.

The underlying bill funds the Department of Energy, while also moving forward several ongoing construction and operation and maintenance efforts by the Corps of Engineers. It also provides \$1.2 billion in emergency funding for the communities of the Midwest and South ravaged by tornadoes, storms, and floods earlier this year. \$477 million is set aside for fossil energy research and development. Nearly three times the amount, \$1.3 billion, is appropriated for energy efficiency and renewable energy programs to ensure that we continue to move forward in developing next-generation power sources and fuels. Critical defense environmental cleanup efforts are funded at a total of \$4.9 billion.

This bill recognizes the importance of a long term nuclear waste disposal policy for the United States; \$3.5 million is provided for nuclear waste disposal for the Yucca Mountain nuclear waste storage site in Nevada. Further, no funds in this bill will be used to shut down Yucca Mountain. Since 1983, taxpayers have spent over \$15 billion for the construction of this facility, and this bill reasserts the sense of the body that Yucca Mountain is the future repository for nuclear waste.

Is every program or project funded at the levels that we would like? Probably not. For example, long-awaited Federal funds for the Everglades effort in my home State of Florida are significantly pared back in this bill. I am sure almost every Member of this body could find some program, some project or effort that they would like to see plussed up. This is not a perfect world, however, and at the end of the day the funding levels in this bill represent only a 3.3 percent modest cut from last year.

We have to scale back our spending. Appropriations in the last Congress accrued about \$1.65 trillion in deficit spending. That's the largest ever. We borrow about \$4.5 billion every day. And we just have to pare back.

Will the cuts made in this bill alone right our Nation's fiscal ship? No, but it's a start. It moves the rudder; maybe a half a degree, but it does move the rudder to turn it around. The bill changes the way Washington has spent taxpayers' money in the past. For example, there are no earmarks in this bill. Also, because this bill is being considered in an open rule, any Member can offer an amendment to increase

or decrease funding levels. Again, a 3.3 percent cut to the Department of Energy and Corps of Engineers budget will not solve all of our Nation's fiscal problems, but at least it's a step in the right direction.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. Given our current budget situation, the Appropriations Committee has worked diligently to provide us with a fiscally responsible bill that allows Congress to begin living within its means, just like American families and businesses are forced to do every day.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

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

I would like to thank my colleague from Florida for the time, as well as to thank the majority members of the Rules Committee for a fair rule that will enable a wide variety of floor amendments to be brought forward.

I do rise in opposition to the underlying bill unless there are major changes made, which I hope a majority of the House successfully achieves in doing under this fair open rule.

The current political debate in Washington is dominated by the question of Federal spending. And I think it's a question that we need to revisit under each appropriations bill. We need to cut wasteful spending. We should eliminate programs that don't work, eliminate corporate giveaways, look at the cost of tax subsidies that cost billions of dollars to Americans but fail to create jobs, and really serve to enrich special interests.

We also need to make sure that we don't lose sight, in our drive to reduce the deficit, that we impact investments that are creative and help our economy and reduce deficits over time. Just as a successful business making cuts in a recession would make the cuts intelligently and wouldn't cut essential investments on capital resources, Congress shouldn't slash domestic investments that create jobs while also at the same time continuing to give handouts to multibillion dollar corporations.

Given the approach to budgeting this year in this body, it seems like the majority isn't basing their decisions on cold arithmetic that's needed to balance a budget. Rather, there seems to be a different equation in play, an approach driven by ideology and special interest lobbying, not by a real concern for deficit reduction. With this appropriations bill, I think what we are seeing is more of the same.

How else can we explain a budget that ends Medicare while preserving tax subsidies for Big Oil, tax subsidies for corporate jets, and continues wasteful defense programs, in fact actually increases the defense budget when we know that we have more defense than we can afford in this country? Why is

wasteful spending prioritized over health care for our seniors, the education of our children, and investments under this bill that keep our air and water supply clean and healthy, reducing health care costs in the long run?

Now, again, when we talk about these appropriations bills it's not a debate over whether we should cut the deficit. I think Republicans and Democrats agree that we need to cut the deficit. It's a debate about how we restore fiscal discipline that has been abandoned over the last decade. Let's have that debate here in the U.S. House. And I am glad that this rule allows us to do it under this bill. And I hope we are able to make some major changes to this bill.

□ 1010

Unfortunately, the Energy and Water bill as presented before the House under this rule exemplifies a reckless and ideological approach to the budget.

This bill actually increases funding levels, increases deficit funding levels for fossil fuel research and development, oil and gas research, increases Federal spending on these programs, while cutting investments in clean energy research. In the past, Republicans have claimed that they were for an "all of the above" approach to energy policy, looking at optimizing exploitation of fossil fuels and also investing in new energy research, but instead of "all of the above," this bill represents an "oil above all" approach to national energy policy. It's simply not a serious response to America's need for cleaner, more affordable domestic energy.

At a time when we all agree we're confronting a fiscal crisis, how can we ask American taxpayers to foot the bill for ExxonMobil's R&D? That's exactly what we do under this bill. It's one of a series of subsidies for Big Oil that the majority has chosen to protect at a time that they're also demanding Americans see funding cut for schools and for seniors. Instead of increasing wasteful spending which benefits only the fossil fuel industry, we should invest in the American clean energy innovation that will benefit our national security, our environment, and our economy.

This legislation cuts total funding for the Energy Department's Office of Energy Efficiency and Renewable Energy by 42 percent compared to 2010, at the same time increasing subsidies to oil and gas. These cuts will mean less innovation, dirtier energy and fewer clean energy jobs. In my home State of Colorado alone, over 5,000 jobs have been spun off of research that was conducted at the National Renewable Energy Laboratory, and the lab gives an estimated \$714 million annual boost to our State's economy. It's that kind of research that is devastated under this bill. Through this open amendment process, I call upon my colleagues on both sides of the aisle to support efforts to restore that funding.

These labs, like the National Renewable Energy Laboratory and the basic

Federal research, are incubators for the private sector. The investments don't go to bloated bureaucracies or government bureaucrats in Washington. They go to the actual hiring of experts and innovators that will spin off their ideas to entrepreneurs to bring to the marketplace, a model for private sector job growth that's critical for our Nation's economy and critical for our national security in meeting our own energy needs domestically.

The Department of Energy's investments in clean energy are the first step in a job create domino effect. As of August 2010, as an example, the National Renewable Energy Laboratory had 329 contracts with Colorado companies totaling \$414 million, including \$75.3 million in the most recent fiscal year. NREL had cooperative research and development agreements with 23 Colorado companies, and NREL supports interactions with companies from across the Nation. That's just one example of the many research initiatives and public-private partnerships that this bill as written would call into jeopardy.

And while again calling into jeopardy much of this fundamental research that has private sector applications, we're again increasing subsidies to the fossil fuel industry's research. There is a \$141 million or 81 percent cut to weatherization initiatives that help insulate the homes of low-income, elderly and disabled individuals in this bill, while continuing and increasing subsidies to the fossil fuel industry.

Another dangerous cut in this bill is cutting funding to the Advanced Research Projects Agency, ARPA-E, by 44 percent compared to the current year. ARPA-E has strongly had bipartisan support for years and helps fund innovation in the economy based on a proven successful model we've had in defense for many years called DARPA. It funds path-breaking ideas that are unlikely to get funding anywhere else at an early stage. This creative model is crafted after DARPA, which has led to things ranging from cell phones to the creation of the Internet itself, and it has tremendous implications for America to meet its renewable energy needs.

The bill before us is not smart, and it's not sensible. It's simply not a fiscally responsible bill that meets our Nation's future energy needs and cuts our deficit. I urge my colleagues to improve this bill through amendments during this open amendment process and, if it's in anything close to its current form, to oppose the final bill.

I reserve the balance of my time.

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

I would just like to address a couple of items: number one, the tax policy we've been talking about and how we could raise extra revenues. The tax policy we have today was given to us by the 111th Congress. I assume if they had wanted to change it, they would have when they had the majority. They didn't. They gave us the tax policy. We

haven't gotten to that yet, but we will at some point in time.

As far as the money we're using in this budget, it is a small decrease, but we have to do it. We're borrowing 40 cents on the dollar; \$4.5 billion a day. We cannot afford it. If we were to increase the allocation in this particular bill, then we would actually be borrowing 100 percent of that allocation increase because we do not have the cash.

So to me, we are here with a good bill. The rule certainly is a good rule. It's an open rule. It's the perfect opportunity for anybody that wants to change this bill to do so. However, the underlying bill is also a good bill. It's done very well.

Just to give you a picture of what the minority said about it in their views that serve on the committee:

"We commend the chairmen, both the sub chair and the full chair, for their efforts to assemble this bill in an inclusive manner. The bill funds critical water resource projects, supports science activities necessary to American competitiveness, and contributes to our national defense through vital weapons, naval reactor research and nonproliferation funding, all priorities that unite rather than divide us."

There was a disagreement and that is over the allocation, but we simply cannot afford any more of an allocation for this than we have. The budget that was done is an excellent one under the circumstances.

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

Mr. POLIS. It is my honor to yield 4 minutes to the gentlewoman from California, a former colleague of mine on the Rules Committee, Ms. MATSUI.

Ms. MATSUI. I want to thank my colleague from Colorado for yielding me time.

Mr. Speaker, I have been a tireless advocate on behalf of Sacramento's flood protection priorities. Sacramento is the most at-risk metropolitan area for major flooding, as it lies at the confluence of two great rivers, the Sacramento and the American. The city is home to California's State Capitol, an international airport, the State's water and electric grids and over a half million people. If Sacramento were to flood, the economic damages would range between \$28 and \$40 billion. The consequences of such a flood would be felt across the Nation.

Even in this austere budget environment, it is critical that Sacramento's basic flood protection needs are met. I want to applaud the Energy and Water appropriations subcommittee for including funding for Sacramento's top flood protection projects. Each one of these projects is a critical component to improving the flood protection for the entire Sacramento region. Taken together, the completed projects will bring us closer to the level of flood protection that families and businesses throughout the region need and deserve.

Moreover, these projects are already in the midst of construction. A lapse of funding would not only postpone the safety that the completed projects will provide but would also increase project costs, something that we cannot afford. In fact, these projects have already been funded at the local and State level and are awaiting a sustained Federal match. For example, Federal funding will help finish the Folsom Dam Joint Federal Project, the JFP, where continued construction on the auxiliary spillway will provide greater efficiency in managing flood storage in the Folsom Reservoir. The hundreds of thousands of residents living below the dam will be better protected once the project is finished.

The JFP and our levee improvements will go a long way toward protecting and preventing flooding in Sacramento, but the funding in this bill does not fully support Sacramento's flood protection needs. The levels in this bill are actually below the Corps of Engineers' full capability.

This winter, we have had record-breaking snowpack in the Sierra Nevada mountain range, which rests just above Sacramento.

□ 1020

We are fortunate that the snowpack did not melt all at once. When this occurs, our dams and levees are put to the test.

Mr. Speaker, luck is not something that the American people should have to rely upon. Hurricane Katrina and this year's flooding in the Midwest taught us that we need to take large leaps forward in shoring up our Nation's flood protection infrastructure.

Let's take the opportunity to fix our Nation's flood protection system while the sun is out and not watch another American community get swept away in high water.

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

Mr. POLIS. I have no additional speakers and would inquire of the gentleman from Florida if he has any remaining speakers.

Mr. WEBSTER. Mr. Speaker, I am prepared to close.

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

Mr. Speaker, this bill, again, while we appreciate the open amendment process, will need an open amendment process to correct because it's so highly flawed in its current form.

It serves as the majority's vehicle for a whole series of anti-environment, anti-public interest riders. These riders undercut the Clean Water Act, putting at risk public health and increasing economic burdens on local communities.

The bill prevents the Army Corps of Engineers from applying anti-pollution protections to many rivers, streams and wetlands that supply drinking water and prevent flooding. Over 100 million Americans get their drinking water from public supplies provided in

whole or in part from waters that are at risk of losing Clean Water Act safeguards under this bill as written.

Furthermore, the committee report language that accompanies the bill contains even more explicit policy directives, including the mandate that what was to be an independent advisory board on the safety of shale gas drilling be dominated by industry representatives, which would be a prime example of the fox guarding the chicken coop.

Unconventional shale gas has been expanding into new areas at a breakneck pace and has been accompanied by growing health and pollution problems experienced by residents and communities when the drilling is taking place in close proximity to where families are living. Its growth is outpacing current safeguards and exemptions already give the industry too much isolation from public safety assurances.

I have grave concerns that the committee felt the need to interfere in a balanced and truly independent technology advisory panel with the aim of silencing public voices in favor of representing the industry above all other legitimate stakeholders. In fact, the advisory panel is already heavily tipped in industry's favor, and the language shows us exactly whose side this legislation is on—entrenched industries and polluters, not the public interest.

The annual Energy and Water appropriations bill is important funding legislation. Historically, it has been broadly bipartisan, and it shouldn't be a playground for special interest handouts. Yet under this majority, that's what this bill has become that we are considering today.

The bill in its current form undermines our energy future, undermines our national security and subsidizes an energy industry that has given us record gas prices, fracking health hazards and dirtier air. It attempts to drive a supertanker-sized loophole through the laws that keep our clean water safe.

This bill should be focused on investing in innovation to strengthen our country and our national security and our energy future, not focused on wasteful spending to special interests supporting entrenched industries and harmful cuts to their clean competitors.

I urge a "no" vote on this bill.

I urge my colleagues to come forth and try to improve this bill under the rule.

I yield back the balance of my time.

Mr. WEBSTER. Mr. Speaker, as you heard me say earlier, my Republican colleagues and I are committed to providing a more open, accountable, and transparent process. And the underlying bill went through regular order, including eight different subcommittee hearings. Several Democrat amendments were adopted on the committee level. It has provided an open rule to allow Republicans and Democrats alike to offer their ideas in open, honest debate.

This vote is on the rule, which provides for an open, transparent process where the ideas and policies will rise and fall on the basis of their merit, not on their party affiliations. This is what the American people expect of their elected officials. It's an expectation that's being fulfilled by this rule, and I encourage my colleagues to join me in supporting its passage.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

THE SPEAKER pro tempore (Mr. WEBSTER). Pursuant to House Resolution 320 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. 2219.

□ 1028

#### 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. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. BASS of New Hampshire (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, July 7, 2011, the bill had been read through page 161, line 12.

#### AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. 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 new section:

"SEC. \_\_\_\_ None of the funds in this Act may be used for military operations in or against Libya except under a declaration of war against Libya pursuant to clause 11 in section 8 of article I of the Constitution."

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

□ 1030

Mr. KUCINICH. Mr. Chairman, members of the committee, before the House completes work on this important bill, I think that it is imperative that the House is provided with one more opportunity to clarify its position with respect to the Constitution and our power under article I, section 8, clause 11 of the Constitution, which reads as follows, that Congress has the power to declare war.

This amendment says none of the funds in this act may be used for military operations in or against Libya except under a declaration of war against Libya pursuant to clause 11 in section 8 of article I of the Constitution.

So what this amendment does is it recognizes Congress' power to appropriate and links it, in this case, to Congress' ability to declare war and enables this House to definitively—definitively—make a statement that it is our prerogative, our Constitutional right, to determine whether or not this Nation goes to war, and we are not going to see any war funded absent a declaration of war by this Congress.

It is imperative that we act, because by September, this administration will have spent \$1 billion on the war without Congress having any say in that whatsoever. We will have gone to a war without any ability of Congress to have a voice.

Now, to its credit, this House has taken up numerous proposals relative to the war in Libya that have sought to limit the sphere of conduct of hostilities against Libya—no ground troops and no money to rebels. This amendment, however, gives the House one last opportunity within this bill to speak very clearly about article I, section 8, clause 11 and to do it in the context of an appropriations bill which says that we will not permit any funds to be spent unless this Congress moves forward with a declaration of war.

I yield back the balance of my time.

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

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

Mr. DICKS. First of all, the President has made a very strong case for our military action in Libya. I think, as Commander in Chief, he has the authority. We had a U.N. resolution, the NATO allies were involved and so was the Arab League.

There is another option. The other option is the War Powers Act. And I hope at some point the President will ask for congressional support of his initiative in Libya.

The idea that we're going to pull out of this unilaterally and undermine the NATO alliance I think is a terrible mistake. Although I have the greatest respect for the gentleman from Ohio, I'm strongly opposed to his amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. Mr. Chairman, I will first admit that this gentleman introducing this amendment, if nothing else, is certainly persistent. The only problem is, after 2 lengthy days, 10 and 11 hours each day, with amendment after amendment being presented, we have just been given this amendment in the last 5 minutes. We would have liked to have had a little more time to really analyze it. But a quick analysis of this amendment tells me that it is very similar to all of the other Libyan amendments that we have defeated in the last 2 days.

For example, I believe that this amendment would preclude any search-

and-rescue mission on the part of Americans to save Americans. I'm satisfied it would prevent us from providing any intelligence surveillance, or reconnaissance. I'm satisfied that it would not permit us to do any aerial refueling of our coalition or NATO partners. I'm satisfied that the amendment would prohibit us from even being involved while operational plans are being developed that might have an effect on the support role that the United States plays.

So, here we go again. We've already defeated this issue close to a dozen times in the last 2 days. So I just suggest that we move on and defeat this amendment.

I yield back the balance of my time.

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

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

Mr. KUCINICH. 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.

#### ANNOUNCEMENT BY THE ACTING CHAIR

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

The first amendment by Mr. FLAKE of Arizona.

The second amendment by Mr. FLAKE of Arizona.

The third amendment by Mr. FLAKE of Arizona.

Amendment No. 77 by Mr. HUELSKAMP of Kansas.

An amendment by Mr. POLIS of Colorado.

An amendment by Mr. KUCINICH of Ohio.

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

#### AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk will redesignate the amendment.

The 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 39, noes 380, not voting 12, as follows: