

of the House Republican Conference, telling them to make the repeal of job-destroying regulations the key point in the Republican jobs agenda. Evidence supporting Mr. CANTOR's contention that deregulation would increase unemployment is very weak. As one can see, the number of layoffs nationwide caused by government regulation is minuscule and shows no evidence of getting worse during the Obama administration."

The CHAIR. The time of the gentleman has expired.

Mr. WHITFIELD. May I ask how much time remains, Mr. Chairman?

The CHAIR. The gentleman from Kentucky has 4 minutes remaining, and the gentleman from Massachusetts has 1¼ minutes remaining.

Mr. WHITFIELD. I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I appreciate the gentleman from Kentucky for yielding.

I come from central and northern Wisconsin where we have a large forest products industry. We make a lot of paper in Wisconsin. And if you look at these rules, they are going to have a significant impact on Wisconsin paper, real jobs that support our families. Domtar Industries, 1,400 jobs; Flambeau River Paper, 300 jobs; New Page, 3,200 jobs; Wausau Paper, 1,600 jobs.

So we look at these regulations that are going to increase the standard on our boilers. And if you increase those standards, causing our companies to spend millions of more dollars to meet those standards, what's going to happen? You are going to ship Wisconsin paper to China and Brazil. And what happens there? They don't have the same standards that we have. And, in the end, what's going to happen is we're going to outsource Wisconsin jobs and our paper is going to be made with reduced standards.

I think in the end, those who care about our environment, who care about standards to make sure we have clean water and clean air, if you look over to China, they don't have those same standards. But, in the end, we breathe the same air and drink the same water.

So let's make sure we have efficient standards that can keep American industry and Wisconsin paper in business and doesn't shift these jobs overseas.

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

The Republicans have yet to bring a job creation bill out here on the House floor in the 10 months they have controlled the Congress.

Instead, what they're doing is responding to industries who do not want to make the air cleaner, who do not want to make the water safer for the children of our country to drink and to breathe. And, instead, they make the case that making the environment cleaner kills jobs when we know that all evidence says it creates more jobs, because it spurs innovation in new technologies that create jobs that make our economy stronger. Instead,

they argue that what the country needs is more mercury, more arsenic, more cadmium, more asthmas, more mercury poisoning, more carcinogens that harm the health of our country.

So not only do they not help the health of our economy by bringing out a jobs bill, instead they bring out bills that hurt the health of the American people where they live and their families. That's what their agenda has been all about since the day they took over in January, and that's the agenda that we are voting on here today.

Vote "no" on this Republican health-killing bill.

I yield back the balance of my time.

Mr. WHITFIELD. In closing, I would urge every Member of this body to support H.R. 2250. We believe that it is genuinely a balanced approach. EPA even was trying to convince the court that their rule was a good rule, the old rule.

To just give you a very concrete example of this, of the practical impacts of what's going on here, EPA went to the court last December when it asked for time to fix the Boiler MACT rules, which the court denied it, and pointed out that the investments required by industry are irreversible.

An example of that, representatives of Notre Dame University came to our hearing. And in order to comply with the Boiler MACT rules issued in 2004, which were invalidated by the court, the University of Notre Dame spent \$20 million, and now they're not in compliance with the new rule, so they're going to have to come forth with additional millions of dollars.

So that's happening not only at the University of Notre Dame, that's happening at just about every university around the country, hospitals around the country, small businesses around the country, small utilities around the country. So if we don't take some action, there are going to be a lot less, many fewer jobs in the economy than there are today, because testimony after testimony after testimony has indicated that entities cannot meet these new rules, are going to have to close down and lose jobs.

So one way that we can help the administration create jobs is to prevent the loss of jobs. If this administration would assert more common sense in their rules, we could remove some of the uncertainty to help us create more jobs in America.

I would urge every Member to support 2250. It's a balanced approach. It protects health, protects industry, and provides a more commonsense approach to this significant problem.

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

The CHAIR. All time for general debate has expired.

Mr. WHITFIELD. 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. GRIFFITH of Virginia) having assumed

the chair, Mr. DENHAM, 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. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, had come to no resolution thereon.

CEMENT SECTOR REGULATORY RELIEF ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 419 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. 2681.

□ 1030

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. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes, with Mr. DENHAM (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, October 5, 2011, a request for a recorded vote on amendment No. 3 printed in the CONGRESSIONAL RECORD by the gentlewoman from Maryland (Ms. EDWARDS) had been postponed.

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:

Amendment No. 23 by Mr. COHEN of Tennessee.

Amendment No. 5 by Mr. KEATING of Massachusetts.

Amendment No. 3 by Ms. EDWARDS of Maryland.

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

AMENDMENT NO. 23 OFFERED BY MR. COHEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. COHEN) 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 172, noes 248,

answered “present” 1, not voting 12, as follows:

[Roll No. 760]

AYES—172

Ackerman	Green, Al	Nadler
Andrews	Green, Gene	Napolitano
Baca	Grijalva	Neal
Baldwin	Gutierrez	Pallone
Bass (CA)	Hahn	Pascarell
Becerra	Hanabusa	Pastor (AZ)
Berkley	Hastings (FL)	Payne
Berman	Heinrich	Pelosi
Bishop (GA)	Higgins	Perlmutter
Bishop (NY)	Himes	Peters
Boswell	Hinchey	Pingree (ME)
Brady (PA)	Hinojosa	Price (NC)
Braley (IA)	Hirono	Quigley
Brown (FL)	Hochul	Rangel
Butterfield	Holt	Reichert
Capps	Honda	Reyes
Capuano	Hoyer	Richardson
Carnahan	Inslee	Richmond
Carnegie	Israel	Rothman (NJ)
Carson (IN)	Jackson (IL)	Roybal-Allard
Castor (FL)	Jackson Lee	Ruppersberger
Chandler	(TX)	Rush
Chu	Johnson (GA)	Ryan (OH)
Cicilline	Johnson, E. B.	Sanchez, Loretta
Clarke (MI)	Jones	Sarbanes
Clarke (NY)	Kaptur	Schakowsky
Clay	Keating	Schiff
Cleaver	Kildee	Schwartz
Clyburn	Kind	Scott (VA)
Cohen	Kucinich	Scott, David
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sewell
Cooper	Larson (CT)	Sherman
Courtney	Lee (CA)	Shuler
Crowley	Levin	Sires
Cuellar	Lewis (GA)	Slaughter
Cummings	Lipinski	Smith (WA)
Davis (CA)	Loebach	Speier
Davis (IL)	Lofgren, Zoe	Stark
DeFazio	Lowe	Sutton
DeGette	Lujan	Thompson (CA)
DeLauro	Lynch	Thompson (MS)
Deutch	Maloney	Tierney
Dicks	Markey	Tonko
Dingell	Matsui	Towns
Doggett	McCarthy (NY)	Tsongas
Donnelly (IN)	McCollum	Van Hollen
Doyle	McDermott	Velázquez
Edwards	McGovern	Visclosky
Ellison	McIntyre	Walz (MN)
Engel	McNerney	Wasserman
Farr	Meeks	Schultz
Fattah	Michaud	Waters
Filner	Miller (NC)	Watt
Frank (MA)	Miller, George	Waxman
Fudge	Moore	Welch
Garamendi	Moran	Woolsey
Gonzalez	Murphy (CT)	Yarmuth

NOES—248

Adams	Calvert	Emerson
Aderholt	Eshoo	Camp
Akin	Campbell	Farenthold
Alexander	Canseco	Fincher
Altmire	Cantor	Fitzpatrick
Amash	Capito	Flake
Amodei	Cardoza	Fleischmann
Austria	Carter	Fleming
Bachus	Cassidy	Flores
Barletta	Chabot	Forbes
Barrow	Chaffetz	Fortenberry
Bartlett	Coble	Fox
Barton (TX)	Coffman (CO)	Franks (AZ)
Bass (NH)	Cole	Frelinghuysen
Benishhek	Conaway	Gallegly
Berg	Costa	Gardner
Biggart	Costello	Garrett
Bilbray	Cravaack	Gerlach
Bilirakis	Crawford	Gibbs
Bishop (UT)	Crenshaw	Gibson
Black	Critz	Gingrey (GA)
Blackburn	Culberson	Gohmert
Bonner	Davis (KY)	Goodlatte
Bono Mack	Denham	Gosar
Boustany	Dent	Gowdy
Brady (TX)	DesJarlais	Granger
Brooks	Diaz-Balart	Graves (GA)
Broun (GA)	Dold	Graves (MO)
Buchanan	Dreier	Griffin (AR)
Bucshon	Duffy	Griffith (VA)
Buerkle	Duncan (SC)	Grimm
Burgess	Duncan (TN)	Guinta
Burton (IN)	Ellmers	Guthrie

Hall	McCotter	Roskam
Hanna	McHenry	Ross (AR)
Harper	McKeon	Ross (FL)
Harris	McKinley	Royce
Hartzler	McMorris	Runyan
Hastings (WA)	Rodgers	Ryan (WI)
Hayworth	Meehan	Scalise
Heck	Mica	Schilling
Hensarling	Miller (FL)	Schmidt
Herger	Miller (MI)	Schock
Herrera Beutler	Miller, Gary	Schrader
Huelskamp	Mulvaney	Schweikert
Huizenga (MI)	Murphy (PA)	Scott (SC)
Hultgren	Myrick	Scott, Austin
Hunter	Neugebauer	Sensenbrenner
Hurt	Noem	Sessions
Issa	Nugent	Shimkus
Jenkins	Nunes	Shuster
Johnson (OH)	Nunnelee	Simpson
Johnson, Sam	Olson	Smith (NE)
Jordan	Owens	Smith (NJ)
Kelly	Palazzo	Smith (TX)
King (IA)	Paul	Southerland
King (NY)	Paulsen	Stearns
Kingston	Pearce	Stivers
Kinzinger (IL)	Pence	Stutzman
Kissell	Peterson	Sullivan
Kline	Petri	Terry
Labrador	Pitts	Thompson (PA)
Lamborn	Platts	Poe (TX)
Lance	Pompeo	Thornberry
Landry	Possey	Tiberi
Lankford	Price (GA)	Tipton
Latham	Quayle	Turner (NY)
LaTourette	Rahall	Turner (OH)
Latta	Reed	Upton
LoBiondo	Rehberg	Walberg
Long	Renacci	Walden
Lucas	Ribble	Walsh (IL)
Luetkemeyer	Rigell	Webster
Lummis	Rivera	West
Lungren, Daniel	E. Roby	Westmoreland
Mack	Roe (TN)	Whitfield
Manzullo	Rogers (AL)	Wilson (SC)
Marchant	Rogers (KY)	Wolf
Marino	Rogers (MI)	Womack
Matheson	Rohrabacher	Woodall
McCarthy (CA)	Rokita	Yoder
McCaull	Rooney	Young (FL)
McClintock	Ros-Lehtinen	Young (IN)

ANSWERED “PRESENT”—1

Johnson (IL)

NOT VOTING—12

Bachmann	Lewis (CA)	Wilson (FL)
Blumenauer	Oliver	Wittman
Boren	Polis	Young (AK)
Giffords	Sánchez, Linda	
Holden	T.	

□ 1057

Ms. ESHOO changed her vote from “aye” to “no.”

Mr. VISCLOSKY changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. KEATING

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. KEATING) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 257, not voting 14, as follows:

[Roll No. 761]

AYES—162

Ackerman	Green, Al	Neal
Andrews	Grijalva	Pallone
Baca	Gutierrez	Pascarell
Baldwin	Hahn	Pastor (AZ)
Bass (CA)	Hanabusa	Payne
Becerra	Hastings (FL)	Pelosi
Berkley	Heinrich	Perlmutter
Berman	Higgins	Peters
Bishop (NY)	Himes	Pingree (ME)
Boswell	Hinchey	Price (NC)
Brady (PA)	Hinojosa	Quigley
Braley (IA)	Hirono	Rangel
Brown (FL)	Hochul	Reyes
Butterfield	Holt	Richardson
Capps	Honda	Richmond
Capuano	Hoyer	Rothman (NJ)
Carnahan	Inslee	Israel
Carnegie	Israel	Roybal-Allard
Carson (IN)	Jackson (IL)	Ruppersberger
Castor (FL)	Jackson Lee	Rush
Chandler	(TX)	Ryan (OH)
Chu	Johnson (GA)	Sanchez, Loretta
Cicilline	Johnson, E. B.	Sarbanes
Clarke (MI)	Kaptur	Schakowsky
Clarke (NY)	Keating	Schiff
Clay	Kildee	Schwartz
Cleaver	Kind	Scott (VA)
Clyburn	Kucinich	Scott, David
Cohen	Langevin	Serrano
Connolly (VA)	Larsen (WA)	Sewell
Conyers	Lee (CA)	Sherman
Cooper	Conyers	Levin
Courtney	Cooper	Lewis (GA)
Crowley	Courtney	Slaughter
Cuellar	Crowley	Smith (WA)
Cummings	Cummings	Speier
Davis (CA)	Davis (CA)	Stark
Davis (IL)	Davis (IL)	Sutton
DeFazio	DeFazio	Thompson (CA)
DeGette	DeGette	Thompson (MS)
DeLauro	DeLauro	Tierney
Deutch	Deutch	Tonko
Dicks	Dicks	Towns
Dingell	Dingell	Tsongas
Doggett	Doggett	Van Hollen
Donnelly (IN)	Doyle	Velázquez
Doyle	Edwards	Visclosky
Edwards	Ellison	Walz (MN)
Ellison	Engel	Wasserman
Engel	Engel	Schultz
Eshoo	Eshoo	Waters
Farr	Farr	Watt
Fattah	Filner	Waxman
Filner	Frank (MA)	Welch
Frank (MA)	Fudge	Woolsey
Fudge	Garamendi	Yarmuth
Garamendi		
Gonzalez		

NOES—257

Adams	Cardoza	Fox
Aderholt	Carter	Franks (AZ)
Akin	Cassidy	Frelinghuysen
Alexander	Chabot	Gallegly
Altmire	Chaffetz	Gardner
Amash	Coble	Garrett
Amodei	Coffman (CO)	Gerlach
Austria	Cole	Gibbs
Barletta	Conaway	Gibson
Barrow	Costa	Gingrey (GA)
Bartlett	Costello	Gohmert
Barton (TX)	Cravaack	Gonzalez
Bass (NH)	Crawford	Goodlatte
Benishhek	Crenshaw	Gosar
Berg	Critz	Gowdy
Biggart	Cuellar	Granger
Bilbray	Culberson	Graves (GA)
Bilirakis	Davis (KY)	Graves (MO)
Bishop (GA)	Denham	Green, Gene
Bishop (UT)	Dent	Griffin (AR)
Black	DesJarlais	Griffith (VA)
Blackburn	Diaz-Balart	Grimm
Bonner	Dold	Guinta
Bono Mack	Donnelly (IN)	Guthrie
Boustany	Dreier	Hall
Brady (TX)	Duffy	Hanna
Brooks	Duncan (SC)	Harper
Broun (GA)	Duncan (TN)	Harris
Buchanan	Ellmers	Hartzler
Bucshon	Emerson	Hastings (WA)
Buerkle	Farenthold	Hayworth
Burgess	Fincher	Heck
Burton (IN)	Fitzpatrick	Hensarling
Calvert	Flake	Herger
Camp	Fleischmann	Herrera Beutler
Campbell	Fleming	Hochul
Canseco	Flores	Huelskamp
Cantor	Forbes	Huizenga (MI)
Capito	Fortenberry	Hultgren

Hunter	Miller (FL)	Runyan	[Roll No. 762]	Hochul	Meehan	Ross (FL)
Hurt	Miller (MI)	Ryan (WI)		Huelskamp	Mica	Royce
Issa	Miller, Gary	Scalise	AYES—165	Huizenga (MI)	Miller (FL)	Runyan
Jenkins	Mulvaney	Schilling		Hultgren	Miller (MI)	Ryan (WI)
Johnson (IL)	Murphy (PA)	Schmidt		Hunter	Miller, Gary	Scalise
Johnson (OH)	Myrick	Schock		Hurt	Mulvaney	Schilling
Johnson, Sam	Neugebauer	Schrader		Issa	Murphy (PA)	Schmidt
Jones	Noem	Schweikert		Jenkins	Myrick	Schock
Jordan	Nugent	Scott (SC)		Johnson (IL)	Neugebauer	Schrader
Kelly	Nunes	Scott, Austin		Johnson (OH)	Noem	Schweikert
King (IA)	Nunnelee	Sensenbrenner		Johnson, Sam	Nugent	Scott (SC)
King (NY)	Olson	Sessions		Jordan	Nunes	Scott, Austin
Kingston	Owens	Shimkus		Kelly	Nunnelee	Sensenbrenner
Kinzinger (IL)	Palazzo	Shuler		King (IA)	Olson	Sessions
Kissell	Paul	Shuster		King (NY)	Owens	Shimkus
Kline	Paulsen	Simpson		Kingston	Palazzo	Shuster
Labrador	Pearce	Smith (NE)		Kinzinger (IL)	Paul	Simpson
Lamborn	Pence	Smith (NJ)		Kissell	Paulsen	Smith (NE)
Lance	Peterson	Smith (TX)		Kline	Pearce	Smith (NJ)
Landry	Petri	Southerland		Labrador	Pence	Smith (TX)
Lankford	Pitts	Stearns		Lamborn	Perlmutter	Southerland
Latham	Platts	Stivers		Lance	Peterson	Stearns
LaTourette	Poe (TX)	Stutzman		Landry	Petri	Stivers
Latta	Pompeo	Sullivan		Lankford	Pitts	Stutzman
Lewis (CA)	Posey	Terry		Latham	Platts	Sullivan
LoBiondo	Price (GA)	Thompson (PA)		LaTourette	Poe (TX)	Terry
Long	Quayle	Thornberry		Latta	Pompeo	Thompson (PA)
Lucas	Rahall	Tiberi		Lewis (CA)	Posey	Thornberry
Luetkemeyer	Reed	Tipton		LoBiondo	Price (GA)	Tipton
Lummis	Rehberg	Turner (NY)		Long	Quayle	Turner (NY)
Lungren, Daniel	Reichert	Turner (OH)		Lucas	Rahall	Turner (OH)
E.	Renacci	Upton		Luetkemeyer	Reed	Upton
Mack	Ribble	Walberg		Lumms	Rehberg	Walberg
Manzullo	Rigell	Walsh (IL)		Lungren, Daniel	Reichert	Walsh (IL)
Marchant	Rivera	Webster		E.	Renacci	Webster
Marino	Roby	West		Mack	Rigell	West
Matheson	Roe (TN)	Westmoreland		Manzullo	Rivera	Westmoreland
McCarthy (CA)	Rogers (AL)	Whitfield		Marchant	Roby	Whitfield
McCaul	Rogers (KY)	Wilson (SC)		Marino	Roe (TN)	Wilson (SC)
McClintock	Rogers (MI)	Wolf		Matheson	Rogers (AL)	Wittman
McCotter	Rohrabacher	Womack		McCauley	Rogers (KY)	Wolf
McHenry	Rokita	Woodall		McClintock	Rogers (MI)	Woodall
McKeon	Rooney	Yoder		McCotter	Rohrabacher	Yoder
McKinley	Ros-Lehtinen	Young (FL)		McHenry	Rokita	Young (FL)
McMorris	Roskam	Young (IN)		McKeon	Rooney	Young (IN)
Rodgers	Ross (AR)			McKinley	Ros-Lehtinen	
Meehan	Ross (FL)			McMorris	Roskam	
Mica	Royce			Rodgers	Ross (AR)	

NOT VOTING—14

Bachmann	Holden	Sánchez, Linda
Bachus	Larson (CT)	T.
Blumenauer	Moran	Wilson (FL)
Boren	Olver	Wittman
Giffords	Polis	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1102

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WITTMAN. Mr. Chair, on rollcall Nos. 760 and 761 I was unavoidably detained. Had I been present, I would have voted “no” on both 760 and 761.

AMENDMENT NO. 3 OFFERED BY MS. EDWARDS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 258, not voting 10, as follows:

Ackerman	Grijalva	Napolitano	Hochul	Meehan	Ross (FL)
Andrews	Gutierrez	Neal	Huelskamp	Mica	Royce
Baca	Hahn	Pallone	Huizenga (MI)	Miller (FL)	Runyan
Baldwin	Hanabusa	Pascarelli	Hultgren	Miller (MI)	Ryan (WI)
Bass (CA)	Hastings (FL)	Pastor (AZ)	Hunter	Miller, Gary	Scalise
Becerra	Heinrich	Payne	Hurt	Mulvaney	Schilling
Berkley	Higgins	Pelosi	Issa	Murphy (PA)	Schmidt
Berman	Himes	Peters	Jenkins	Myrick	Schock
Bishop (NY)	Hinchee	Pingree (ME)	Johnson (IL)	Neugebauer	Schrader
Brady (PA)	Hinojosa	Price (NC)	Johnson (OH)	Noem	Schweikert
Braley (IA)	Hirono	Quigley	Johnson, Sam	Nugent	Scott (SC)
Brown (FL)	Holt	Rangel	Jordan	Nunes	Scott, Austin
Butterfield	Honda	Reyes	Kelly	Nunnelee	Sensenbrenner
Capps	Hoyer	Richardson	King (IA)	Olson	Sessions
Capuano	Inslee	Richmond	King (NY)	Owens	Shimkus
Carnahan	Israel	Rothman (NJ)	Kingston	Palazzo	Shuster
Carney	Jackson (IL)	Roybal-Allard	Kinzinger (IL)	Paul	Simpson
Carson (IN)	Jackson Lee	Ruppersberger	Kissell	Paulsen	Smith (NE)
Castor (FL)	(TX)	Rush	Kline	Pearce	Smith (NJ)
Chu	Johnson (GA)	Ryan (OH)	Labrador	Pence	Smith (TX)
Cielline	Johnson, E. B.	Sanchez, Loretta	Lamborn	Perlmutter	Southerland
Clarke (MI)	Jones	Sarbanes	Lance	Peterson	Stearns
Clarke (NY)	Kaptur	Schakowsky	Landry	Petri	Stivers
Clay	Keating	Schiff	Lankford	Pitts	Stutzman
Cleaver	Kildee	Schwartz	Latham	Platts	Sullivan
Clyburn	Kind	Scott (VA)	LaTourette	Poe (TX)	Terry
Cohen	Kucinich	Scott, David	Latta	Pompeo	Thompson (PA)
Connolly (VA)	Langevin	Serrano	Lewis (CA)	Posey	Thornberry
Conyers	Larsen (WA)	Sewell	LoBiondo	Price (GA)	Tipton
Cooper	Larson (CT)	Sherman	Long	Quayle	Turner (NY)
Courtney	Lee (CA)	Shuler	Lucas	Rahall	Turner (OH)
Crowley	Levin	Sires	Luetkemeyer	Reed	Upton
Cuellar	Lewis (GA)	Slaughter	Reichert	Renacci	Walberg
Cummings	Lipinski	Smith (WA)	E.	Rigell	Walsh (IL)
Davis (CA)	Loebbeck	Speier	Mack	Rivera	Webster
Davis (IL)	Lofgren, Zoe	Stark	Manzullo	Roby	West
DeFazio	Lowey	Sutton	Marchant	Roe (TN)	Westmoreland
DeGette	Lujan	Thompson (CA)	Marino	Rogers (AL)	Whitfield
DeLauro	Lynch	Thompson (MS)	Matheson	Rogers (KY)	Wilson (SC)
Deutch	Maloney	Tierney	McCauley	Rogers (MI)	Wittman
Dicks	Markley	Tonko	McCotter	Rohrabacher	Wolf
Dingell	Matsui	Towns	McCotter	Rokita	Womack
Doggett	McCarthy (NY)	Tsongas	McHenry	Rooney	Woodall
Doyle	McCollum	Van Hollen	McKeon	Ros-Lehtinen	Yoder
Edwards	McDermott	Velázquez	McKinley	Roskam	Young (FL)
Ellison	McGovern	Visclosky	McMorris	Ross (AR)	Young (IN)
Engel	McIntyre	Walz (MN)	Rodgers		
Eshoo	McNerney	Wasserman			
Farr	Meeke	Schultz			
Fattah	Michaud	Waters			
Filner	Miller (NC)	Watt			
Frank (MA)	Miller, George	Waxman			
Fudge	Moore	Welch			
Garamendi	Moran	Woolsey			
Gonzalez	Murphy (CT)	Yarmuth			
Green, Al	Nadler				

NOES—258

Adams	Canseco	Fleming
Aderholt	Cantor	Flores
Akin	Capito	Forbes
Alexander	Cardoza	Fortenberry
Altmire	Carter	Fox
Amash	Cassidy	Franks (AZ)
Amodei	Chabot	Frelinghuysen
Austria	Chaffetz	Gallely
Bachus	Chandler	Gardner
Barletta	Coble	Garrett
Barrow	Coffman (CO)	Gerlach
Bartlett	Cole	Gibbs
Barton (TX)	Conaway	Gibson
Bass (NH)	Costa	Gingrey (GA)
Benish	Costello	Gohmert
Berg	Cravack	Goodlatte
Biggart	Crawford	Gosar
Bilbray	Crenshaw	Gowdy
Bilirakis	Critz	Granger
Bishop (GA)	Culberson	Graves (GA)
Bishop (UT)	Davis (KY)	Graves (MO)
Black	Denham	Green, Gene
Blackburn	Dent	Griffin (AR)
Bonner	DesJarlais	Griffith (VA)
Bono Mack	Diaz-Balart	Grimm
Boswell	Dold	Guinta
Boustany	Donnelly (IN)	Guthrie
Brady (TX)	Dreier	Hall
Brooks	Duffy	Hanna
Broun (GA)	Duncan (SC)	Harper
Buchanan	Duncan (TN)	Harris
Bucshon	Ellmers	Hartzler
Buerkle	Emerson	Hastings (WA)
Burgess	Farenthold	Hayworth
Burton (IN)	Fincher	Heck
Calvert	Fitzpatrick	Hensarling
Camp	Flake	Heger
Campbell	Fleischmann	Herrera Beutler

NOT VOTING—10

Bachmann	Holden	Sánchez, Linda
Blumenauer	Olver	T.
Boren	Polis	Wilson (FL)
Giffords		Young (AK)

□ 1106

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. DENHAM, 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. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes, and, pursuant to House Resolution 419, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. CAPPS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. CAPPS. Yes, I am.

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

The Clerk read as follows:

Mrs. Capps moves to recommit the bill H.R. 2681 to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with the following amendment:

At the end of the bill, add the following sections:

SEC. 6. PROTECTION OF INFANTS, CHILDREN, AND PREGNANT WOMEN FROM TOXIC AND CANCER-CAUSING AIR POLLUTANTS.

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rule identified in section 2(b)(1) of this Act to reduce air pollution from cement kilns, as defined pursuant to this Act, where such cement kilns are within 5 miles of any school, any day care center, any playground, or any hospital with a maternity ward or neo-natal unit.

SEC. 7. NOTIFICATION TO COMMUNITIES.

With respect to each requirement for a major source facility to implement an air pollution control or emissions reduction that is eliminated by this Act, such facility shall provide notice of such elimination to affected communities not later than 90 days after the date of enactment of this Act.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, there are times when we come to this floor and engage in heated debate, and we've heard some heated debate on this bill. But my final amendment offers us the opportunity to come together and do something extraordinarily important, and that is to protect our children and grandchildren from mercury and other toxic air pollutants.

I want to be clear. The passage of this amendment will not prevent the passage of the underlying bill. If it's adopted, my amendment will be incorporated into the bill and the bill will be immediately voted upon.

Now, I make no apologies for opposing the bill, but regardless of how one feels about this bill, or even EPA's cement standards, my amendment should be something that we can all agree upon, and that's because it only does two simple things: First, it says we should have safer air standards on giant cement plants if they're located near schools or hospitals with a maternity ward or neonatal unit. That's because these large factories are the third largest source of mercury pollution in the United States.

□ 1110

We all know that mercury is extremely dangerous to young children,

to nursing mothers, and to women of childbearing age. Mercury exposure affects a developing child's ability to walk, to talk, to read, to write, to learn. That's why I think none of us should want to see this in our districts: A giant cement plant in Midlothian, Texas, spewing mercury and other pollutants in the air right next to J.A. Vitovsky Elementary School.

But I don't want to just pick on Texas. In California, a giant cement plant in Tehachapi sends far more mercury into the air than any other plant in the State, and it's less than 3,000 feet—3,000 feet—from Monroe High School. That's less than half the distance between where we are today here in the Capitol and the Washington Monument.

Mr. Speaker, nothing is more important to us than our children and our grandchildren. Having spent 20 years as a school nurse, I really don't need any reminders of this, but just 6 months ago my family was blessed again with the birth of a new baby boy. So every time debates about mercury pollution come up, my thoughts immediately go to him and the tens of millions of other children in this country. I know how small and fragile little Oscar is, and I want to make sure that I'm doing everything I can to protect him, to make sure the air he breathes and the water he drinks is as safe as it can possibly be. I'm no different from the millions of mothers and fathers, grandmothers and grandfathers, aunts and uncles across this country and right in this Chamber. We all want the best for our kids, so we must reduce the risks of this pollution to them, especially in places that should be safe, like a school.

The second part of my simple amendment gives all communities the right to know what pollution is coming from these giant cement factories. Without the sight of ominous clouds billowing from nearby plants, it's easy to assume that we're all relatively safe, but you don't need to live right next door to a giant cement plant to suffer the effects of mercury pollution. I learned this firsthand when I received test results showing that I have an unsafe level of mercury in my body. And I'm not alone—both in the levels of mercury in my system and by the fact that I didn't know about it until I got tested this past summer. Who in this Chamber thinks they have a dangerous level of mercury in their system? Probably no one. But who here has actually been tested to know for sure? Probably very few of us.

So, my final amendment just calls for a little transparency. It makes sure that giant cement plants can't hide the truth about the pollution they're dumping into our air each year. It just gives American citizens a right to know what's in their air. That's all.

Mr. Speaker, I respectfully ask that my colleagues consider these two simple propositions: Why should our kids go to schools where mercury is spewing

from smokestacks just down the street? And why should any of our constituents be kept in the dark about the pollutants that they're being exposed to? They shouldn't. And we shouldn't stand idly by and let it happen.

So today we have the opportunity to speak with one voice. We can vote to protect our children and our grandchildren from mercury and other toxic air pollutants. It's up to us. I urge all of us to support this final amendment to the bill.

I yield back the balance of my time. Mr. WHITFIELD. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. At this time I would like to yield to my colleague from California.

Mr. LEWIS of California. I appreciate my colleague yielding, and I'm rising only because of the comments of the gentlelady who just spoke.

Nobody in this Chamber has spent more time working on air quality than this Member. I was the author of a major bill in California that changed the scene there in terms of polluting the air. During that discussion, we said, we can control 97 percent of emissions from smokestacks in a relatively short time if we will, but the real problem's going to be Detroit. If we really want to change that, we've got to change Detroit.

The gentlelady's amendment would follow a logical line. We would indeed insist on having an amendment instead that would close down all of Detroit. The problem of mercury is a totally different question than the way this gentlelady presented it. We found problems in the air and found that there was no problem that we thought was there in the first place.

Instead of using this for politics, let's try to really solve the air quality problems and let our industry move forward and get our economy to work again.

Mr. WHITFIELD. I thank the gentleman.

Our legislation, H.R. 2681, provides a balanced approach to a significant problem. These new regulations put out by EPA relating to cement company regulations are unbalanced. We've had testimony after testimony from representatives of the industry that 20 percent of the U.S. cement manufacturing industry will probably close down within 2 years if these regulations remain in effect.

Our legislation is very simple. It simply says to EPA, go back and within 15 months come back with a new regulation, more balanced, and give the industry 5 years to comply. If the administrator wants to give them more, he or she may do so. But this is about protecting jobs as well as about protecting health. As you know, our economy is struggling right now. The testimony shows quite clearly that if we allow these regulations to remain in effect, we're going to lose a lot more jobs.

The good news is that once EPA goes back and revisits this issue, they most certainly are going to consider health benefits. They're going to do an analysis about health benefits.

I might also say we've heard a lot about mercury. EPA has made it very clear that in the regulation that we're trying to postpone that they do not even consider the dollar benefit from the reduction in mercury emissions. So from their perspective, the benefits from mercury emissions were insignificant. All of the benefits come from particulate matter reductions.

I would urge every Member of this body to vote "no" on this motion to recommit and "yes" on our legislation, H.R. 2681, if we want to save jobs in America and if we want a more balanced approach to environmental regulation.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mrs. CAPPS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 176, noes 247, not voting 10, as follows:

[Roll No. 763]

AYES—176

Ackerman	Davis (CA)	Jackson (IL)
Andrews	Davis (IL)	Jackson Lee
Baca	DeFazio	(TX)
Baldwin	DeGette	Johnson (GA)
Bass (CA)	DeLauro	Johnson, E. B.
Becerra	Deuch	Jones
Berkley	Dicks	Kaptur
Berman	Dingell	Keating
Bishop (GA)	Doggett	Kildee
Bishop (NY)	Doyle	Kind
Boswell	Edwards	Kissell
Brady (PA)	Ellison	Kucinich
Braley (IA)	Engel	Langevin
Brown (FL)	Eshoo	Larsen (WA)
Butterfield	Farr	Larson (CT)
Capps	Fattah	Lee (CA)
Capuano	Filner	Levin
Carnahan	Frank (MA)	Lewis (GA)
Carney	Fudge	Lipinski
Carson (IN)	Garamendi	Loebsack
Castor (FL)	Green, Al	Lofgren, Zoe
Chandler	Green, Gene	Lowey
Chu	Grijalva	Luján
Cicilline	Gutierrez	Lynch
Clarke (MI)	Hahn	Maloney
Clarke (NY)	Hanabusa	Markley
Clay	Hastings (FL)	Matheson
Cleaver	Heinrich	Matsui
Clyburn	Higgins	McCarthy (NY)
Cohen	Himes	McCollum
Connolly (VA)	Hinchey	McDermott
Conyers	Hinojosa	McGovern
Cooper	Hirono	McIntyre
Costello	Hochul	McNerney
Courtney	Holt	Meeks
Critz	Honda	Michaud
Crowley	Hoyer	Miller (NC)
Cuellar	Inslee	Miller, George
Cummings	Israel	Moore

Moran
Murphy (CT)
Nadler
Napolitano
Neal
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duffy
Duncan (TN)
Eilmlers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Flores
Forbes
Fortenberry
Foxy

Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark

NOES—247

Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon

Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Woolsey
Yarmuth

Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg

Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)

Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann	Holden	Sánchez, Linda
Blumenauer	Oliver	T.
Boren	Polis	Wilson (FL)
Giffords		Woodall

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1138

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. CAPPS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 161, not voting 10, as follows:

[Roll No. 764]

AYES—262

Adams	Conaway	Griffith (VA)
Aderholt	Costa	Grimm
Akin	Costello	Guinta
Alexander	Cravaack	Guthrie
Altmire	Crawford	Hall
Amash	Crenshaw	Hanna
Amodei	Critz	Harper
Austria	Cuellar	Harris
Bachus	Culberson	Hartzler
Barletta	Davis (KY)	Hastings (WA)
Barrow	Denham	Hayworth
Bartlett	Dent	Heck
Barton (TX)	DesJarlais	Hensarling
Bass (NH)	Diaz-Balart	Herger
Benishek	Dold	Herrera Beutler
Berg	Donnelly (IN)	Hochul
Berkley	Dreier	Huelskamp
Biggart	Duffy	Huizenga (MI)
Bilbray	Duncan (SC)	Hultgren
Bilirakis	Duncan (TN)	Hunter
Bishop (GA)	Ellmers	Hurt
Bishop (UT)	Emerson	Issa
Black	Farenthold	Jenkins
Blackburn	Fincher	Johnson (IL)
Bonner	Fitzpatrick	Johnson (OH)
Bono Mack	Flake	Johnson, Sam
Boswell	Fleischmann	Jordan
Boustany	Fleming	Kelly
Brady (TX)	Flores	King (IA)
Brooks	Forbes	King (NY)
Broun (GA)	Fortenberry	Kingston
Buchanan	Foxy	Kinzinger (IL)
Bucshon	Franks (AZ)	Kissell
Buerkle	Frelinghuysen	Kline
Burgess	Gallegly	Labrador
Burton (IN)	Gardner	Lamborn
Calvert	Garrett	Lance
Camp	Gerlach	Landry
Campbell	Gibbs	Lankford
Canseco	Gibson	Latham
Cantor	Gingrey (GA)	LaTourette
Capito	Gohmert	Latta
Cardoza	Gonzalez	Lewis (CA)
Carter	Goodlatte	LoBiondo
Cassidy	Gosar	Long
Chabot	Gowdy	Lucas
Chaffetz	Granger	Luetkemeyer
Chandler	Graves (GA)	Lummis
Clyburn	Graves (MO)	Lungren, Daniel
Coffman (CO)	Green, Gene	E.
Cole	Griffin (AR)	Mack

Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts

NOES—161

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez
Hahn

Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Scott, David

Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Blumenauer
Boren
Coble
Giffords
Holden
Olver
Polis
Sánchez, Linda
T.
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1146

Mr. BACA changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COBLE. Mr. Speaker, on rollcall No. 764 I was unavoidably detained. Had I been present, I would have voted “aye.”

Stated against:

Ms. MCCOLLUM. Mr. Speaker, on rollcall vote 764, I incorrectly voted in favor of passage of H.R. 2681, the Cement Sector Regulatory Relief Act. I am strongly opposed to this destructive bill and strongly support the Environment Protection Agency's mandate to uphold our nation's Clean Air Act laws.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. JACKSON of Illinois. Mr. Speaker, pursuant to clause 2 of rule IX, I rise to give notice of my intention to raise a question of the privileges of the House.

The form of the resolution is as follows:

Whereas on October 2, 2011, the Washington Post reported a story called “Rick Perry And A Word Set On Stone”;

Whereas upon reading that story the vast majority of people in the United States were morally outraged;

Whereas most of the facts in this resolution come from that Washington Post story;

Whereas Governor Rick Perry has described a childhood in Haskell County in Paint Creek, Texas, as centered on Boy Scouts, school, and church;

Whereas Texas Governor Rick Perry is from West Texas and was originally a Southern Democrat—often known as Dixiecrats—who switched parties in the late 1980s to become a Republican and is currently a leading Republican presidential candidate;

Whereas ranchers who once grazed cattle on the 1,070-acre parcel in Throckmorton County on the Clear Fork of the Brazos River—near where Governor Perry was raised in Paint Creek, Texas—it has since become a hunting ground that was called by the name “Niggerhead” well before Governor Perry and his father, Ray, began hunting there in the early 1980s even though there is no definitive account of when the rock first appeared on the property;

Whereas the use of the term “Niggerhead” to describe a hunting retreat is morally offensive;

Whereas Ronnie Brooks, a local resident who guided a few turkey shoots for Governor Perry between 1985 and 1990, said he holds Governor Perry “in the highest esteem” but said this of the rock at the camp: “It kind of offended me, truthfully”;

Whereas Haskell County Judge David Davis, sitting in his courtroom and looking

at a window there, said the word was “like those are vertical blinds. It's just what it was called. There was no significance other than a hunting deal”—in other words, the judge was morally vacuous;

Whereas the name of this particular parcel did not change for years and for many remained the same after it became associated with Rick Perry, first as a private citizen, then as a State official, and finally as Texas Governor;

Whereas some local residents still call it by the morally repugnant name “Niggerhead”;

Whereas as recently as this summer, the slab-like rock—lying flat, portions of the name still faintly visible beneath a coat of white paint—remained by the gated entrance to the camp;

Whereas asked last week about the name, Governor Perry said the word on the rock is an offensive name that has no place in the modern world—implying that it may have been okay and had an appropriate place in that community when he was growing up;

Whereas Mae Lou Yeldell has lived in Haskell County, Texas, for 70 years and recalls the racism she faced in the 1950s and 1960s in West Texas, when being called an offensive name—like Whites greeting Blacks with “Morning nigger”—was “like a broken record”;

Whereas Throckmorton County, where the hunting camp is located near Haskell County, was for years considered a virtual no-go zone for African-Americans because of old stories told by locals about the lynching of an African-American man there;

Whereas Haskell County began observing Martin Luther King Jr. Day just two years ago according to a county commissioner in Haskell County;

Whereas Governor Perry grew up in a segregated era whose history has defined and complicated the careers of many Southern politicians;

Whereas Governor Perry has spoken often about how his upbringing in this sparsely populated farming community influenced his conservatism;

Whereas Governor Perry says he mentioned the offensive word on the rock to his parents shortly after they had signed a lease and he had visited the property, and they rather immediately painted over the word during the next July 4 holiday, but seven people interviewed by the Washington Post said they still saw the word on the rock at various points during the years that the Perry family was associated with the property through his father, partners, or his signature on a lease;

Whereas another local resident who visited the property with Governor Perry and the legislators he brought there to go hunting recalled seeing the rock with the name clearly visible;

Whereas how, when, or whether Governor Perry dealt with it when he was using the property isn't clear and adds a dimension to the emerging biography of Governor Perry who quickly moved into the top tier of Republican presidential candidates when he entered the race in August; and

Whereas Herman Cain is the only Republican presidential candidate to criticize Governor Rick Perry for being “insensitive” when the word was not immediately condemned, but we would remind Herman Cain that the word is not only “insensitive”, but is also “offensive”: Now, therefore, be it

Resolved, That the House of Representatives—

(1) calls on Governor Rick Perry to apologize for not immediately doing away with the rock that contained the word “Niggerhead” at the entrance of a ranch he