

# VETERANS OPPORTUNITY TO WORK ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2433) to amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes, as amended, 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 offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 6, not voting 9, as follows:

[Roll No. 785]

YEAS—418

|             |               |                 |
|-------------|---------------|-----------------|
| Ackerman    | Clarke (MI)   | Garamendi       |
| Adams       | Clarke (NY)   | Gardner         |
| Aderholt    | Clay          | Gerlach         |
| Akin        | Cleaver       | Gibbs           |
| Alexander   | Clyburn       | Gibson          |
| Altmire     | Coble         | Gingrey (GA)    |
| Amodei      | Coffman (CO)  | Gohmert         |
| Andrews     | Cohen         | Gonzalez        |
| Austria     | Cole          | Goodlatte       |
| Baca        | Conaway       | Gosar           |
| Bachmann    | Connolly (VA) | Gowdy           |
| Bachus      | Conyers       | Granger         |
| Baldwin     | Cooper        | Graves (GA)     |
| Barletta    | Costa         | Graves (MO)     |
| Barrow      | Costello      | Green, Al       |
| Bartlett    | Courtney      | Green, Gene     |
| Barton (TX) | Cravaack      | Griffin (AR)    |
| Bass (NH)   | Crawford      | Griffith (VA)   |
| Becerra     | Crenshaw      | Grijalva        |
| Benishek    | Critz         | Grimm           |
| Berg        | Crowley       | Guinta          |
| Berkley     | Cuellar       | Guthrie         |
| Berman      | Culberson     | Gutierrez       |
| Biggert     | Cummings      | Hahn            |
| Bilbray     | Davis (CA)    | Hall            |
| Billirakis  | Davis (IL)    | Hanabusa        |
| Bishop (GA) | Davis (KY)    | Hanna           |
| Bishop (NY) | DeFazio       | Harper          |
| Bishop (UT) | DeGette       | Harris          |
| Black       | DeLauro       | Hartzler        |
| Blackburn   | Denham        | Hastings (FL)   |
| Blumenauer  | Dent          | Hastings (WA)   |
| Bonner      | DesJarlais    | Hayworth        |
| Bono Mack   | Deuch         | Heck            |
| Boren       | Diaz-Balart   | Heinrich        |
| Boswell     | Dicks         | Hensarling      |
| Boustany    | Dingell       | Herger          |
| Brady (PA)  | Doggett       | Herrera Beutler |
| Brady (TX)  | Dold          | Higgins         |
| Braley (IA) | Donnelly (IN) | Himes           |
| Brooks      | Doyle         | Hinche          |
| Broun (GA)  | Dreier        | Hinojosa        |
| Brown (FL)  | Duffy         | Hirono          |
| Buchanan    | Duncan (SC)   | Hochul          |
| Bucshon     | Duncan (TN)   | Holden          |
| Buerkle     | Edwards       | Holt            |
| Burgess     | Ellison       | Honda           |
| Burton (IN) | Ellmers       | Huelskamp       |
| Butterfield | Emerson       | Huizenga (MI)   |
| Calvert     | Engel         | Hultgren        |
| Camp        | Eshoo         | Hunter          |
| Canseco     | Farenthold    | Hurt            |
| Cantor      | Farr          | Inslee          |
| Capito      | Fattah        | Israel          |
| Capps       | Fincher       | Issa            |
| Capuano     | Fitzpatrick   | Jackson (IL)    |
| Carnahan    | Fleischmann   | Jackson Lee     |
| Carney      | Fleming       | (TX)            |
| Carson (IN) | Flores        | Jenkins         |
| Carter      | Forbes        | Johnson (GA)    |
| Cassidy     | Fortenberry   | Johnson (IL)    |
| Castor (FL) | Fox           | Johnson (OH)    |
| Chabot      | Frank (MA)    | Johnson, E. B.  |
| Chaffetz    | Franks (AZ)   | Johnson, Sam    |
| Chandler    | Frelinghuysen | Jordan          |
| Chu         | Fudge         | Kaptur          |
| Cicilline   | Gallegly      | Keating         |

|                 |                  |               |
|-----------------|------------------|---------------|
| Kelly           | Nadler           | Schilling     |
| Kildee          | Napolitano       | Schmidt       |
| Kind            | Neal             | Schock        |
| King (IA)       | Neugebauer       | Schrader      |
| King (NY)       | Noem             | Schwartz      |
| Kingston        | Nugent           | Schweikert    |
| Kinzinger (IL)  | Nunes            | Scott (SC)    |
| Kissell         | Nunnelee         | Scott (VA)    |
| Kline           | Olson            | Scott, Austin |
| Kucinich        | Olver            | Scott, David  |
| Labrador        | Owens            | Sensenbrenner |
| Lamborn         | Palazzo          | Serrano       |
| Lance           | Pallone          | Sessions      |
| Landry          | Pascrell         | Sewell        |
| Langevin        | Pastor (AZ)      | Sherman       |
| Lankford        | Paulsen          | Shimkus       |
| Larsen (WA)     | Payne            | Shuler        |
| Larson (CT)     | Pearce           | Shuster       |
| Latham          | Pelosi           | Simpson       |
| LaTourette      | Pence            | Sires         |
| Latta           | Perlmutter       | Smith (NE)    |
| Lee (CA)        | Peters           | Smith (NJ)    |
| Levin           | Peterson         | Smith (TX)    |
| Lewis (CA)      | Petri            | Smith (WA)    |
| Lipinski        | Pingree (ME)     | Southerland   |
| LoBiondo        | Pitts            | Speier        |
| Loeb            | Platts           | Stark         |
| Lofgren, Zoe    | Poe (TX)         | Stearns       |
| Long            | Polis            | Stivers       |
| Lowe            | Pompeo           | Stutzman      |
| Lucas           | Posey            | Sullivan      |
| Luetkemeyer     | Price (GA)       | Sutton        |
| Lujan           | Price (NC)       | Terry         |
| Lummis          | Quayle           | Thompson (CA) |
| Lungren, Daniel | Quigley          | Thompson (MS) |
| E.              | Rahall           | Thompson (PA) |
| Lynch           | Rangel           | Thornberry    |
| Mack            | Reed             | Tiberi        |
| Maloney         | Rehberg          | Tierney       |
| Manzullo        | Reichert         | Tipton        |
| Marchant        | Renacci          | Tonko         |
| Marino          | Reyes            | Towns         |
| Markley         | Ribble           | Tsongas       |
| Matsui          | Richardson       | Turner (NY)   |
| McCarthy (CA)   | Richmond         | Turner (OH)   |
| McCarthy (NY)   | Rigell           | Upton         |
| McCaul          | Rivera           | Van Hollen    |
| McClintock      | Roby             | Velázquez     |
| McCollum        | Roe (TN)         | Visclosky     |
| McCotter        | Rogers (AL)      | Walberg       |
| McDermott       | Rogers (KY)      | Walden        |
| McGovern        | Rogers (MI)      | Walsh (IL)    |
| McHenry         | Rohrabacher      | Walz (MN)     |
| McIntyre        | Rokita           | Wasserman     |
| McKeon          | Rooney           | Schultz       |
| McKinley        | Ros-Lehtinen     | Waters        |
| McMorris        | Roskam           | Watt          |
| Rodgers         | Ross (AR)        | Waxman        |
| McNerney        | Ross (FL)        | Webster       |
| Meehan          | Rothman (NJ)     | Welch         |
| Meeks           | Roybal-Allard    | West          |
| Mica            | Royce            | Westmoreland  |
| Michaud         | Runyan           | Whitfield     |
| Miller (FL)     | Ruppersberger    | Wilson (SC)   |
| Miller (MI)     | Rush             | Wittman       |
| Miller (NC)     | Ryan (OH)        | Wolf          |
| Miller, Gary    | Ryan (WI)        | Womack        |
| Miller, George  | Sánchez, Linda   | Woodall       |
| Moore           | T.               | Woolsey       |
| Moran           | Sánchez, Loretta | Yarmuth       |
| Mulvaney        | Sarbanes         | Yoder         |
| Murphy (CT)     | Scalise          | Young (AK)    |
| Murphy (PA)     | Schakowsky       | Young (FL)    |
| Myrick          | Schiff           | Young (IN)    |

NAYS—6

|          |        |         |
|----------|--------|---------|
| Amash    | Filner | Garrett |
| Campbell | Flake  | Jones   |

NOT VOTING—9

|           |            |             |
|-----------|------------|-------------|
| Bass (CA) | Hoyer      | Paul        |
| Cardoza   | Lewis (GA) | Slaughter   |
| Giffords  | Matheson   | Wilson (FL) |

□ 1834

Mr. WELCH changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. TURNER of Ohio. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1380.

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

There was no objection.

# UNITED STATES PAROLE COMMIS- SION EXTENSION ACT OF 2011

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2944) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

On page 2, line 12, strike “‘27 years’ or ‘27-year period’” and insert “‘26 years’ or ‘26-year period’”.

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

There was no objection.

A motion to reconsider was laid on the table.

# HOOR OF MEETING ON TOMORROW

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. tomorrow for morning-hour debate and 11:30 a.m. for legislative business.

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

There was no objection.

# REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 822

Mr. COHEN. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 822.

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

There was no objection.

# EPA REGULATORY RELIEF ACT OF 2011

Mr. WHITFIELD. Madam 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. 2250.

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

There was no objection.

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. 2250.

□ 1838

#### 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. 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, with Mr. DUFFY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, October 11, 2011, amendment No. 3 printed in the CONGRESSIONAL RECORD by the gentleman from Texas (Mr. JACKSON LEE) had been disposed of.

#### AMENDMENT NO. 22 OFFERED BY MR. COHEN

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 18, strike “and” after the semicolon.

Page 7, line 19, strike “impacts.” and insert “impacts; and”.

Page 7, after line 19, insert the following subparagraph:

(F) potential reductions in the number of illness-related absences from work due to respiratory or other illnesses.

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

Mr. COHEN. Thank you, Mr. Chairman.

My amendment is a very simple amendment. It should get unanimous support here. It simply requires the Environmental Protection Agency administrator to consider increases in illness-related absences from work when establishing a compliance date for the boiler rule.

Last week, I offered similar language as an amendment to the Cement Sector Regulatory Relief Act, which, unfortunately, didn't pass. I don't think it was clearly understood by both sides of the aisle. However, I believe my amendment is more applicable to this legislation since boilers and incinerators pose an even greater health threat to the American people. In fact, EPA's analysis demonstrates that for every year this rule will be in effect, it would prevent up to 320,000 missed work- or schooldays.

During the debate on my amendment last week, the majority conceded, which I appreciated, that the amendment would do no harm because the majority thought that the language was already in the bill and that it would be duplicative and unnecessary.

□ 1840

The reality is that there's nothing in the underlying legislation that re-

quires the administrator to consider illness-related absences from work when setting a compliance date. Now, indeed, it should have been in there—and I can understand why the other side thought it would be in there because it should have been in there—but it wasn't in there, and that's why I offered this amendment. But this factor is critical, and any establishment of a compliance date that does not consider the health of the American workforce is fundamentally flawed and inadequate.

As the majority correctly stated last week, the EPA already knows how many work days will be missed as a result of delaying the boiler rule, so my amendment will not hinder the EPA's decisionmaking process. Additionally, as the majority admitted last week, at worst, my amendment does no harm—or, as kind of the NBA rule, no harm, no foul. However, at best, my amendment ensures that EPA's decision is based on a more complete analysis of the economic impacts of the rule. And given the economic consequences of 320,000 days of missed work or school a year, it's imperative that EPA factor this information into its compliance date decision.

I ask the majority to recognize that if the United States is going to retain its status as the world's economic engine, then we need to have the world's healthiest and most productive workforce—and children. But that will not happen if we continue to let polluting boilers and incinerators undermine the health and well-being of millions of American workers and children.

I encourage my colleagues to understand the importance of a healthy workforce and support my amendment. On behalf of the millions of American workers and schoolchildren who have been forced to miss work or school because of sickness incurred by breathing toxic pollutants from boilers and incinerators—mercury, no less, which interferes with young people's abilities to think—I ask that you support my amendment. It's time to put partisanship aside and work together to strengthen the American worker and the American school child.

I urge passage of my amendment, and I yield back the balance of my time.

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

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

Mr. WHITFIELD. I want to thank the gentleman from Tennessee for offering this amendment. He always does a great job of articulating his position on these issues, some of which are pretty complicated.

In this amendment, he would add illness-related work absences to the considerations when EPA is setting the compliance deadline. And of course that's one of the main purposes of H.R. 2250, to allow additional time for universities, hospitals, and industries in complying with these rather com-

plicated Boiler MACT rules. And in the legislation, we set out six or seven specific items that EPA must consider in setting the compliance deadline. They do have to set it no sooner than within 5 years, but the EPA administrator has additional time after that. And the section of the bill that I'm talking about identifies specific issues relevant to a facility's ability to comply and simply ensures that in setting these compliance dates, plant-focused considerations are taken into account.

Now, EPA already has the responsibility for considering health impacts in setting its standards. And its unclear exactly how this amendment would be implemented different from what the act already requires the EPA to do. So I'm going to respectfully oppose the amendment and ask that it be defeated. However, if we end up having a vote on this and if it is defeated, either by voice vote or by record vote, if we are successful in getting this into a conference with the Senate, I would specifically make the commitment to the gentleman from Tennessee that I would work with him sincerely in trying to address his concern. And I might say that we've had a lot of amendments, and this is, I guess, the only time we said we would really be willing to do that. I know you're trying to address an issue that's of concern to you. And while I oppose the amendment here, if we are successful in getting to conference, I'd look forward to working with the gentlemen at that time. For that reason, I would formally, at this time, oppose the amendment.

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

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

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

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

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

Mr. WHITFIELD. 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. DUFFY, 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. 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.

#### IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas