

Boiler MACT is another example of what we did last week, and these effects on job losses are real. This announcement was done today. Boiler MACT will affect a lot of municipal power plants who have a contractual obligation with their citizens saying we will locally produce power. And so they are breaking contract with their citizens. The Cement MACT is another example of when we talk about jobs and infrastructure. The result of these cement plants closing is that we will import cement.

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

Mr. NUGENT. I yield the gentleman 30 additional seconds.

Mr. SHIMKUS. I would just ask my friends, does that make sense that we are now going to import cement at higher cost from countries who aren't complying with these rules and regulations? I think not. This debate is about jobs and the economy. Now is not the time to ratchet down these rules so we make it more difficult to create jobs, keep jobs, and grow this economy.

Mr. HASTINGS of Florida. Mr. Speaker, I would just remind my friend that when plants like he referenced are closed, it doesn't mean that the demand is not still there. And what happens is it means that new plants are being built. And guess what happens when you build new plants? You use steel, you use cement, and you have jobs. So I'm not certain that analogy that he put forward holds in that case.

I would tell my friend from Florida to know that I have no further speakers at this time and I am prepared to close.

Mr. NUGENT. I thank my friend from Florida for that.

Mr. Speaker, the last Member that spoke talked about closing coal-fired electric plants. It is amazing that the President just last month put in abeyance an EPA rule as it related to just that issue. He put in abeyance that rule because he said that it was going to cost jobs at a time when we could least afford closing plants and cutting jobs. The President gets it, and I applaud him for doing just that.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. NUGENT and I are from Florida. The largest supplier of energy—electricity, specifically—in Florida is a company known to him and me as Florida Power and Light. Mr. NUGENT probably does not remember that I ran for the Public Service Commission in the State of Florida to deal with regulatory matters and to address the ongoing concerns. And much of what we talked about at that time, in addition to two lawsuits that I had filed in my community, was about coal-fired electric generating plants.

Florida Power and Light, being an extremely responsible energy producer, has taken upon itself to eliminate much of their coal-fired activity. And

in spite of all these regulations and their alleged uncertainty and everything having to do with it, they now are using gas-fired facilities and working on trying to reduce emissions, period, and have no problems. The largest electricity producer in this country is Exelon, which has no power. They come from Mr. SHIMKUS', the gentleman that just spoke, territory in Illinois. That's where they're based, and they have no concerns with complying with these regulatory matters.

Now, one thing I heard about cement being imported, the reason for that is the low demand. And if my Governor and some of these other Governors would get off the dime and go about the business, and if this Congress was to go about the business of implementing the infrastructure provisions that are offered in the Jobs Act of the President, then we would use more cement, and we wouldn't have to get any from anywhere as we have not in the past when the economy has that kind of demand.

For people who believe in the Republican anti-government, "the EPA is the evildoer of the world" doctrine found in many of these bills—and I might add we will see more of this according to the majority leader—we are going to demonize EPA, those 17,000 employees. I found it ironic that someone commented a minute ago that they have enough staff in order to be able to do it, while at the same time every time we look to cut some agency, we are cutting EPA, and many people in the Republican Party have used as their mantra the elimination of the EPA.

So I don't know that they could offer any kind of regulation on the Clean Air Act or anything else. But I offer to them these suggestions: If you don't like regulation, don't drive on roads; don't fly; don't go to national parks; don't worry about listeria in cantaloupe and lettuce; don't worry about mercury, chrome, cadmium, and other toxins that pollute the air and cause our children to have asthma. Just don't do that. Don't have any regulations. Just go about your business. And we would then find ourselves in mass confusion with people with premature deaths that are unnecessary.

We can do this. We can have a conscience and a brain and we can make money in this country. We've done it in the past; we will do it in the future.

I urge my colleagues to vote "no" on this rule and on the underlying bill, and I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, once again I want to thank my colleague from Florida for his eloquent words.

It is about America getting back on track. It is about America worrying about regulations that are going to kill jobs. As I mentioned earlier, the President is even concerned that overregulation by the EPA would do just that, kill jobs when we can least afford it.

□ 1330

If you look at this act, what we're talking about doing is not eliminating

anything. It's about saying 15 months to get it together at the EPA, to look at it, and let's not kill jobs in America. It gives 5 years, then, for those businesses that I've met with that are more than willing to do their fair share to keep the air that we breathe and the water that we drink clean and pure.

I live in Florida. Mr. HASTINGS lives in Florida. We depend upon clean air and water in Florida just like many other States. So, Mr. Speaker, I support this rule and encourage my colleagues to support it as well.

Despite what President Obama and Vice President BIDEN would have you think—giving a bus tour and the Vice President's being in Land O' Lakes, Florida—speeches don't create jobs. For the President, it may be a joke to say shovel-ready jobs, you know, weren't as shovel ready as we thought with the first stimulus package, but the American people footed that bill, and it's no joke to them.

Mr. President and Mr. Vice President need to recognize the reality that H.R. 2250 and H.R. 2681 recognize that jobs are not created in a vacuum, that government creates an environment in which job creators operate. Regulations like Boiler MACT and Cement MACT do nothing to encourage industry to invest in America. Instead, they force employers to shut their doors, move jobs overseas or just across the border to Mexico. They force us to lose our manufacturing base and import cement from countries like China.

I'm proud to play a part in rolling back this type of regulation. I encourage my colleagues to join me in this effort by supporting H. Res. 419 and the underlying bills, H.R. 2250 and H.R. 2681.

With that, 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. NUGENT. 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.

CONTINUING APPROPRIATIONS ACT, 2012

Mr. ROGERS of Kentucky. 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. 2608.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the unanimous consent agreement of yesterday, I call

up the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, with a Senate amendment to the House amendment to the Senate amendment thereto, and have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

The text of the Senate amendment to the House amendment to the Senate amendment is as follows:

Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted by the House amendment to Senate amendment, insert the following:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2012, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2011 (division A of Public Law 112-10).

(2) The Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112-10).

(b) The rate for operations provided by subsection (a) is hereby reduced by 1.503 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2011 or prior years; (2) the increase in production rates above those sustained with fiscal year 2011 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2011.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2011.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obli-

gations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2012, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2012 without any provision for such project or activity; or (3) November 18, 2011.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2012 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2011, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2011, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2011 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2011, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) Except as provided in subsection (b), each amount incorporated by reference in this Act that was previously designated as being

for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress. Section 101(b) of this Act shall not apply to any amount so designated.

(b) Subsection (a) shall not apply to amounts for "Department of Justice—Federal Bureau of Investigation—Salaries and Expenses".

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2012 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts made available by this Act for "Department of Defense—Operation and Maintenance—Operation and Maintenance, Air Force" may be used by the Secretary of Defense for operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That the authority made by this section shall continue in effect through the date specified in section 106(3) of this Act: Provided further, That section 9014 of division A of Public Law 112-10 shall not apply to funds appropriated by this Act.

SEC. 117. Notwithstanding section 101, funds made available in title IX of division A of Public Law 112-10 for "Overseas Contingency Operations" shall be available at a rate for operations not to exceed the rate permitted by H.R. 2219 (112th Congress) as passed by the House of Representatives on July 8, 2011.

SEC. 118. The authority provided by section 127b of title 10, United States Code, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 119. The authority provided by section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2412), as extended by section 1204(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4623), shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 120. Notwithstanding section 101, amounts are provided for "Defense Nuclear Facilities Safety Board—Salaries and Expenses" at a rate for operations of \$29,130,000.

SEC. 121. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 2434 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2012 Budget Request Act of 2011 (D.C. Act 19-92), as modified as of the date of the enactment of this Act.

SEC. 122. Notwithstanding section 101, amounts are provided for the necessary expenses of the Recovery Accountability and Transparency Board, to carry out its functions under title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), at a rate for operations of \$28,350,000.

SEC. 123. (a) Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) shall be applied by substituting the date specified in section 106(3) of this Act for "September 30, 2011".

(b) Notwithstanding section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)), the

Small Business Technology Transfer Program shall continue in effect through the date specified in section 106(3) of this Act.

(c) Notwithstanding section 9(y)(6) of the Small Business Act (15 U.S.C. 638(y)(6)), the pilot program under section 9(y) of such Act shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 124. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking “September 30, 2011” and inserting the date specified in section 106(3) of this Act.

SEC. 125. (a) Notwithstanding section 101, amounts are provided for “Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief” at a rate for operations of \$2,650,000,000: Provided, That the Secretary of Homeland Security shall provide a full accounting of disaster relief funding requirements for such account for fiscal year 2012 not later than 15 days after the date of the enactment of this Act, and for fiscal year 2013 in conjunction with the submission of the President’s budget request for fiscal year 2013.

(b) The accounting described in subsection (a) for each fiscal year shall include estimates of the following amounts:

(1) The unobligated balance of funds in such account that has been (or will be) carried over to such fiscal year from prior fiscal years.

(2) The unobligated balance of funds in such account that will be carried over from such fiscal year to the subsequent fiscal year.

(3) The amount of the rolling average of non-catastrophic disasters, and the specific data used to calculate such rolling average, for such fiscal year.

(4) The amount that will be obligated each month for catastrophic events, delineated by event and State, and the total remaining funding that will be required after such fiscal year for each such catastrophic event for each State.

(5) The amount of previously obligated funds that will be recovered each month of such fiscal year.

(6) The amount that will be required in such fiscal year for emergencies, as defined in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)).

(7) The amount that will be required in such fiscal year for major disasters, as defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(8) The amount that will be required in such fiscal year for fire management assistance grants, as defined in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187).

SEC. 126. Any funds made available pursuant to section 101 for the Department of Homeland Security may be obligated at a rate for operations necessary to sustain essential security activities, such as: staffing levels of operational personnel; immigration enforcement and removal functions, including sustaining not less than necessary detention bed capacity; and United States Secret Service protective activities, including protective activities necessary to secure National Special Security Events. The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 127. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 128. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 129. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this Act for “October 4, 2011”.

SEC. 130. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011”.

SEC. 131. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (42 U.S.C. 1701 note), concerning Service First authorities, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 132. Notwithstanding section 101, section 1807 of Public Law 112–10 shall be applied by substituting “\$374,743,000” for “\$363,843,000” and “\$10,900,000” for “\$3,000,000”.

SEC. 133. The second proviso of section 1801(a)(3) of Public Law 112–10 is amended by striking “appropriation under this subparagraph” and inserting “appropriations made available by this Act”.

SEC. 134. Notwithstanding section 101, amounts are provided for “Federal Mine Safety and Health Review Commission—Salaries and Expenses” at a rate for operations of \$14,510,000.

SEC. 135. Sections 399AA(e), 399BB(g), and 399CC(f) of the Public Health Service Act (42 U.S.C. 280i(e), 280i–1(g), 280i–2(f)) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011”.

SEC. 136. Notwithstanding section 101, section 2005 of division B of Public Law 112–10 shall be applied by substituting “\$0” for each dollar amount.

SEC. 137. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011” in section 7 of such Act.

SEC. 138. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011”.

SEC. 139. Commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715e–3 and 1735c), shall not exceed a rate for operations of \$25,000,000,000: Provided, That total loan principal, any part of which is to be guaranteed, may be apportioned through the date specified in section 106(3) of this Act, at \$80,000,000 multiplied by the number of days covered in this Act.

SEC. 140. (a) RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.—

(1) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) RULE OF CONSTRUCTION.—This section shall be deemed to be a “renewal resolution” for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(b) EFFECTIVE DATE.—This section shall take effect on July 26, 2011.

(c) APPLICABILITY.—This section shall not be subject to any other provision of this Act.

This Act may be cited as the “Continuing Appropriations Act, 2012”.

MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 2608.

The SPEAKER pro tempore. Pursuant to the order of the House of Monday, October 3, 2011, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and rank-

ing minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, I rise today to bring to the floor the continuing appropriations resolutions to keep the Federal Government operating until November 18, 2011, and to continue support for disaster relief projects.

This version of the bill—which is virtually identical to the one the House voted on last week—funds the government at a rate of \$1.043 trillion and provides \$2.65 billion in fiscal year 2012 funding for the Federal Emergency Management Agency and other disaster aid programs. However, this bill no longer includes \$1 billion in emergency fiscal year 2011 funding for FEMA and the Corps of Engineers nor the offset for those funds. The Senate dropped these provisions after the White House and FEMA suddenly—and, I might add, mysteriously—announced that these funds were no longer necessary. While in the short term FEMA says it can get by without the additional emergency funding, it’s clear that the agency will soon need additional money to continue ongoing relief and recovery efforts from recent devastating natural disasters.

I’m disappointed, Mr. Speaker, that the agency has apparently been playing games with the numbers, and my committee is closely examining why FEMA’s estimates changed at the 11th hour. The committee also remains committed to providing the proper amount of emergency assistance that families and communities across the country rely upon.

Mr. Speaker, we have now entered into the new fiscal year, and we need to keep the doors of the government open to the American people who rely on its programs and its services. We simply must not leave our citizens in the lurch, particularly as thousands of American families and communities continue to rebuild following devastating natural disasters across the country.

Furthermore, our economy can’t handle the instability that comes from the threat of a government shutdown. This bill supports vital government operations but still saves the American taxpayers billions of dollars by maintaining the overall funding level agreed to in the recently enacted Budget Control Act. We are committed to reining in spending at every step, and this reduced funding rate will help our Nation return to more sound fiscal footing.

In addition, this legislation gives both the House and the Senate more time to finish our work on the fiscal year 2012 appropriations bills, legislation that will continue the trend of reducing Federal spending to more responsible and sustainable levels.

The House has made great progress on this year's appropriations bills, and I intend to wrap up this work as quickly as possible to provide for the economic and fiscal security of our Nation and the needs of the American public.

I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Mr. Speaker, the CR before us runs through November 18. The CR continues funding at last year's level minus 1.053 percent to ensure that spending is limited to \$1.043 trillion, the amount agreed to in the Budget Control Act.

Democrats voted "no" previously for two reasons: We strongly oppose taking funding from the Advanced Technology Vehicle Manufacturing program. This is a program that has proven to be a success in creating jobs. The Department of Energy estimates the loan guarantees have created or maintained 39,000 jobs in California, Delaware, Illinois, Indiana, Kentucky, Ohio, Michigan, Missouri, and Tennessee. The pending applications will help create more jobs. The money received by the companies is paid back to the government with interest. We also strongly oppose the notion that efforts to help Americans rebuild their lives after floods, hurricanes, wildfires, and other natural disasters should be put on hold until Congress can agree on offsetting reductions in spending.

FY12 has begun, so there is no need for FY11 disaster relief funding in the CR. In earlier versions, House Republicans had insisted on offsetting FY11 disaster relief funding. The CR under consideration today no longer cuts funding for ATVM and does not require an offset.

I urge a "yes" vote, and I yield back the balance of my time.

Mr. ROGERS of Kentucky. I yield back the balance of my time.

Mr. PETERS. Mr. Speaker, I rise today to thank my Democratic colleagues for standing with me to protect a program that has created or saved over 41,000 auto jobs.

At one point during this debate, many thought that the Republicans would be successful in cutting \$1.5 billion from a program that literally moved production of the Ford Focus from Mexico to Michigan creating thousands of badly needed manufacturing jobs.

But we proved them wrong. We proved that a united Democratic Caucus can stand up and win when we're working to save jobs.

By uniting, we showed Speaker BOEHNER that Democrats in the House would not stand by and accept a plan to kill tens of thousands of jobs.

Today marks a victory for working Americans, but we must never let our guard down.

As long as Republicans continue to put Tea Party Special Interests and corporate outsourcers before American jobs, the fight will continue.

I hope that our friends on the other side of the aisle will take this opportunity to end their war on jobs and the American Middle Class but if they do not, we will unite and fight back once again.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Monday, October 3, 2011, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

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

Mr. ROGERS of Kentucky. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 42 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1345

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS of New Hampshire) at 1 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: the motion to concur with regard to H.R. 2608, and adoption of House Resolution 419.

The first electronic vote will be conducted as a 15-minute vote. The second vote in this series will be conducted as a 5-minute vote.

CONTINUING APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. The unfinished business is the question on adoption of the motion to concur in the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion to concur.

The vote was taken by electronic device, and there were—yeas 352, nays 66, not voting 15, as follows:

Ackerman	Dreier	Long
Adams	Duffy	Lowey
Akin	Edwards	Lucas
Alexander	Ellmers	Luetkemeyer
Altmire	Emerson	Lujan
Amodei	Engel	Lungren, Daniel E.
Andrews	Eshoo	
Baca	Farenthold	Lynch
Bachus	Farr	Maloney
Baldwin	Fattah	Manzullo
Barletta	Filner	Marchant
Barrow	Fincher	Marino
Bartlett	Fitzpatrick	Markey
Bass (CA)	Fleischmann	Matheson
Bass (NH)	Flores	Matsui
Becerra	Forbes	McCarthy (CA)
Benishek	Fortenberry	McCarthy (NY)
Berg	Foxo	McCaul
Berkley	Frank (MA)	McCollum
Berman	Frelinghuysen	McCotter
Biggert	Fudge	McDermott
Blibray	Gallegly	McGovern
Bilirakis	Garamendi	McHenry
Bishop (GA)	Garrett	McIntyre
Bishop (NY)	Gerlach	McKeon
Bishop (UT)	Gibbs	McKinley
Black	Gibson	McMorris
Blackburn	Gonzalez	Rodgers
Blumenauer	Goodlatte	McNerney
Bonner	Gosar	Meehan
Bono Mack	Granger	Meeks
Boren	Graves (MO)	Mica
Boswell	Green, Al	Michaud
Boustany	Green, Gene	Miller (FL)
Brady (PA)	Griffin (AR)	Miller (MI)
Brady (TX)	Griffith (VA)	Miller (NC)
Braley (IA)	Grijalva	Miller, Gary
Brown (FL)	Grimm	Miller, George
Buchanan	Guinta	Moore
Bucshon	Guthrie	Moran
Buerkle	Gutierrez	Murphy (CT)
Butterfield	Hahn	Murphy (PA)
Calvert	Hall	Myrick
Camp	Hanabusa	Neal
Campbell	Hanna	Noem
Canseco	Harper	Nugent
Cantor	Hartzler	Nunes
Capito	Hastings (FL)	Nunnelee
Capps	Hastings (WA)	Olson
Cardoza	Hayworth	Olver
Carnahan	Heck	Owens
Carney	Heinrich	Palazzo
Carson (IN)	Hensarling	Pallone
Carter	Herger	Pascrell
Cassidy	Herrera Beutler	Pastor (AZ)
Castor (FL)	Higgins	Paulsen
Chabot	Himes	Payne
Chaffetz	Hinchey	Pelosi
Chandler	Hirono	Perlmutter
Chu	Hochul	Peters
Cicilline	Holden	Peterson
Clarke (MI)	Holt	Petri
Clarke (NY)	Honda	Pitts
Clay	Hoyer	Platts
Cleaver	Hunter	Price (GA)
Coble	Hurt	Price (NC)
Cohen	Inslee	Quigley
Cole	Israel	Rahall
Conaway	Issa	Rangel
Connolly (VA)	Jackson (IL)	Rehberg
Cooper	Jackson Lee	Reichert
Costa	(TX)	Renacci
Courtney	Johnson (GA)	Reyes
Cravaack	Johnson (OH)	Ribble
Crawford	Johnson, Sam	Richardson
Crenshaw	Kaptur	Richmond
Critz	Keating	Rigell
Crowley	Kelly	Rivera
Cuellar	Kildee	Roby
Culberson	Kind	Roe (TN)
Cummings	King (NY)	Rogers (KY)
Davis (CA)	Kinzing (IL)	Rogers (MI)
Davis (IL)	Kissell	Rohrabacher
Davis (KY)	Kline	Rokita
DeFazio	Lance	Rooney
DeGette	Langevin	Ros-Lehtinen
DeLauro	Lankford	Roskam
Denham	Larsen (WA)	Ross (AR)
Dent	Latham	Ross (FL)
Deutch	LaTourette	Rothman (NJ)
Diaz-Balart	Latta	Royal-Allard
Dicks	Levin	Royce
Dingell	Lewis (CA)	Runyan
Doggett	Lipinski	Ruppersberger
Donnelly (IN)	LoBiondo	Rush
Doyle	Loeback	Ryan (WI)

[Roll No. 745]

YEAS—352