

there is duplication, it doesn't do any harm, so we support this bill and encourage that it be adopted.

I yield back the balance of my time.

Mr. LUCAS. Madam Speaker, I yield myself the balance of my time.

I think, as we've heard here today, this piece of legislation is an effort, in a very bipartisan way, to address some of the issues in Dodd-Frank that need to be fixed. If you care about production agriculture, if you care about Main Street business, if you care about the people who work in the factories that produce the products and do the things that make this great economy move forward, then you'll support H.R. 3336.

It won't affect the five biggest financial institutions that do 96 percent of this kind of business, but it will help the people who really toil and struggle every day to make a living. It will help the small communities where those good folks live. It's a positive effort to address issues that have come to light in the course of the Ag Committee's exhaustive hearings.

I simply thank my colleague, Congresswoman HARTZLER, for working diligently on this bill. I thank the ranking member and my colleagues.

Let's vote for H.R. 3336. Let's try and help the folks back home.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 3336, 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.

Mrs. MALONEY. Madam 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.

MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. MICA. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Mr. RAHALL. Madam Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Rahall moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to recede from disagreement to the amendment of the Senate.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the long-term authorization of surface transportation programs expired on September 30, 2009. Since that time, Congress has enacted nine separate Surface Transportation Extension Acts, allowing us to continue limping along, patching together our Nation's surface transportation system. These short-term, start-and-stop Surface Transportation Extension Acts are undermining our surface transportation system.

Running these programs through short-term extensions creates tremendous uncertainty among State departments of transportation, public transit agencies, and highway and transit contractors that delay critical highway and transit projects, costing good-paying jobs each step of the way.

With more than 2.5 million construction and manufacturing workers still out of work, it is far past time for Congress to enact surface transportation legislation that will remove this uncertainty, create and sustain family-wage jobs, and restore our Nation's economic growth.

That's why I offer this motion today. We have an opportunity before us to move quickly to pass legislation that can remove this uncertainty and get America back to work.

Over a month ago, the Senate passed S. 1813, known as MAP-21, by an overwhelmingly bipartisan vote of 74-22. Now, each of us in this body knows how difficult it is for the other body to agree on just about anything. But, unlike the House, the Senate was able to come together to pass bipartisan legislation that will provide States with the certainty that they need to move forward with highway and transit projects and get Americans back to work. It is time for the House, believe it or not, to follow the other body's lead and pass S. 1813.

Certainly, S. 1813 is not the exact bill that I would have written. However, the Senate bill is a dramatic improvement over what House Republicans proposed in their now-dead partisan reauthorization bill known as H.R. 7, which was reported by the Transportation and Infrastructure Committee, but never acted upon by the full House.

Last week, in an effort to facilitate a conference with the Senate on MAP-21,

the House of Representatives passed H.R. 4348, another surface transportation extension bill. I supported the House passage of H.R. 4348 as a vehicle to go to conference on the Senate bill.

I said then—taking Republicans at their word that they are serious about moving this process forward—passage of that short-term extension bill would allow us to quickly convene a conference with the Senate on its bipartisan, multiyear surface transportation reauthorization bill, which passed with the support of three-quarters of the other body.

A long-term bill will provide the certainty that States need to invest and proceed with their plans long on the books. It will provide the certainty that highway and transit contractors desperately need to give them the confidence to hire that one more worker. That is what surface transportation is all about, putting Americans back to work and sustaining our economic competitiveness.

If there are issues that we must change, we can address those through a technical corrections bill that will make the necessary policy changes to improve the bill. That is not unprecedented. We've done it before.

There is nothing to prevent the Congress from enacting S. 1813 and then continuing to work to develop further bicameral, bipartisan changes to further improve surface transportation programs and policies. But American workers should not have to wait any longer as Congress searches for agreement. The time for political games is over.

So my motion is simple, very simple. It instructs House conferees to agree to the Senate bill. Enactment of MAP-21 will put in place 18 months worth of funding, provide state DOTs and public transit agencies the certainty they need to advance projects, and provide contractors the certainty they need to hire that one more worker. Out-of-work Americans simply cannot wait any longer.

I reserve the balance of my time.

Mr. MICA. Madam Speaker, I rise in opposition to the motion to instruct and yield myself such time as I may consume.

Madam Speaker, I want to take a little bit of time to explain to you and my colleagues and others who may be listening to this debate about what's happening now. The other side of the aisle has just offered a motion to instruct, and we're going to conference on an important piece of legislation. That's the transportation bill that sets the transportation policy for the United States of America.

For all of our transportation projects, those projects that would be eligible, we identify the terms of participation for States and local governments and everyone who is going to receive Federal funds for transportation projects. So all of that is very important.

It is important that we put people to work. When I go back home, I talk to

people who lost their house, lost their job, and they want an opportunity to work. And you heard that, in fact, there have been nine amendments since the bill expired, and six of those extensions were passed under the Democrats. I've had to do three.

They had complete control of the U.S. House of Representatives, the United States Senate, and the White House, and still had to pass six extensions. Then I learned from our staff that they did not pass a single free-standing extension.

□ 1430

Before we left for Easter, I passed a freestanding extension to get us so that we wouldn't close down jobs, that we wouldn't stop contracts, that we wouldn't stop people working. Now they're asking us to take the Senate carte blanche, a proposal which was adopted by the Senate—not a total vote, but it was a bipartisan vote—and just adopt it in their motion to instruct.

Now, Madam Speaker, I just got through explaining the Constitution to a wonderful group of young people from the Stetson Baptist Christian School in DeLand, Florida, on the steps just a few steps from here—right out that door and down those steps—and they stood there. I explained to them that the Founding Fathers created two Houses. The first body that they created, most importantly, the Congress of the United States, a legislative branch with a House and, yes, young people and teachers and chaperones that were listening, and I said also with the Senate.

They did that because they wanted all of those opinions to come together and they wanted us to work, again, in a bipartisan fashion to come up with the best possible solution. Yes, they'd operated with Articles of Confederation with a unicameral government, but last time I checked down the hall, I think if we open those doors and look down there, there is the United States Senate, and this is the people's House of Representatives.

I also explained to the students, this is the only body in which the Members actually have to be elected. Everybody else can be appointed. The Senators can be appointed. The President, actually you could replace him by appointment, the Vice President. But the only Federal representative that they have is the House of Representatives.

But what they want to do is cast the participation of the House of Representatives aside and just adopt what the Senate has brought forward. I tell you that the House has worked hard.

Now, I didn't have the benefit of 6,300 earmarks, which my predecessor had, to pass a bill, so it's taken me a little bit longer, and a few days ago we did pass a bill. It wasn't a bill that we passed out of committee, H.R. 7, with all the Republican votes but one, and we tried to bring to the House. It wasn't the vote that we heard in com-

mittee for some 18 hours, most of the time consumed not with Republican amendments but with Democrat amendments, over a hundred Democrat amendments, and I said we're going to sit there as long as it takes and give everyone an opportunity to participate in this free and open process, which we are doing here. Today they propose closing down that free and open process. Let's just adopt what the Senate tossed over to us.

I say "no," and I say "no" for a whole host of reasons. The Senate proposal is a proposal that will bankrupt the trust fund. The Senate proposal is a path to just building paths, to resurfacing, to short-term jobs, not answering the call of the people who sent us here to make certain that their transportation money, when they go fill up their gas tank, pay for 1 gallon of gas, 18.4 cents comes to Washington in the trust fund, and we spend it. That's what this sets the policy for, what's eligible for receiving those Federal dollars.

But we'll just forget there's a House of Representatives and cast that body aside. I think not.

I think even an eighth-grader from one of my schools at home can figure this out, Madam Speaker, and I just can't agree with this motion to recommend.

I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I yield myself 1 minute.

In order to respond to the distinguished chairman, that's funny, and I appreciate the history lesson he's just given us on legislation in this body. It's funny, while you were speaking to students from your district, I was just speaking to students from my district outside on the Capitol steps as well. They happened to have been from Webster Junior High School from Webster Springs, West Virginia.

I explained to them the process that we're in right now going to conference on the transportation bill, how the other body had passed in a bipartisan fashion, the other body who can rarely agree on anything, including a resolution saying "I love mother," but here they came together and passed a bill with 72 votes in a bipartisan fashion. I had explained to them briefly what the other body's bill did and what our bill did. That's funny. They were all nodding in agreement. They all said we ought to accept the Senate bill; go for the Senate bill.

So I guess the point I'm making is that we all know how this place works. We all know the difficulties in getting something through the other body where, like it or not, the Framers of our Constitution set it up so that the minority in that body has the power.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO), the ranking member on our Highways and Transit Subcommittee.

Mr. DEFAZIO. In a bitterly divided Congress along partisan lines, I think

there is one thing we can all agree upon: America is falling apart.

Our Nation's infrastructure, according to two reports from commissions that met during the Bush administration when the Republicans controlled the House, the White House, and the Senate, came to the same conclusion: we are vastly underinvesting in our national transportation infrastructure.

We're not even spending enough to bring the Eisenhower-era investments up to a state of good repair: 150,000 bridges need repair or replacement; 40 percent of the pavement on the National Highway System needs to be substantially rebuilt, not just paved over; and a \$60 billion to \$70 billion backlog on critical capital investments for our legacy transit systems across America.

The good news is, if we make these investments, we'll put millions of people to work—and not just construction workers, not just engineers, manufacturing steel for the bridges, manufacturing for light railcars, for streetcars, first Made in America streetcars in 70 years being produced at Oregon Iron Works, and the components sourced from 24 States in the United States of America.

We have the strongest buy America requirements in our transportation sector, and I hope that we can agree, as we move forward through this conference, to strengthen those even more so we don't leak these precious tax dollars and jobs overseas like we do in so many other ways.

Now, I understand the reluctance of the majority, and they will prevail here today, to say, Let's do the Senate bill now and move on. Let's put people back to work starting next week. But I've got to caution the majority. They will prevail today, but these temporary extensions are costing us jobs. They aren't status quo, let's just extend 90 days and 90 days.

We are getting substantiated reports from the 50 States that they are delaying or cancelling transportation investments and projects for this construction season because of the uncertainty about Federal funding. Time is of the essence here.

In the northern tier States, we've got to get this bill done before we take—well, we've got a break next week, then we're back, I think, for 7 legislative days, then we've got a break the next week, then we come back for another 7 legislative days, then we've got a 10-day break after that.

We've got to squeeze in a little legislative work between these breaks. I believe that if we're determined that we can begin the conference as soon as we are appointed, and we could have this done no later than May 15 before we begin, two breaks from now, another break. So we've got to stop taking breaks and give the American people a break and put them back to work. Make the investments they know we need in our Nation's infrastructure.

I urge support for the ranking member's position.

□ 1440

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee, who also chairs the Highways Subcommittee, Mr. DUNCAN.

Mr. DUNCAN of Tennessee. I thank Chairman MICA for yielding me this time, and I especially thank him for his long and hard work on this legislation. He has raised several points, Chairman MICA has, as to the problems that this motion to instruct would cause, so let me just mention a few things.

This motion to instruct conferees to accept the Senate bill in its entirety is contrary to the purpose of having a House and Senate conference. It is our responsibility to sit down with our Senate colleagues and address areas where we have differences of opinion. More importantly, the Senate bill includes provisions that many people have serious concerns about.

For example, the Senate bill requires that all new passenger vehicles, beginning in 2015, be equipped with an event data recorder. These recorders are similar to the black boxes required on airplanes. While the intent of this provision is to collect safety information, many people think this is a slippery slope that we really don't want to go down. Privacy is a big concern for many of my constituents and for many people across this country, and this provision, many people feel, would cross the line of Federal intrusion into citizens' personal, or private, lives.

There are also other areas where the Senate bill does not go far enough. We've talked about environmental streamlining for years, but everyone on both sides of the aisle knows we need to really do something about that now because other developed nations are doing projects in half the time or less than we are. In the last two Federal highway studies, one showed it took 13 years and another said it took 15 years from conception to completion. These are not transcontinental highways. These are just relatively short highway projects, and we could be doing those in 6 or 7 years.

The Senate bill does not set hard deadlines for Federal agencies to approve projects, so they can be delayed and delayed and delayed. It does not allow State environmental laws to be used in place of Federal environmental laws. There are some States in which the State laws are better. The Senate bill does not expand the list of projects that qualify for categorical exclusions. The Senate bill does not expedite projects that are being rebuilt due to a disaster, such as the bridge on Interstate 35 in Minnesota, which was done so quickly to everybody's great relief. These are issues not addressed in the Senate bill, issues which could be addressed in the conference. There are also many other issues that Chairman MICA has pointed out.

Let me just say that much of the highway bill that the House has pro-

duced came from the other side. I understand there were hundreds of letters from Democratic Members and that 60 percent of what was requested in those letters was done by the committee staff. Then there were over 100 amendments.

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

Mr. MICA. I yield the gentleman an additional 30 seconds.

Mr. DUNCAN of Tennessee. We started our markup at, I think, 9 o'clock in the morning, and we went until about 3 o'clock the next morning. We addressed over 100 amendments that were submitted by Democratic Members, and I think over 20 of them were put into the bill. So many things were put in by the other side before the bill ever was marked up, and then during the markup. Now we're supposed to do away with all of that and just go with the Senate bill, but I don't think that's the way we should do it. I urge my colleagues to oppose this motion.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to our distinguished ranking member of the Subcommittee on Railroads, the gentlelady from Florida, Ms. CORRINE BROWN.

Ms. BROWN of Florida. I thank the Members of the House.

Madam Speaker, let me just say, in having served on the committee for 19 years, it is the House bill I am very disappointed with. Secretary LaHood stated it best: it's the worst bill he has seen in 35 years. Of course, it's the worst bill I've ever seen. I sat through that markup from 9 o'clock in the morning until 3 o'clock in the morning, and it was a nightmare, since many of the proposals dismantle transportation.

I can truly say that people come to this floor often raving against the Senate. I now say thank God for the United States Senate because they have come up with a commonsense bill that we can fund and pass—and go home. It's a bill that would fund transportation and really put about 2 million people to work. We have many projects in the Florida area that could benefit from our passing comprehensive transportation, but more than that, we have such a high unemployment rate in Florida—9 percent—that every \$1 billion we spend in transportation will generate 44,000 permanent jobs.

In talking about rules and regulations, visiting us today in the Capitol is the Hawk family, whose daughter was killed because of pollution. When we talk about regulations, surely we've got to strike a balance. We have regulations for a purpose. When we raise our hand to defend and protect the public, we're talking about the Constitution, but we also have a responsibility to make sure that we protect the public and have a balanced approach and not destroy all of the regulations pertaining to the environment, which is what the House bill did in the markup.

We can go on and on, but let me just tell you as I close that you can fool

some of the people some of the time, but you can't fool all of the people all of the time. Pass the Senate bill.

Mr. MICA. Madam Speaker, I am pleased to yield 2½ minutes to a gentleman who has authored one of the major amendments to the legislation that passed, the gentleman from Wisconsin (Mr. RIBBLE).

Mr. RIBBLE. I am struck here this afternoon. I've heard my good friends on the other side of the aisle and their concerns. I think it's legitimate that they would like to see long-term certainty in our infrastructure system. Yet, when the highway bill ended in 2009, they controlled the White House, the House of Representatives and the U.S. Senate. While in the majority of all three levels of government, they chose to extend the transportation authorization six times. So here we are, once again, with another delay tactic, letting the American people wait some more. They know that this motion to instruct is not going to go anywhere because there are important reforms that the American people have told us they want.

One of those reforms is my amendment, which is part of our bill that streamlines the redtape. Why in the world should we take 15 years to get a highway project finished? It's because we're waiting two-thirds of the time to get approvals done. It's nonsensical, yet we keep on promulgating the same problem over and over and over again. It's like Groundhog Day here. I have to tell you, Madam Speaker, it gets frustrating after a while.

We need to get on with this and move forward with something. Let's get this into conference so that we can go ahead and make our reforms. The American people have spoken. They spoke in the last election. They decided that they wanted a split government, that they wanted the majority over here in the House and a different majority in the Senate. That was their choice. The way a bill becomes law is that the Senate does its thing and then we do our thing, and then we come together and negotiate in between to find the best common ground for all Americans. That's what we plan on doing here.

I very strongly urge my colleagues to vote "no" on this motion to instruct. Let us get to conference with our reforms and with the House-passed legislation, the bipartisan House-passed legislation. Let's get on with it so that we can get some certainty put back into this.

Mr. RAHALL. Madam Speaker, I am honored to yield 2 minutes to the gentlelady from Texas, a valued member of our committee, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank my ranking member and chair of the Transportation and Infrastructure Committee.

I rise in support of the provisions included in the Senate version of the reauthorization. It was my hope that we

would have a longer-term bill, one that would reauthorize surface transportation, transit, and rail provisions for several years. I support the Senate version because it will provide certainty to the State departments of transportation, to transit agencies, and to contractors, which will help create and sustain jobs for out-of-work Americans.

□ 1450

Most of the roads and bridges in this country are in serious disrepair, and States and municipalities are unable to address these needs with piecemeal extensions.

The Senate bill preserves transit funding and continues funding major transit programs from the highway trust fund. I was very concerned with the elimination of transit funding included in the House version. Transit funds are essential to both urban and rural areas by providing alternative transportation, easing congestion, and reducing emissions. In addition, I support the expansion of the TIFIA program to \$1 billion annually, and the modifications that make it easier for public transportation agencies with dedicated revenue sources to apply for TIFIA loans.

Madam Speaker, we are currently operating under the ninth extension of SAFETEA-LU. This really is unacceptable, and we owe it to the American people to address our crumbling infrastructure and to get them back to work.

I voted for the most recent extension of SAFETEA-LU, but for the purpose of getting to where we are now, so we could get to conference and consider the Senate amendment to H.R. 4348 in conference. I implore my colleagues to support the instructions to put the Senate transportation bill before us in conference so that we can bring it to the floor.

Mr. MICA. Madam Speaker, I yield 2 minutes to one of the outstanding new members of the Transportation and Infrastructure Committee, the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Thank you, Mr. Chairman.

Madam Speaker, I rise today in opposition to this motion to instruct. The House needs to conference with the Senate and craft a long-term highway bill.

In MAP-21, the Senate bill, there is a provision that was offered by Senator BINGAMAN that provided disincentive to States and cities to consider partnering with the private sector for fear of losing a percentage of its Federal funding. This is only one of the many problems I have with the Senate bill.

In my State of Indiana, Governor Daniels made the bold move to enter into a public-private partnership for the Indiana toll road. Indiana received over \$4 billion up front for the lease of this road. When the Governor announced this public-private partner-

ship, Members of this body were critical of the decision, and some even claimed that it would never work.

Not only has it been successful for the Indiana toll road, but it has also resulted in over \$6.5 billion invested in infrastructure projects throughout Indiana. After 30 years of planning, Interstate 69 in my district is being built connecting Evansville, the third largest city in the State, to Annapolis.

The Indiana toll road is a perfect example of how business and government can work together to address America's infrastructure needs. The Bingaman amendment ignores these types of successes, and rather than rewarding, States are putting the American taxpayer first and pursuing alternative funding for roads. It will punish a State and take away portions of their Federal funding. Under the Bingaman amendment, Indiana would lose \$72 million. Nevada, I should point out, will lose \$66 million.

In these challenging fiscal times, public-private partnerships represent an exciting option to many States to better leverage their Federal transportation dollars. Congress should take positive steps to encourage innovative financing strategies like public-private partnerships rather than penalizing them. The only way to fully address our Nation's infrastructure needs is to involve the private sector. The Federal Government can't do everything.

BUILDING AMERICA'S FUTURE,
APRIL 16, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
The Capitol, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: In order to remain economically competitive, the United States must have a modern 21st century transportation system. Goods must move efficiently to market and people must reliably get from their homes to their jobs or schools.

However, as you are keenly aware, transportation-funding shortfalls are increasing at all levels of government, and traditional funding sources are no longer keeping pace with rapidly growing needs. As a result, states and cities have had to increasingly look to innovative solutions, such as partnering with the private sector (where appropriate) in an effort to modernize their transportation networks. Now is surely not the time to restrict the ability of states and cities to innovate.

Yet, that is precisely what happened with the inclusion of several harmful provisions in the Senate's transportation bill (MAP-21). We are particularly concerned about language that provides a disincentive to states and cities to consider partnering with the private sector for fear of losing a percentage of its federal funding; eliminates the option to use Private Activity Bonds (PABs) to finance leased highway projects; and changes the depreciation timetable for long-term highway leases from 15 years to 45. Taken together or individually, these provisions would have a chilling effect upon future private investment in infrastructure, perhaps even bringing it to a complete halt.

As the House continues to work on its multi-year transportation bill, we urge you not to include any provisions that would

make it more difficult for states and cities to continue to innovate and partner with the private sector. In order to address our nation's enormous transportation needs, states must rely on a variety of options to fund and finance those needs. At a time when federal funds are increasingly limited but needs are growing exponentially, the last thing Congress should do is tie the hands of governors and mayors by limiting the options available to them.

Public private partnerships are not the solution to every state's transportation funding challenges, but they are certainly a piece of the solution.

Our own experience with public private partnerships in infrastructure investment convinces us that the private sector is looking for such long term stable investments and that these partnerships must be a viable option for helping to fund our transportation needs.

We urge you to protect the ability of states seeking creative solutions to transportation funding challenges, rather than creating roadblocks to leveraging state dollars with private investment.

Sincerely,

MICHAEL R. BLOOMBERG,
Mayor, City of New York.

ED RENDELL,
Former Governor, State of Pennsylvania.

MITCH DANIELS,
Governor, State of Indiana.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to our distinguished ranking member on the Water Resources and Environment Subcommittee, the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank Mr. RAHALL for yielding.

Madam Speaker, I rise to speak in support of the motion to instruct conferees. This motion would direct conferees to adopt the Senate bill, MAP-21, which I introduced as H.R. 14 in March. This legislation can provide State DOTs, transit agencies, and contractors with the certainty they need to create and sustain jobs for the thousands of Americans who are still out of work as a result of the economic downturn.

MAP-21 not only passed overwhelmingly in the Senate with a bipartisan majority of 74-22, but the Senate bill is fully paid for and will save an estimated 1.8 million jobs and create up to 1 million additional jobs when implemented. During a weak economic recovery looking for a jump-start, this is precisely what we need to do.

Given that H.R. 4348 is merely a 90-day extension of highway programs at current levels with a few policy additions, we could put the construction industry back to work that much faster, given that the construction season is in full swing if this motion to instruct is adopted.

MAP-21 has the support of three-quarters of Congress, Senate Democrats, Senate Republicans, House Democrats; it has the support of the White House. It's time that the House Republicans got on board with job creation instead of fighting it. Americans

want safe roads and bridges; but, above all, they want jobs.

The Senate passed the biggest job-creating bill in this Congress by an overwhelming bipartisan margin. The House has done nothing. Let's get this country moving again by passing the Senate bill so the President can sign it. Let's create jobs. Let's Make It in America.

I urge my colleagues to support this motion to instruct conferees.

Mr. MICA. I yield 3½ minutes to the chair of the Rail Subcommittee, the distinguished member of our Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I just want to remind my colleague from New York, as he is walking off the floor, that it was the Democratic-controlled Congress that was unable to pass a transportation bill when they had control of this body for the past couple of years.

Today, I come to the floor in opposition to the motion to instruct; and, quite frankly, I'm surprised, I'm shocked, I'm stunned that my colleagues on the other side are willing to take up a Senate bill which is a bad bill and, in fact, there's a couple of provisions in there that I would think the ranking member of the full committee and the ranking member of the Railroad Subcommittee would embrace. There is a coal ash provision in there which is going to be good for coal in West Virginia, so that is something I would hope that we would embrace going to conference, to come out and save those jobs in West Virginia, create more jobs.

Then, of course, the gentlelady from Florida, she embraces the Senate bill, which is going to be a disincentive for private money. It's my understanding that Florida is a leader when it comes to working with the private sector to build infrastructure. Why in the world would we want to have a disincentive out there for public-private partnerships when Florida will benefit mightily from it? Again, as I said, I'm stunned that we're standing here today with this motion to instruct.

The Senate bill fails to make real reforms, continues the transportation enhancement and safety routes, the school programs that mandate bike paths and roadside flowers and "walking school bus" programs. You would think that the people in Pennsylvania, Florida or West Virginia didn't love their kids enough that they wouldn't be able to instruct them on their own how to go to school safely.

Also, the people in Pennsylvania, we need to spend that money—not on bike paths, although I love bike paths, I have got a few of them in my district—but the time we face today should be focused on repairing those bridges when Pennsylvania has over 5,000 bridges that are in desperate need of repair. Again, the Senate bill continues to mandate that they hire a bike/pedestrian coordinator and a Safe Routes to

School coordinator. Like I said, those are things I don't believe belong in this bill.

Further, the Senate bill fails, or it creates, actually, a national freight program adding to bureaucracy at PennDOT. The new freight program allows States to use up to 10 percent of their appropriated funds for freight rail projects, which means less money for highways and bridges. I'm an advocate for rail in this country. I don't believe that Class I's would want anything to do with this because every time they have got involved with Federal money, it takes a lot longer and it's a lot more expensive. I don't even believe that the Class I's would embrace a program like this that the Senate is putting forward out there. The Federal regulatory provisions for passenger rail providers include rail authorities that are intended to stifle competition. Once again, there's private sector initiatives going on all over this country when it's coming to commuter rail.

Another thing, positive train controls, the Senate doesn't push that back. We found the technology is not there; it's not right. We don't have it. You can't use alternative forms of safety devices when it comes to positive train control.

In addition to that, in Pennsylvania, Pennsylvania, New Jersey and Delaware, SEPTA, they are going to have to spend half of their capital money, half of their capital dollars, to put positive train control in place. This is going to cause even the trains in New Jersey and the Philadelphia area to be less safe because they are not going to be spending on fixing their rolling stock and rehabilitating their rail lines.

□ 1500

So this bill, again, falls far short of any kind of reforms we need, as well as the Railroad Rehabilitation Improvement Financing fund, which is a loan program to tap into \$35 billion.

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

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

Mr. SHUSTER. Now, that's the kind of reform we need to see, not forcing States to spend 10 percent in freight rail projects, but let's let them tap into this RRIF loan program and make it easier.

The way our bill and our reforms are, it would make it much easier for the Class I's, and especially the short lines, to be able to invest those dollars at low interest rates and improve the freight rail system in this country.

Again, I'm stunned that my colleagues wouldn't support these what I consider to be groundbreaking reforms that will allow us to spend more money on building roads and bridges.

With that, I urge a rejection of this motion to instruct.

Mr. RAHALL. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from West Virginia has 16 min-

utes remaining, and the gentleman from Florida has 12½ minutes remaining.

Mr. RAHALL. I have the right to close debate?

The SPEAKER pro tempore. The gentleman is correct.

Mr. RAHALL. I reserve the balance of my time.

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to one of our star new members of the committee, the gentleman from New York (Mr. HANNA).

Mr. HANNA. I thank the gentleman from Florida.

I rise in opposition to the motion to instruct.

The House has developed some of the strongest policy reforms in decades. I, for one, am not ready to give them up. I thank Chairman MICA in particular for his leadership to streamline project delivery. It shouldn't take 15 years to finish a project. Our bill streamlines the permitting process so that they can be done concurrently, instead of consecutively. This is good policy and something worth fighting for. We can cut this time in half—and we should.

I also worked on two other provisions that simply aren't addressed in the Senate bill:

One addressed the use of engineering services. Specifically, it calls for States to utilize private sector engineering firms to the maximum extent possibility. State DOTs should streamline their operations and reduce overhead so more money is going to put shovels in the ground, not to bureaucracy.

The second provision would create regional planning organizations to give small communities a seat at the table, which is something they don't have now. The rural areas I represent face stiff competition for limited Federal dollars, and they deserve their fair share. But this reform, too, is absent from the Senate bill.

Let's work with the Senate to get these and other good ideas from both sides included in a final bill. Madam Speaker, we should embrace this process to make a positive impact on the Senate bill.

I urge my colleagues to oppose the motion to instruct.

Mr. RAHALL. I continue to reserve the balance of my time.

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to one of the senior members of the Transportation Committee, the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Thank you, Mr. Chairman.

What's interesting about the debate is, if the Senate bill is good, you're going to appoint conferees, argue for the Senate side—you don't have to introduce a bill here in the House—and expect us to accept it when we haven't read it, we haven't debated it. It came to the floor without any discussion on our side. So when we go to conference, if you like the Senate provisions, if you

like a 2-year bill when we're going to fight for a 5-year bill, you're welcome to ask for that.

But there are some things in the Senate bill that really bother me. You had the Senate side say and guarantee there were no earmarks in this bill. Well, if you look at what Senator REID has done, in the 2005 SAFETEA-LU, the House put out a \$45 million request for a project that was considered a legal earmark at that point in time. What Mr. REID has done is he has re-appropriated that project to a \$45 million project near the Las Vegas airport.

Now, it's nice that the Senate wants to make promises, but actions speak a lot louder than words. And when the actions of the bill state clearly that \$45 million of House money authorized in 2005 is being transferred to a project in Las Vegas in a bill—and it's 2012—something inappropriate about that promise seems to occur.

I really appreciate the chairman putting language in our original bill on environmental streamlining. I think he did a great job on this. But when I wrote the bill, the language was very clear on what we were trying to do.

In 2005, authored language in TEA-LU said if a State has an environmental process that meets or exceeds Federal environmental law, they don't have to go through a duplicative process, and it allowed five States the opportunity to participate in that. But one State took advantage of that: the State of California. To this date, it's saving 17 months on process time—just application—and it's saving 30 months on delivery time.

What we tried to do in the House bill was the same thing. We're saying: Allow environmental reciprocity. But we want to go beyond that. We want to say not only should States be allowed to do that, but allow local municipalities and counties to do the same thing. They can save 17 months on process, 30 months on delivery. Today, time equals dollars. Plus, if you can create the projects today, we're going to move the economy forward in a positive direction and create some jobs.

But there's other things we need to do.

Receiving grants: Current law says that if a State or municipality applies for a Federal grant, they can't start the project until the grant money is received by the municipality or the agency. What we've done is say that once you have been approved for the grant, if you want to start the project, now start the project and you can reimburse yourself when the grant funds come in. You might save 12 months alone waiting for a grant to come in from the Federal Government; whereby, you can start today using local agency funds or State funds and get your money back when this money comes in from the grant project.

We need to establish some certainty on when you can start a project. The problem we have is, when applications are made to the Federal Government

for a process for approval, it goes through an uncertain time process where they can delay and delay and delay. We've said, thanks to the chairman, that there's a date certain. Now the Federal Government has to respond by a date and has to approve it by a date.

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

Mr. MICA. I yield the gentleman an additional 30 seconds.

Mr. GARY G. MILLER of California. Thank you, Mr. Chairman.

I think Chairman MICA did a great job putting the language into the bill, because it says you have to know when you can do something based on the Federal process and it sets a deadline for the Federal bureaucrats to get their job done.

Now, it seems like local governments and State governments are rapidly wanting to do things and the Federal Government drags its heels, requiring them to delay until they get final approval. We're saying, no, let's set a date for the Federal bureaucracy to approve a project—and I know you agree with this issue on your side—to let the construction projects go forward and make sure bureaucrats do their job. I approve what Chairman MICA is willing to do and wants to do here.

Mr. RAHALL. I continue to reserve the balance of my time.

Mr. MICA. Madam Speaker, at this time I have no further requests for time, and I yield myself the balance of my time.

I started out talking about how it's important for the legislative process to properly be fulfilled under the terms of the Constitution and separation of responsibilities in the legislative body. This motion, of course, would close all of that down. We'd accept what the Senate has done without all of the work many Members have put into it. And I didn't go to Webster Springs, but I did go to Beckley, West Virginia, where we held the first meeting to allow the other side of the aisle to present at the very first of these deliberations their viewpoint and their recommendations for trying to pass a long-term transportation bill.

We took many of those—as you heard, 60 percent of the recommendations form the other side. We took 100 amendments, considered them, and passed 20 during 18 hours of marking up and considering the bill. So we've tried to make this a bipartisan process and a full process that everyone gets to participate in. But now they're here telling us that we don't want the House to participate any further, and just take the Senate bill and go along.

□ 1510

Now they, of course, passed six extensions, short term, keeping things in turmoil during—I think we calculated about 14 months. I've had to do three in about the same period of time. The difference is, I didn't have 6,300 earmarks, I didn't control the other body or that

house downtown, what do they call it? The White House. But they controlled them all, all the branches, and they couldn't git 'er done.

So, the Senate bill does not set a threshold on some of these environmental approvals that tie us up. And no one wants to step over any good environmental provisions. What we want to do is shorten a little bit the time that these things go under consideration. They go on and on. You heard Mr. RIBBLE talk: 15 years to approve some of the projects in his district, 7 years on average for simple processing if the Federal Government gets involved. And we keep repeating the same thing. You heard the speaker say it's like Groundhog Day around here, and we've got to stop the Groundhog Day, and we could do that by having the House provisions adopted.

There are a whole host of things wrong with the Senate bill, and I won't get into them. And I know it's been a bumpy road to get here. I've told folks that when I became chairman—and I think the ranking member, when he became ranking member, neither of us was handed an operating manual. So this has been a bumpy road to get here, and it is a difficult process, but we tried to include everyone in that process and come up with the best suggestions and recommendations.

Mr. RIBBLE's amendment, which is to streamline provisions of H.R. 7, is excellent. Well, we'll get more for less, and we can do it responsibly. Mr. BOUSTANY from Louisiana's amendment getting the Highway Maintenance Trust Fund to get funds that are collected for improvement of the ports—actually they improve our ports that are so important to infrastructure. So there are many good provisions in our legislation. It's not what I would have exactly crafted or passed in the very beginning or brought out here, but it is a vehicle so that everybody can have consideration who has participated in this process.

So I submit to you, although it's been a bumpy road with some twists and turns—we didn't expect that the Senate bill is a path to fewer jobs; it's a path to fewer projects actually getting done. It's a path to build only paths, if you want to look at it that way. Unfortunately, it's also a path to a dead end for transportation.

So, I submit, Madam Speaker, that we take a different road, that we take a road to where we'll have more jobs. We could do more with less, and we can, I think, do a lot more for the American people in a very difficult time in our history in moving this great country forward and building our infrastructure.

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

Mr. RAHALL. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, as I said in my opening comments, the Senate bill, MAP-21, is not the perfect bill. It's not the bill I would have written had I had

my druthers. And yet I hear several of my colleagues on the other side saying how stunned they are that I am not for the House bill and that I would be here offering a motion to accept, *carte blanche*, the other body's bill.

I'm sure those Members know how this process works, and before I just give them a brief lesson on that, let me repeat my words again from my opening comments: that the other body's bill is not perfect. If there are issues that we must change, we can address those through a technical corrections bill that will make the necessary policy changes to improve the bill. This is not unprecedented. We have done it before, I would say to my stunned colleagues on the other side of the aisle.

So there is nothing to prevent Congress from enacting S. 1813 and then continuing to work to develop further bicameral, bipartisan changes to further improve our surface transportation programs and policies. But the bottom line here, the bottom line here is that our American workers should not have to wait any longer as Congress searches for an agreement. The time for political games, the time for adding stuff to score political points, is over.

I would say, in addition, to my distinguished chairman from Florida, he appears to blame part of his problems, headaches, and troubles on his side of the aisle on the fact that we no longer have what are known as earmarks. Now, it seems to me his suggestion is that we reinstate that process known as earmarks whereby we, in this body, if it's so concerned about Members of the House having a say and doing our constitutional jobs, where we would have a legitimate input into the making of transportation policy by deciding those local projects that are best for our people, rather than leaving them to bureaucracies or to Presidents of the United States, regardless of who occupies that office.

So, last week, I asked my colleague to join me in a bipartisan manner in writing a letter, which he kindly agreed, to the Speaker urging an expeditious naming of conferees, which we've now done. That was a bipartisan letter signed by the big four in our committee. I would now ask him, again, in the spirit of bipartisanship, and I will yield him time if he's prepared to answer my question yes or no—yes or no—if he will join me in a bipartisan letter to the Speaker asking for the reinstatement of earmarks. Yes or no?

Mr. MICA. Will the gentleman yield?

Mr. RAHALL. Yes, I'll yield.

Mr. MICA. I have to be a little bit more verbose. Would you allow me additional time?

Mr. RAHALL. I'll grant you 1 minute.

The SPEAKER *pro tempore*. The gentleman from Florida is recognized for 1 minute.

Mr. MICA. When I took over as ranking member and we had sort of a rank

way in which earmarks were done, I cleaned up the process. I think earmarks, there can be bad legislative earmarks and bad administrative earmarks. When they're done behind closed doors, they're not properly vetted, they're not transparent, and they haven't had the sunshine, the anti-septic sunshine to let people know what's going on and they're not a worthwhile project that has true support, they shouldn't be considered, whether by the administration or legislatively. I think that we have a moratorium now, and I'd like to see a different way to present those requests. I think fundamentally under Article I of the Constitution, I think it's section 2, we should, as the House of Representatives, and we do earmark, even if we just put one line in that says that we'll turn all this money and responsibility over to the administration—that is an earmark. But we can do, and we should do better.

Mr. RAHALL. I appreciate the gentleman's response. Perhaps we ought to start drafting such a letter and see how far we get.

But let me conclude my part of the debate here, Madam Speaker, by reiterating what my motion is. It's simple, it's pure, it's clean, and it's straightforward. It instructs our conferees that we are appointing today to agree to the Senate bill.

That bill, known as MAP-21, provides a total of \$109 billion in funding for fiscal years '12 and '13 for Federal highway, highway safety, and public transportation programs.

Among its other features, it continues current funding levels, it sustains approximately 1.9 million jobs on an annual basis, it provides continued dedicated financing for public transit from the highway trust fund—no more “go fish” with general appropriators on a yearly basis for our transit agencies. It continues and expands upon provisions developed during the last Surface Transportation Act to expedite project delivery without gutting environmental protections or limiting public participation.

I fear if you do either of the last two, you're only going to prolong the process through court battles because there will be court challenges that will go on beyond any approval process of the bureaucracy that may exist today.

The Senate bill also strengthens Buy America requirements that apply to Federal highway, transit, and rail capital projects by prohibiting the segmentation of such projects in order to avoid Buy America requirements. It ensures that the Department of Transportation periodically review existing nationwide waivers applicable to highway and rail projects. It requires DOT to justify any proposed waiver of the Buy America requirements, and it ensures that the American public has notice of an opportunity to comment on any proposed waiver prior to taking effect.

Finally, MAP-21's bipartisan financing package fully pays for the bill—

fully pays for the bill, fully pays for the bill—by providing approximately \$9.6 billion in new revenues into the highway trust fund.

□ 1520

This amount will fully pay for highway, transit, and highway safety programs authorized by the bill, and it will allow DOT to maintain a positive balance in both the highway and transit accounts of the highway trust fund at the end of the bill.

The bipartisan offsets do not add to the deficit because the general fund of the Treasury is also made whole for every dollar that's transferred into the highway trust fund.

So as I conclude, let me say that for these reasons I urge adoption of this motion.

Mr. MICA. Will the gentleman yield for one question?

Mr. RAHALL. I yield to the gentleman from Florida.

Mr. MICA. Last week, I think it was, you had come to the floor and asked me to sign a letter to the Speaker to appoint conferees and to go to conference. That's correct?

Mr. RAHALL. Correct.

Mr. MICA. And then we signed that and we sent it to the Speaker. It has gone to the Speaker. So now we're doing that, and now you're asking me to go to conference and roll over and play dead?

Mr. RAHALL. No, I'm not asking you to roll over and play dead. I'm saying that we ought to go to conference, accept the Senate bill. We can come back, as I've said now for the third or fourth time, and enact a technical corrections bill if there is something that we see in there that is drastically bad.

Mr. MICA. Will the gentleman yield?

Mr. RAHALL. I yield to the gentleman.

Mr. MICA. I thought this motion to recommit was to accept the Senate position. So we're getting it to conference. Didn't I pass a motion to go to conference? So now what? You're asking me to just, okay, surrender, it's all over?

Mr. RAHALL. Reclaiming my time, Madam Speaker, I've said many times during this debate that that's not the position of this gentleman that we roll over and play dead to the other body. I've said the other body is not the perfect bill. I've said that there are technical corrections we can change once we get a conference underway. Once we pass a conference committee bill, we can come back and make technical changes. That's not unprecedented in this body.

The important point here to remember is: no longer can we play these political games; no longer can we add extraneous stuff on a jobs bill such as this transportation bill to score political points for a certain wing of our party.

What we need to do, and the American people are demanding, this is the time that contracts are let for work—

not 90 days from now, not 180 days from now. This is springtime. This is time when the highway projects are let, and the American worker is waiting to know whether he or she will have a job this summer.

That's why I think every move should be made to get to conference expeditiously, to have that conference conclude its work and bring a bill back for both Houses of Congress to enact in order to provide that certainty to the American small businesses, to the American economy, to the American worker that he or she will have a job this summer. And that certainty should not wait around for us to decide whether we're going to roll over and play dead or not. That bill can be corrected, as we've done numerous times in this body, through technical changes once we have given that certainty to the American worker and to the American people.

It's for that reason that I urge that the House today approve this motion to instruct conferees as we go to conference on the transportation bill.

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.

Mr. RAHALL. Madam 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 until approximately 4:45 p.m. today.

Accordingly (at 3 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1645

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 4 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: motion to instruct conferees on H.R. 4348; motion to suspend the rules and pass H.R. 3336; and motion to suspend the rules and pass H.R. 1038; all by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 4348, offered by the gentleman from West Virginia (Mr. RAHALL), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 181, nays 242, not voting 8, as follows:

[Roll No. 179]

YEAS—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
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
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr

Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal

Oliver
Owens
Pallone
Pascarella
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townsend
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—242

Adams
Aderholt
Akin

Alexander
Amash
Amodei

Austria
Bachmann
Bachus

Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Billbray
Billirakis
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
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
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
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
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
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

Paulsen
Pearce
Pence
Peterson
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)
Boyce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
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
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Filner
Holden
Loebach

Lowey
Marino
Paul

Rangel
Slaughter

□ 1711

Messrs. SHIMKUS, CALVERT, Mrs. HARTZLER, and Mr. COFFMAN of Colorado changed their vote from "yea" to "nay."

Messrs. POLIS, COSTA, and RYAN of Ohio changed their vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.