

money in this bill for House restaurant services. They are funded through a revolving trust fund, and that money comes from another source. So it wouldn't have any impact in the first place.

Number two, if it did have any impact, all it would do is raise the cost of everything in the restaurants, which would be passed on to the folks. That's not a great thing, to spend more money.

Number three, my last good reason, the gentleman mentioned that this year there was a bipartisan letter from the chairman of the House Administration Committee along with the ranking member to say we tried this program and we're going to end it.

So for those three reasons, I think it is appropriate to vote "no."

I reserve the balance of my time.

Mr. MORAN. Madam Chair, with regard to the argument that the gentlemen makes, first of all it seems to me that we should set ourselves on record, and the appropriations bill is the ultimate source of funding for the Capitol complex. But the argument that this will save money it seems to me is deficient when we are talking about human health. I mean, we could choose not to spend money on purifying our water. We'd save a lot of money. Just let people drink out of the tap or get their water wherever. But we feel that the health of our employees and our constituents who visit us is important enough that we should spend that extra money.

Science is telling us that, in fact, toxics leak from this material into the food and the drink that our employees and our constituents are using. We may not be as fully aware of that, but we know that polystyrene is a toxic material. It seems to me we should err on the side of caution, particularly when the health of our employees and our constituents is concerned.

I reserve the balance of my time.

Mr. CRENSHAW. Madam Chair, I yield 3 minutes to the gentleman from California, Chairman LUNGREN, the chairman of the House Administration Committee and the author of the letter that ended the program in January.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Let me just reiterate, this came to my attention as chairman of the House Administration Committee when we received a letter from the Democratic side of the aisle as part of the transition team recommending that we discontinue this part of the greening initiative process, Greening the Capitol process; that is, this one did not work. It was a Democrat who told us we ought to get rid of it.

So once I heard that, I also heard complaints from both Democratic and Republican Members of the House and their staffs that the recyclable utensils we had didn't work—didn't work—and they asked for something that did work. And so we cancelled the program.

This idea about Styrofoam being a real health hazard, Linda Birnbaum, who is the toxicologist who heads the government agency that declared styrene a likely cancer risk, said this: Let me put your mind at ease right away about Styrofoam. In finished products, certainly styrene is not an issue.

The gentleman has said, and the other gentleman from Vermont said, that we ought to follow McDonald's. They no longer have this product. Well, yesterday my staff went out and got this product from McDonald's, which is Styrofoam; and got this product from McDonald's, which is Styrofoam; and got this product from McDonald's, which is Styrofoam. So I don't know where they get this information.

Lastly, they should understand that polystyrene is approved as safe for use in food service by the FDA. Anything that contains food product that comes into contact with individuals must be approved by the FDA. This is approved by the FDA.

Also, this week we are receiving bids back from our request for proposal on trying to get a waste energy recycling program to get rid of the waste that we have here on the Hill. This is to turn it into energy by way of heat energy and capture any of the offensive by-products that may be produced. This is what we are doing.

Look, you can have good science and you can have bad science. You can have smart science and you can have dumb science. You can have science or you can have no science. Now, I'm not sure which of the latter categories this proposal falls into, but it's not science. Science suggests that this is something that ought to be appropriate.

There are any number of producers of polystyrene in Members' districts around this country. There are 2,100 users of it. This amounts to billions of dollars and thousands of jobs, tens of thousands of jobs, 8,000 just in California alone.

So once again, we are using bad science to scare people. And what's the impact? It's going to cost more money. I approved of this program because it saves a half a million dollars in a single year—half a million dollars. It will save energy, and we will have literally no residue when we move from waste to energy production. It's a win/win/win situation.

By the way, members of our staffs have thanked me for doing this. They now have utensils that actually are usable.

Mr. MORAN. Madam Chair, first of all, the letter that was sent did not request polystyrene products by any means. It was referring to another product that was corn based. Certainly Mr. BRADY was not recommending dangerous Styrofoam material.

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

Mr. CRENSHAW. Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. CALVERT), a member of the subcommittee.

Mr. CALVERT. Madam Chairman, before I came here to Congress, I was in the restaurant business. We had to please the customers that we served. We certainly couldn't give them an inferior product. Only in Washington, D.C., would we spend more and get less. The gentleman from California has referenced \$500,000 a year more in cost, and if you did a survey of the people who used those products, it would be dismal.

I had the experience of putting a fork in a hot piece of meat one day, and it melted. That is ridiculous. We in Congress should not give inferior products to people who work here and serve here, and spend more money for it.

So with that, Madam Chairman, let's just do the commonsense thing here and get a product that works and spend less money.

Mr. CRENSHAW. I yield back the balance of my time.

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

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

Mr. MORAN. Madam Chair, 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 Virginia will be postponed.

Mr. CRENSHAW. Madam Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DANIEL E. LUNGREN of California) having assumed the chair, Mrs. BIGGERT, 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. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1383. An act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 41 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1002

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CRENSHAW) at 10 o'clock and 2 minutes a.m.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 359 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. 2551.

□ 1003

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. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. BIGGERT (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, a request for a recorded vote on amendment No. 9 printed in House Report 112-173 offered by the gentleman from Virginia (Mr. MORAN) had been 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 House Report 112-173 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WATT of North Carolina.

Amendment No. 5 by Ms. HAYWORTH of New York.

Amendment No. 6 by Mr. BROUN of Georgia.

Amendment No. 8 by Mr. STUTZMAN of Indiana.

Amendment No. 15 by Mr. THOMPSON of Pennsylvania.

Amendment No. 12 by Mr. HOLT of New Jersey.

Amendment No. 9 by Mr. MORAN of Virginia.

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

AMENDMENT NO. 2 OFFERED BY MR. WATT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. WATT) 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 102, noes 302, answered “present” 7, not voting 21, as follows:

[Roll No. 622]

AYES—102

Bartlett	Gingrey (GA)	Ribble
Bass (CA)	Gohmert	Richardson
Benishek	Granger	Richmond
Bishop (UT)	Graves (GA)	Roe (TN)
Blackburn	Graves (MO)	Rogers (KY)
Boustany	Green, Al	Rogers (MI)
Brady (PA)	Hensarling	Rush
Brady (TX)	Herger	Ryan (WI)
Brooks	Huizenga (MI)	Scott (VA)
Broun (GA)	Jackson Lee	Scott, Austin
Brown (FL)	(TX)	Scott, David
Burgess	Johnson, E. B.	Sensenbrenner
Burton (IN)	Jordan	Shimkus
Camp	King (IA)	Shuster
Campbell	Kingston	Smith (NE)
Canseco	Kline	Smith (TX)
Carson (IN)	Lamborn	Marino
Carter	Lee (CA)	Southerland
Cassidy	Lewis (GA)	Stearns
Chaffetz	Lummis	Stutzman
Clarke (NY)	Mack	Thompson (MS)
Cleaver	Mica	Thornberry
Clyburn	Miller (FL)	Towns
Coble	Moore	Upton
Cole	Myrick	Walberg
Conyers	Neugebauer	Walsh (IL)
DesJarlais	Nunnelee	Watt
Duncan (TN)	Olson	West
Engel	Pastor (AZ)	Westmoreland
Farenthold	Paul	Wilson (FL)
Fattah	Payne	Wilson (SC)
Fincher	Pearce	Woodall
Flores	Petri	Woolsey
Foxx	Pompeo	Young (IN)
Fudge	Price (GA)	

NOES—302

Ackerman	Cravaack	Gosar
Adams	Crawford	Gowdy
Aderholt	Crenshaw	Green, Gene
Alexander	Critz	Griffin (AR)
Altmire	Crowley	Grijalva
Amash	Cuellar	Grimm
Andrews	Culberson	Guinta
Austria	Cummings	Guthrie
Bachus	Davis (CA)	Gutierrez
Baldwin	Davis (KY)	Hahn
Barletta	DeFazio	Hall
Barrow	DeGette	Hanabusa
Barton (TX)	DeLauro	Hanna
Bass (NH)	Denham	Harper
Becerra	Dent	Harris
Berg	Deutch	Hartzler
Berkley	Diaz-Balart	Hastings (FL)
Berman	Dicks	Hastings (WA)
Biggert	Dingell	Hayworth
Bilbray	Doggett	Heck
Bilirakis	Dold	Heinrich
Bishop (NY)	Donnelly (IN)	Herrera Beutler
Bonner	Doyle	Higgins
Bono Mack	Dreier	Himes
Boren	Duffy	Hinojosa
Boswell	Duncan (SC)	Hirono
Braley (IA)	Ellmers	Hochul
Buchanan	Emerson	Holden
Bucshon	Eshoo	Holt
Buerkle	Farr	Honda
Calvert	Filner	Hoyer
Cantor	Fitzpatrick	Huelskamp
Capito	Flake	Hultgren
Capps	Fleischmann	Hunter
Capuano	Fleming	Hurt
Cardoza	Forbes	Inslee
Carnahan	Fortenberry	Israel
Carney	Frank (MA)	Issa
Chabot	Franks (AZ)	Jackson (IL)
Chu	Frelinghuysen	Jenkins
Cicilline	Gallely	Johnson (GA)
Clarke (MI)	Garamendi	Johnson (IL)
Coffman (CO)	Gardner	Johnson (OH)
Cohen	Garrett	Johnson, Sam
Conaway	Gerlach	Jones
Connolly (VA)	Gibbs	Kaptur
Cooper	Gibson	Keating
Costa	Gonzalez	Kelly
Costello	Goodlatte	Kildee

Kind	Moran	Sarbanes
King (NY)	Mulvaney	Scalise
Kinzinger (IL)	Murphy (CT)	Schakowsky
Kissell	Murphy (PA)	Schiff
Kucinich	Nadler	Schilling
Labrador	Napolitano	Schmidt
Lance	Neal	Schrader
Langevin	Noem	Schwartz
Lankford	Nugent	Schweikert
Larsen (WA)	Nunes	Scott (SC)
Larson (CT)	Olver	Serrano
Latham	Owens	Sessions
LaTourette	Palazzo	Sewell
Latta	Pallone	Sherman
Levin	Pascarell	Shuler
Lewis (CA)	Pelosi	Simpson
Lipinski	Perlmutter	Sires
LoBiondo	Peters	Slaughter
Louderback	Peterson	Smith (NJ)
Long	Pingree (ME)	Smith (WA)
Lowey	Pitts	Speier
Lucas	Platts	Stark
Luetkemeyer	Poe (TX)	Stivers
Lujan	Polis	Sullivan
Lungren, Daniel	Posey	Sutton
E.	Price (NC)	Terry
Lynch	Quayle	Thompson (CA)
Maloney	Quigley	Thompson (PA)
Manzullo	Rahall	Tiberi
Marchant	Rangel	Tierney
Marino	Reed	Tipton
Markey	Rehberg	Tonko
Matheson	Reichert	Tsongas
Matsui	Renacci	Turner
McCarthy (CA)	Reyes	Van Hollen
McCarthy (NY)	Rigell	Velázquez
McCaul	Rivera	Vislosky
McClintock	Roby	Walden
McCollum	Rogers (AL)	Walz (MN)
McCotter	Rohrabacher	Wasserman
McDermott	Rokita	Schultz
McGovern	Rooney	Waters
McHenry	Ros-Lehtinen	Waxman
McKeon	Roskam	Webster
McMorris	Ross (AR)	Welch
Rodgers	Ross (FL)	Whitfield
McNerney	Rothman (NJ)	Wittman
Meehan	Roybal-Allard	Wolf
Michaud	Royce	Womack
Miller (MI)	Runyan	Wu
Miller (NC)	Ruppersberger	Yoder
Miller, Gary	Ryan (OH)	Young (FL)
Miller, George	Sanchez, Loretta	

ANSWERED “PRESENT”—7

Chandler	Lofgren, Zoe	Sánchez, Linda
Courtney	Meeks	T.
Edwards		Yarmuth

NOT VOTING—21

Akin	Castor (FL)	Landry
Baca	Clay	McIntyre
Bachmann	Davis (IL)	McKinley
Bishop (GA)	Ellison	Paulsen
Black	Giffords	Pence
Blumenauer	Griffith (VA)	Schock
Butterfield	Hinchey	Young (AK)

□ 1037

Messrs. RIVERA, WOMACK, GRIMM, Mrs. NOEM, Mr. SULLIVAN, Mrs. HARTZLER, Messrs. KINZINGER of Illinois, AUSTRIA, DENHAM, Mrs. BONO MACK, Messrs. REED, LUJAN, WAXMAN, Mrs. BIGGERT, Messrs. CRAVAACK, PITTS, Ms. ROYBAL-ALLARD, Messrs. VISCLOSKY, JOHNSON of Illinois, BECERRA, Ms. WASSERMAN SCHULTZ, Messrs. PERLMUTTER, SCOTT of South Carolina, DUNCAN of South Carolina, GOWDY, MCGOVERN, MULVANEY, GARY G. MILLER of California, Ms. BUERKLE, Messrs. LEWIS of California, NUNES, TIBERI, MCCOTTER, Ms. VELÁZQUEZ, Mrs. EMERSON, Messrs. ROHRABACHER, HASTINGS of Florida, ROONEY, HUNTER, HURT, BOREN, FLEISCHMANN, and COSTELLO changed their vote from “aye” to “no.”

Messrs. HERGER, SHUSTER, CASIDY, RIBBLE, KINGSTON, CARSON