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

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers. I just want to simply thank the gentleman from Illinois. He's truly one who will stand on principle and work on both sides of the aisle, and for that we're very grateful and appreciative. This is what we are supposed to be doing, working in a bipartisan way.

H.R. 665, as amended, is a good bill. It's good government, it's something we should do, and I would urge all of my colleagues to support it. I appreciate all the support from our leadership in making this point happen.

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

Mr. CUMMINGS. Mr. Speaker, I am in support of important legislation on Federal real property disposal. I believe that we have found a bipartisan solution to the deficiencies that currently exist in real property management in H.R. 665.

The Federal Government has costly and pressing problems disposing of its unneeded real property, which includes its public buildings and lands. As a result, the GAO has placed this issue on its "high risk" list. Unneeded and under-utilized buildings are languishing in the Federal inventory when their sale could generate much-needed revenue for the national treasury. Maintenance of these buildings costs the government nearly $1.7 billion in fiscal year 2010 alone. In tough times like those we face today, this waste is simply unacceptable.

In this Congress, four separate pieces of legislation have been introduced to help solve the problem. H.R. 665 combines the best elements of these legislative proposals and creates a timely and workable method of disposing of excess Federal property while generating the highest possible financial returns.

The bill would establish a five-year pilot program to dispose of the 15 highest value unneeded Federal real properties.

The Federal Government will clearly gain from the disposal of these properties. Not only will the fair market value generate income, but we will realize significant savings by eliminating maintenance and operating costs.

I also support H.R. 665 because it will provide aid to organizations dedicated to helping those most vulnerable among us, the homeless. This legislation permits Congress to appropriate the equivalent of two (2) percent of the proceeds from the sale of these properties to fund grants to eligible organizations that serve the homeless. This requirement preserves our commitment to the goals of the McKinney Vento Homeless Assistance Act.

This bill will also expand transparency surrounding the disposal of Federal property. It requires that GSA report annually to Congress on the number, market value and deferred maintenance costs of all executive branch real property assets. The report would also include ongoing operating costs of surplus properties so that we are always aware of the expenses that empty, unused properties are incurring. The public will also be able to access information on all real Federal property through a database required to be established by GSA.

Agencies will also be allowed to retain the net proceeds from the disposition of real property, and use those funds to maintain, repair, and dispose of their other properties. Net proceeds not used for such costs would be used for deficit reduction. This provision will incentivize agencies to move properties quickly through the disposal process and will keep revenues moving into the Treasury.

I am pleased that we have been able to produce a bipartisan solution to a problem that wastes taxpayer dollars maintaining unneeded Federal buildings. I support H.R. 665 as amended and I hope that we can get this legislation working for America as soon as possible.

Mr. STEARNS. Mr. Speaker, I rise today in strong support of H.R. 665, the Excess Federal Building and Property Disposal Act of 2011. This important bipartisan legislation will decrease the deficit by selling excess federal buildings and property by empowering the executive branch to more quickly dispose of excess federal property. This bill would also permanently modernize the existing disposal process through reductions in administrative overhead. This bill also requires greater accountability from those responsible for federal property disposal.

The federal government owns a staggering one-third of the United States and owns more real property than any other entity in America: 900,000 buildings and structures covering 3.38 billion square feet. According to a February 10, 2011 Government Accountability Office (GAO) report, 24 federal agencies identified 45,190 underutilized buildings that cost $1.66 billion annually to operate. More recently, Office of Management and Budget Comptroller Daniel Werfel testified before a Senate Subcommittee that the government controls even more, with 14,000 excess buildings and structures and 76,000 underutilized properties. This large inventory of underutilized federal property is the product of a convoluted and inefficient disposal process.

H.R. 665 works to correct this by establishing a five-year pilot program, beginning on the date that the legislation is enacted, to dispose of excess federal property. The Director of the Office of Management and Budget and the Administrator of the General Services Administration (GSA) would identify, with input from federal agencies, the 15 excess properties with the highest market value. These properties will be disposed of through public auction, and after one property is sold, the GSA will have 15 days to identify another property to replace the auctioned property on the list for disposal. Ninety-eight percent of profits will be deposited into the Treasury and 2 percent will be directed toward the Department of Housing and Urban Development to provide grants for homeless assistance.

Selling off unused federal property would allow the federal government to focus our limited fiscal resources on maintaining the property the United States currently owns. I strongly urge my colleagues to support the Excess Federal Building and Property Disposal Act to begin prioritizing the public auction of unused federal property and reducing the nation's $15 trillion national debt.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 665, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHAFFETZ. 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 subject to the call of the Chair.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess.

□ 1347

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GINGREY of Georgia) at 1 o'clock and 47 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2087, REMOVING RESTRICTIONS FOR ACCOMACK COUNTY LAND PARCEL

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 587 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 587

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2087) to remove restrictions from a parcel of land situated in the Atlantic District, Accomack County, Virginia. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated March 19, 2012, and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the

House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

POINT OF ORDER

Mr. GRIJALVA. Mr. Speaker, this proposed rule seeks to waive House rules requiring disclosure of any earmarks in the underlying bill, H.R. 2087. Therefore, pursuant to clause 9 of rule XXI of the rules of the House, I make a point of order against consideration of this rule.

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates clause 9(b) of rule XXI.

Under clause 9(b) of rule XXI, the gentleman from Arizona and the gentleman from Utah each will control 10 minutes of debate on the question of consideration.

Following the debate, the Chair will put the question of consideration as follows: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Speaker, the majority frequently congratulates itself for adopting a policy ''banning'' earmarks. Republican leadership often points to the earmark ban as an important accomplishment in improving the legislative process.

It should be noted, for the record, the provision requiring the disclosure of earmarks was inserted into the rules of the House during the 110th Congress, under a Democratic majority.

The American people might be surprised to learn that, despite claims of strict opposition to earmarks, the majority is bringing a proposed rule to the House floor that would not only allow an earmark in the underlying bill, but even waives the basic requirement that such an earmark be disclosed.

Clause 9 of rule XXI of the rules of the House specifically states that it shall not be in order to consider a rule that waives the requirement to disclose earmarks, and yet the rule the majority is seeking to call up specifically states, ''All points of order against consideration of the bill are waived.''

And the question of whether the underlying bill, H.R. 2087, contains an earmark is critical. If enacted, the bill would transfer full ownership of Federal land to a county in Virginia. All parties agree the land has an appraised value of $815,000, but the bill would transfer this Federal land to the county for free. The county is in the congressional district represented by the sponsor of the legislation.

This is not county land; this is Federal land. The county has been granted limited authority to control this land as long as it is used for public recreation. According to the deed, the county cannot sell the land or rent it or lease it or develop it. Only H.R. 2087 will give the county this land with no limitation.

I suspect that every Member of this House would like to be able to pass legislation giving his or her constituents an $815,000 windfall.

Mr. Speaker, either this is an earmark, and the majority should follow its own rules and not bring this rule or the underlying bill to the floor, or this is not an earmark, and the waiver should be removed from the rule. Either way, the proposed rule is a clear violation of House rules and should not be taken up by this House.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I am obviously in favor of consideration of this resolution.

The question before the House is: Shall the House now consider House Resolution 587?

While the resolution waives all points of order against consideration of the bill, the committee is not aware of any point of order. The waiver is a complete waiver in nature.

Note, there is not a specific waiver against an earmark simply because the bill contains no earmarks. It is in compliance with the earmark definition provided for us in the House Rules, a rule that goes back to, actually—to make the record complete—the 109th Session of Congress and the earmark ban instituted by the House Republicans when they took the majority in January of last year.

As is required by House Rules, the committee report filed for this bill on January 18 includes a specific determination and statement that the bill does not contain an earmark. I will quote from page 5 of the report: The bill does not contain any congressional earmarks or limited tax benefits or limited tariff benefits as defined by the Rules of the House of Representatives.

With all due respect to my friend from Arizona, each person may have his own perception of what an earmark is, but, with all due respect, the term ''congressional earmark'' means a provision that provides or authorizes or recommends a specific amount of discretionary budget authority, credit authority, or other spending authority or expenditures with or to an entity. It has to have money involved in it.

Specifically, the definition of an earmark requires that there be spending in the form directed to an entity or targeted geographically. This bill does not involve the spending of money or loan authority or credit authority or any other form of payment of funds.

The land in question is already with the county. It will remain with the county. Whether we pass this bill or not, it is still with the county. The only issue is the deed restriction, not the value of the land, not the transfer of money.

This parcel is with Virginia on Federal land that at one time had a deed restriction. It simply removes that deal.

The CBO viewed and scored this bill, and concluded it would not cost money, stating it ''would have no significant impact on the Federal budget.''

Moreover, this type of bill, clearing the title to land, has repeatedly been approved when the House has been controlled by both Republicans and Democrats. The definition of an earmark is clear. There has not been a fiscal impact, and this bill does not meet the House rules definition used by either Democrats or Republicans.

This is really a red herring to stop economic development and the creation of jobs caused by lingering Federal bureaucratic red tape.

This county is one of the poorest counties in the Commonwealth of Virginia, with more than 16 percent of its population living in poverty and a higher rate of unemployment than the rest of Virginia. This very small bill, at no cost to the Federal taxpayer, will help to turn that around.

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

Mr. GRIJALVA. Mr. Speaker, under current law, the county controls these 32 acres of Federal land, but the deed clearly states that the county may not sell or lease the land or use it for anything other than public recreation. The county received control of the land with those restrictions in 1976, free of charge.

The underlying bill, H.R. 2087, will remove all restrictions from the deed. The county would be free to sell the land or lease it or do whatever it wants with it and pocket any and all revenue. This is clearly an $815,000 windfall for the county created specifically by this bill.

Regardless of whether you agree the bill is an earmark, the proposal from the Rules Committee to waive the earmark disclosure rule should also be cause for concern. If H.R. 2087 contains no earmarks, why is the waiver necessary? Why have an earmark disclosure rule if you just waive it every time you bring a bill to the floor?

Any Member who has ever claimed to oppose earmarks should insist that the rule waiving the disclosure requirement be rejected.

With that, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, once again, the rule does not waive an earmark, because there are no earmarks. It is a general waiver that is in there. If one were to look back at the past three Congresses, official bills that have been prepared that are very similar to this have also included the same type of language and were determined as not to have an earmark. Specifically, go back to H.R. 944 in the 112th Congress, H.R. 86 in the 111th Congress, H.R. 356 in the 110th Congress, H.R. 2246 in the 110th Congress, and S. 404 in the 112th Congress—same language, same situation, same condition.

Once again, the rules of our House say this is not an earmark. The CBO

says it's not an earmark, because it is not an earmark. There is no transfer of money. The county has the land. The county will continue to have the land. The only thing this is about is the deed restriction. Deed restrictions are not earmarks.

I reserve the balance of my time.

□ 1400

Mr. GRIJALVA. Mr. Speaker, reading from the remarks to the Natural Resources subcommittee from Thursday, September 15, by the sponsor of this legislation, he stated a recent appraisal valued the land at $815,000, which is more than $25,000 per acre.

There is economic gain for the county, and waiving the disclosure only adds to the confusion that the public feels when we say we have a ban on earmarks and yet we are waiving rules that would disclose that and fully be transparent as to the kinds of decisions we're making with public lands.

The CBO is unable to value what public land is worth. It's certainly here in the testimony of the sponsor of this legislation. The appraisal value is listed, and that, to me, leads to the conclusion that this is an earmark and that the rule that is presently before us should be rejected.

I yield back the balance of my time.

Mr. BISHOP of Utah. Let me try and once again put this in perspective.

The Federal Government, in and of itself, owns no land, especially in one of the original 13 States.

Virginia had the land and gave it to the Federal Government. In 1976, the Federal Government gave this back to the county with a lease for a park and restrictions, a deed restriction only. There is no transfer of money if we take away the deed restriction. There is no transfer of authority. The county has it. The county will continue to have it.

The dollar value that was given was made up in the minds of the Department of the Interior. This county actually said, if you really want more parkland, we will create 32 acres somewhere else for more parkland. The Department of the Interior said, No, let's have cash instead. They are the ones that determined that this land was worth 25 grand an acre, asking almost a million dollars from one of the poorest counties. They came up with that on their own. That does not mean it's reality.

The reality is the county has the land. The county will continue to have the land. There is no transfer of dollars. There is no loss from taxpayers in America. Actually, these guys who live in Virginia are taxpayers, too. Transferring from one pocket to the other is a ridiculous requirement to place on them, and all we're talking about is a deed restriction—how can we best use the land to actually help people.

Now, if the other side does not care about this county, does not care about the 16 percent of the population living in poverty, does not care about the unemployment rate, does not care that they actually use this land in a logical, rational manner, I can understand that. It still doesn't mean that's an earmark.

The point of order is a delay tactic of today's consideration of this legislation.

Sometimes in the past, a couple of other Members who have declared what I think are earmarks as non-earmarks have always used the old cliche if it walks like a duck, quacks like a duck, it's probably a duck. But as Hans Christian Andersen told us, sometimes those ducks you perceive are actually the honking of a swan. This bill is a swan. This bill will help these people to produce themselves.

This point of order has no merit to it. In order to allow the House to continue its scheduled business of the day, I urge Members to vote ''yes'' on the question of consideration of this resolution.

I yield back the balance of my time.

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

The question is, Will the House now consider the resolution?

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 172, not voting 32, as follows:

[Roll No. 112]

YEAS—227

Adams
Aderholt
Alexander
Amash
Austria
Bachmann
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—172

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—32

Akin
Amodei
Bachus
Bass (CA)
Bono Mack
Brady (TX)
Davis (IL)
Doggett
Dold
Gonzalez
Hartzler
Hirono
Honda
Jackson (IL)
Kinzinger (IL)
Larson (CT)
Lee (CA)
Lewis (CA)

Lipinski	Paul	Van Hollen
Manzullo	Rangel	Velázquez
Marino	Rush	Walsh (IL)
McCarthy (NY)	Schock	Yarmuth
Noem	Stark	

□ 1432

Messrs. WELCH, HEINRICH, Mrs. MALONEY, and Mr. DAVID SCOTT of Georgia changed their vote from ''yea'' to ''nay.''

Messrs. BILBRAY and MCCARTHY of California changed their vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. HIRONO. Mr. Speaker, on rollcall No. 112, had I been present, I would have voted ''nay.''

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall Nos. 111 and 112, I was delayed and unable to vote. Had I been present I would have voted ''yea'' on both.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. For purposes of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. The resolution provides for a modified open rule for the consideration of H.R. 2087, a bill to remove certain restrictions from a parcel of land that's situated in the Atlantic District of Accomack County, in Virginia. It provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. This rule makes in order all amendments that were preprinted in the CONGRESSIONAL RECORD and which otherwise comply with the rules of the House.

So this modified rule is a very fair rule. It is a generous rule. It will provide for a balanced and open debate on the merits of this bill that is not an earmark.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Utah, my colleague (Mr. BISHOP), for yielding me the customary 30 minutes, and yield myself such time as I may consume.

We begin yet another week of inaction in the House of Representatives. Last week, our colleagues in the Senate, working together in a bipartisan fashion, approved a transportation bill that would be the biggest job creation measure this body has considered in this Congress. But are we talking about a bipartisan job creation bill in the House? No.

Instead of creating thousands of jobs through a bipartisan transportation bill that has already passed the Senate, and just awaits our action, we are talking about an $800,000 earmark to benefit a single county in a single State. And if somebody talked about the day's work that we were getting around to, this is it.

In other words, instead of creating the millions of new jobs that would result from a strong bipartisan transportation bill, we're spending the entire day debating a bill that affects 32 acres of land in a single State. No other community in America has received the kind of special treatment that is provided to a single community in this bill. This earmark hardly seems like a fiscally responsible way to create jobs and to protect the tax dollars of our hardworking American citizens.

This is not the first time the Federal Government has had to make decisions about transferring public lands to new uses. Fortunately, there is an established procedure in existing law to ensure that the taxpayers get just compensation in such cases. We are being asked today to ignore that. Instead of letting the National Park Service and the local community handle the transfer of this land in the tried-and-true way, the majority proposes making a one-time exception—an $800,000 earmark for a single community.

If this majority were serious about job creation, we would right now be discussing the Senate-passed transportation bill. But instead, as I said before, we've spent an entire day of this week debating 32 acres of land.

I urge my colleagues to vote ''no'' on the rule and the underlying legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 4 minutes to the sponsor of this bill, who will once again try to describe to this body how this county land should stay with the county and needs to be dealt with by the county and all we have to do is remove an unnecessary restriction on its deed.

With that, I yield 4 minutes to the gentleman from Virginia (Mr. RIGELL).

Mr. RIGELL. I thank the gentleman from Utah.

Mr. Speaker, it's a real privilege today to speak on behalf of the bill that I'm introducing. It is indeed a jobs bill. It is a bill that reflects common sense. It's a bill that reflects common ground. And I think, importantly, it reflects the wisdom and the will of the good, hardworking residents of Accomack County in Virginia, whom I have the privilege of representing. It enjoyed bipartisan support in coming out of committee, and it enjoys and should enjoy and merits today bipartisan support when it comes before the full House for a vote.

Here's why if it's passed it will work toward job creation. Unlike so many measures that some have proposed, instead of looking to Washington to actually spend more money or for Washington to do something, the folks of Accomack County are simply asking for the Federal Government to get out of the way and allow the greatest job-producing engine the world has ever known, Mr. Speaker, the American entrepreneur, to go forward and to put hardworking folks to work and put precious and limited capital to work.

This bill simply removes a deed restriction. That's all it does. And this deed restriction is, in effect, a restriction on job creation. It's a restriction on much needed tax revenue that this county so desperately needs. Sixteen percent unemployment; sixteen percent of the folks there live at the poverty level.

Accomack County is 90 percent agricultural, a bit of tourism, and then the NASA Wallops Facility. This piece of property is adjacent to the NASA Wallops Facility; and presently, with this deed restriction, they can't use it at all for any economic growth or opportunity. Removing this deed restriction will allow the board of supervisors there to move forward with their Wallops Research Park. They are desperate to get this done, and I am ready to help them today.

Mr. Speaker, as I mentioned earlier, this bill enjoyed bipartisan support in committee. It does not require any money coming from the Federal Government. We're simply asking for the Federal Government to get out of the way and let the hardworking folks of Accomack County get on with job creation.

Ms. SLAUGHTER. I just wish to make a comment or two. The most unusual thing about this bill is that when we have a Federal land swap and a deed that goes with it, they're always the same—you can use this land for public purposes. Should you decide not to use this land for public purposes, it reverts to the government. It's as simple as that.

So what we're doing now is giving away $800,000 that belongs to my constituents, your constituents, and everybody else's constituents. We're giving away the tax money. I have got a good idea because there's a Democrat amendment today that can remedy that, and it says the county can pay for the land with the revenues they get from developing the land and renting it out. That way we'll get our money back; the county should be very happy; and we hope that a lot of jobs are created there.

□ 1440

May I inquire, Mr. Speaker, if my colleague is ready to close?

Mr. BISHOP of Utah. I would be more than happy to close at any time you are ready.

Ms. SLAUGHTER. I am ready.

In closing today, let me reiterate what I've said all along: This is not a

jobs bill. It does nothing to put millions of unemployed Americans back to work. By considering this bill, the majority has made a decision that it is more important to vote on an earmark than to vote on a transportation bill that would create thousands of jobs, perhaps millions, throughout the United States and had strong, bipartisan support. We must do something because, as we know, the current legislation will expire at the end of this month.

If the House passes today's legislation, we will have taken a vote, but we will not have helped the American people. We all know we were not sent here to avoid solving the pressing problems facing our constituents, and we certainly weren't sent here to spend our days giving away public land so one county in one State could receive a windfall while all the rest of the taxpayers get nothing.

I urge my colleagues to get back to the single biggest problem facing the country—the lack of jobs—and to vote on the bipartisan Senate transportation bill, which easily passed the Senate 74–22. Until we do, we are just treading water as our roads, bridges, and highways crumble and our constituents are neglected.

I urge my colleagues to vote ''no'' on today's rule and the underlying legislation, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am very pleased to speak in favor of the underlying bill. The gentleman from Virginia (Mr. RIGELL) knows his constituents; he knows the needs there and has worked very hard for their benefit.

This, as we already discussed and voted, is not an earmark. The gentlelady from New York introduced a heritage area for Niagara Falls that got $10 million sent from the Federal Government to that place. That was officially not an earmark. This bill has no money going anywhere. The land is the county's, no exchange of profit whatsoever. There is no earmark, and there is no money being exchanged.

This land was originally Virginia's land. They gave it to the Federal Government for a Federal purpose. Thirty-six years ago, the Federal Government, in no longer needing the land, gave it back to this county for a public park. As a public park, it is useless. Now that's the common bond here. It is not needed as a park; it is not used as a park; there is no parking; it is inaccessible; and it is lousy for that purpose. The county, though, would like to use their land to do economic development because that is where it is and for what it would best be used, how it would help the public and the general good if it were used for economic development. All they need is the Federal Government to graciously grant a deed restriction, which they refuse to do—for whatever purpose, no one really knows, but they won't do it. That is why the county needs to keep the county land, to do something that is common sense, simply use the land for the purpose in which it best suits the needs of the people.

I don't know why the Department of the Interior, in its infinite wisdom, decides they want to tell the county in Virginia what is best for Virginia, but that is exactly what they are trying to do by being hard-nosed, not on a law, but on an internal rule from the Department of the Interior.

Look, this government already controls 1 out of every 3 acres in this Nation. One-third of America is controlled by the Federal Government. That means the Federal Government's in-holdings are larger than any country's in the world, with the exception of Russia's and Canada's. That's what we already have. And yet the Department of the Interior is straining over 32 acres that shouldn't be a park and that need to be used to help the people of this particular county, and that is simply illogical. It is irrational.

I have faced similar circumstances in countless bills that we have had and passed before this body. There was public land in the middle of Park City in my district that was controlled by the Bureau of Land Management. They didn't need it; they didn't want it; they didn't use it. It was actually being occupied by squatters. The city had no control over it because it was public land, and yet the Department of the Interior did not want to let go of that land because the control was already there.

We passed another bill earlier that went through the House and the Senate that transferred land that the Forest Service had that they didn't even know they had. We had to do a title search to remind them, oh, yeah, that actually is ours. They didn't need it; they didn't want it; they didn't use it; and after 6 years, we finally got them to give it up so it could be used for a better purpose.

We have another bill for 2 acres in Alta that the Park Service doesn't want to give up, for whatever reason, even though on that 2 acres there is already the city building, a public safety building, and public bathrooms for the community and those that go to that ski resort; and yet the Forest Service, in this case, doesn't want to give that up for whatever reason there may be.

Mr. Speaker, we were just in a hearing earlier this morning that dealt with a proposed Eisenhower memorial. In all due respect, I just recently read a biography of Eisenhower. When he was just a lieutenant in the Army, he had his first child, and he applied for and received permission for a housing increase that he thought he deserved and so did the commanding officer who approved that housing increase. A little while later, they did an audit, and the acting inspector general did an audit and found out that there was a technicality to which General Eisenhower was not entitled to that housing increase. When he was confronted with that, he immediately apologized and said he was more than willing to pay back the $250.67 that he owed the government.

But that wasn't good enough for the inspector general. That acting inspector general wanted a court-martial because that was what the rules where. That acting inspector general had this blind fetish for fealty to follow rules because that's what bureaucrats always want to do. Fortunately, there was a commanding officer that realized that this young Army officer had a talent and an ability and intervened and allowed General, then Lieutenant, Eisenhower simply to pay the $250.67 and get on with it.

It is amazing to consider what this Nation and what this world would be like if Lieutenant Eisenhower had actually been court-martialed over $250.67 because that was the rule.

We have the same situation, 32 acres that is useless. Right now it has no purpose. It sits there, and the Federal Government wants to deny a county in Virginia the ability to do something useful to help people on 32 acres because it violates their internal rule. There has to be some time when common sense takes over and we actually do things because it's the right thing to do, because it is the better thing to do.

Fortunately, there was an officer in Texas that realized, in the case of General Eisenhower, common sense should take over. It would be nice, it would be wonderful if, within the Department of the Interior, there were some element of common sense that said it is stupid what we are doing with this land. We need simply to use common sense and use the land for a better, better purpose.

There is no transfer of land. The county has it. If we don't pass this bill, the county will still have it. They just can't use it effectively.

If we pass this bill, there will be no transfer of money. All you're saying is the county can use the county's land to do something the county needs to help the people in that county. And, honestly, should that not be our goal? Is that not our purpose, to actually use common sense? Or do we have the bureaucratic blood running through our veins that we put these little blinders on and, unless we check the right box, it doesn't matter if it helps, it doesn't matter if it's good, it doesn't matter if it's possible, we won't do it because of our internal rules?

That is, indeed, where this country and this Congress has come. There is something definitely wrong with us.

This rule is a fair rule. It will provide for a good debate. It provides for all those amendments that were preprinted and are in order to be debated here on the floor.

Let us proceed forward with this bill. Let's help this county that desperately needs our help and that desperately needs us just to use some good, old-fashioned common sense. Vote ''yes'' on this amendment.

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.

Ms. SLAUGHTER. 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, this 15-minute vote on adoption of House Resolution 587 will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 665.

The vote was taken by electronic device, and there were—yeas 232, nays 170, not voting 29, as follows:

[Roll No. 113]

YEAS—232

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—170

Ackerman
Altmire
Andrews
Baca
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—29

Akin
Bachus
Baldwin
Bono Mack
Brown (FL)
Davis (IL)
Doggett
Dold
Gonzalez
Jackson (IL)
Johnson (GA)
Kinzinger (IL)
Langevin
Lee (CA)
Lewis (CA)
Lipinski
Manzullo
Marino
Meehan
Paul
Rangel
Rush
Schock
Sessions
Thompson (PA)
Van Hollen
Velázquez
Walsh (IL)
Yarmuth

□ 1517

Mr. LUJÁN, Ms. HAHN, and Mr. HONDA changed their vote from ''yea'' to ''nay.''

Mr. BRADY of Texas changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXCESS FEDERAL BUILDING AND PROPERTY DISPOSAL ACT OF 2012

The SPEAKER pro tempore (Mr. GARDNER). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 665), to establish a pilot program for the expedited disposal of federal real property, 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 Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 28, as follows:

[Roll No. 114]

YEAS—403

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