

meet the minimum biobased content requirements. The Forest Products Fairness Act of 2012 will enable U.S. producers to build back a competitive advantage through stronger, expanded product markets and new economic opportunities so that the industry can better compete in the global marketplace.

Including U.S.-made forest products as part of the USDA's BioPreferred program is a win-win for consumers and producers. It will promote healthy, well-managed forests and the protection of communities that rely on these jobs and industries to survive.

#### EXPIRATION OF INTEREST RATE FOR STAFFORD STUDENT LOAN PROGRAM

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Mr. Speaker, in 29 days, the interest rate for the Stafford student loan program is going to increase from 3.4 percent to 6.8 percent. This will add thousands of dollars of additional debt costs for middle class students all across America.

Yesterday, The Christian Science Monitor reported that Speaker BOEHNER called this issue a phony issue and a distraction from the real issues. There is nothing phony about adding thousands of dollars of added debt to middle class students. There is nothing phony about the Federal Reserve Board report that came out yesterday that showed that student loan debt increased by \$30 billion in the first quarter of this year, surpassing credit card debt. The only thing, frankly, that is a pretense around here is the work schedule: in this week, only 1 full day, 2 part-time days, and 40 days for the next 5 months.

It is time for us to get to work in this Chamber and to fix problems like the Stafford student loan interest rate.

#### VETERANS SKILLS TO JOBS ACT

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. Members, the recent Memorial Day weekend and now the ever-escalating high unemployment numbers remind us of how many veterans are out of work and of how many who will be returning home to no jobs.

For the last year, I've worked on the Veterans Skills to Jobs Act. When I left the active duty military, I realized that it would take me several years to get the credentialing on the civilian side that I already had on the military side.

We have the best, most sophisticated, trained workforce in the military. As they return home, we need to make sure that not only do they have jobs but that they have high-paying skilled jobs. By credentialing them through the Department of Defense before they

get discharged, we give them the opportunity to capture those jobs immediately.

When I introduced this bill, several weeks later, the Senate introduced a companion bill, and now, today, the President has declared his support for the bill. It is time to show leadership in both Houses, to show leadership in the Presidency, and to pass this bill.

Our brave men and women who have served so bravely and sacrificed so much deserve jobs when they get home, high-paying jobs that will allow them to get back into our society.

□ 0910

#### PASS THE DISCLOSE ACT

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, Americans are growing more and more cynical of politics and politicians with good reason. Citizens United opened the floodgates to unrestricted special-interest campaign spending in elections, and we need to put an end to the influence of secret money in our elections.

I advocate the DISCLOSE Act. It would shine the light on secret money in political campaigns. The DISCLOSE Act requires public reporting by super-PACs, corporations, unions, and outside groups within 24 hours of making a campaign expenditure or transferring funds of \$10,000 or more to other groups for campaign-related activities.

Mr. Speaker, I tell you, when I'm on the trail and I talk to my constituents, everyone is outraged by the millions, and possibly billions, of dollars that are going to be spent on the Presidential, congressional, and Senate campaigns. It makes sense to have some transparency. We should pass the DISCLOSE Act so that at least those who make these contributions have to say who they are. It's only fair.

#### FIGHT AGAINST OBAMACARE

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, as one of the most outspoken opponents of ObamaCare, I hope in the upcoming week that the Supreme Court strikes down this disastrous piece of legislation. But the fact is, no matter what the Supreme Court decides about ObamaCare, it does not change the reality that this law is horrible policy. That is why I voted more than two dozen times to either defund or repeal ObamaCare since being elected to Congress.

Yesterday, in the House Ways and Means markup, we successfully passed out of committee two bills that would repeal the ObamaCare tax hikes: one, the medical tax device; and, number two, the medicine-cabinet tax.

It is clear that the House must continue to fight against ObamaCare until either the Supreme Court overturns this law in its entirety or until we have willing partners in the Senate and the White House.

#### SUZANNE MCDANIEL: A HERO TO VICTIMS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, today I rise to celebrate the life of a friend and someone who changed the lives of victims throughout the Nation.

Suzanne McDaniel appeared in my court years ago as one of the first prosecutor-based victim assistance directors in the State of Texas. She went on to start the Texas Crime Victims Clearinghouse, the first of its kind anywhere in the United States.

In recognition of her incredible work, she was tapped as the State's crime victim information officer, educating and influencing the community and the State legislature with her vast knowledge of victims' issues. This led to her role as a legislative liaison for the State coalition of victim organizations and her leadership on the board of the National Organization of Victim Assistance.

Suzanne's accomplishments are far reaching, touching lives in Texas and throughout our Nation. A crime victim wrote:

Suzanne feels everyone is important and needed in the fight to improve assistance for crime victims. I have never heard her say, It's not my job. In fact, she has never been shy about poking her nose into things and offering assistance. Her enthusiasm and dedication is boundless.

Mr. Speaker, her work will continue to touch crime victims for many years to come, and victims are safer in America because of Suzanne McDaniel and her life.

And that's just the way it is.

#### REPORT ON H.R. 5882, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2013

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-511) on the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. DENHAM). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks and to include extraneous material on the further consideration of H.R. 5325, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 667 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5325.

Will the gentleman from Texas (Mr. POE) kindly take the chair.

□ 0916

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, May 31, 2012, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5325

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I—CORPS OF ENGINEERS—CIVIL  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration, projects and related efforts prior to construction; for restudy of

authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$102,000,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,477,284,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund: *Provided*, That the limitation concerning total project costs in section 902 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2280), shall not apply during fiscal year 2013 to any project that receives funds provided in this title.

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert "(increased by \$10,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

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

Mr. SCALISE. Mr. Chairman, I appreciate the opportunity to present this amendment.

What we're doing is we're transferring \$10 million from the Department of Energy salary and expenses account over the Corps of Engineers' construction account. The reason this is critical is because it allows us to move forward on infrastructure improvements, including in Louisiana something that we've been trying to do to restore our coast and get moving on the Louisiana coastal area, which is one of many projects in the Corps' budget that is backlogged and not funded, and yet is critical for improving infrastructure, for creating jobs, and for doing things to protect our wetlands.

Mr. Chairman, I bring this football because in Louisiana we lose one football field of land every hour along the gulf coast in Louisiana due to coastal erosion. We have a plan that we put forth. Governor Bobby Jindal and his team have a solid plan in place that they've moved forward on. Mr. Chair, this is an authorized program. We're just trying to make sure that this program can move forward like so many others across the country that would

improve our waterways and would strengthen our coastlines.

You've got salaries that are being funded for projects now. And if you look at the Department of Energy, we've actually cut back on a lot of the work that they do at the Department of Energy. Rightfully so. They are eliminating programs that are unnecessary, and yet their salaries still continue to go up.

□ 0920

You know, we ask people to do more with less. In this case, they're doing less with more, and so we're moving money out of a salaries account for people that are doing less work and moving it into actually doing coastal projects, actually doing work that improves our coasts and strengthens the area, protects the vital infrastructure for the oil and gas industry that feeds this Nation's energy needs and the seafood that feeds this Nation's great taste for great things like shrimp and oysters and crabs.

This is a bipartisan amendment, and I want to thank the gentleman from Louisiana (Mr. RICHMOND) for helping us with this amendment.

I yield to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Thank you to my colleague from Louisiana. We have the great honor and awesome responsibility of representing the coast of Louisiana.

Mr. Chairman, the coast of Louisiana, since 1950, has sent to the American Treasury almost \$150 billion. Up until 2006, we didn't receive any revenues back from the Federal Government for drilling off of our Outer Continental Shelf.

What we do today is ask for the ability to help ourselves, protect our citizens, and make this country safer. At the end of the day, I'd like to remind the Chair that our State has over 40 percent of the Nation's wetland losses. We have 80 percent of wetland loss, we only have 40 percent of the Nation's wetlands.

If you look at what we give back to this country, I think that you will see that a \$10 million investment would be a very good investment into our country, into our State, if you look at the cost-benefit analysis.

Our wetlands produce a third of the Nation's seafood supply and much of our domestic energy. Our coast is the home to the port, the country's largest port system. These ports move the overwhelming majority of our imports and exports in this country.

It's not just about the oil and gas production, it's not just about Louisiana's importance in terms of our energy production for this country, but it also makes the residents of Louisiana safer. That coastal land and those barrier islands produce the first defense against hurricanes. We also saw during Hurricane Katrina, the devastation that could be caused.

We're just asking this body to approve this amendment, which will help

Louisiana protect our citizens, protect America's energy production.

Mr. SCALISE. I thank my colleague from Louisiana for his comments, and I just urge all of our colleagues to vote for this amendment so that we can actually use money to do real projects instead of to fund the bureaucracy of Washington. Especially when we're actually reducing the workload that they have to do, let's actually shift that money over to an area where we can actually increase jobs, protect our Nation, protect our energy and infrastructure that benefits the entire country.

With that, I would urge passage of this amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I do appreciate the passion of both of these gentlemen for coastal restoration. I know it's a high priority for his district and his State. Of course, the focus is Louisiana, and they have suffered greatly.

The bill before us includes \$10 million to continue studies, engineering, and design work on various components of their program in Louisiana. That is more than 9 percent of the entire investigations account dedicated to continuing work on coastal restoration in Louisiana.

The committee has had to make some tough choices in this bill, though. While overall funding for the Corps of Engineers has increased slightly above the President's request, unfortunately, it is reduced by 4 percent from fiscal year 2012. The construction account, specifically, is also slightly above the President's budget request, but that is still a reduction of almost 13 percent from fiscal year 2012.

The Corps has numerous projects already under construction that were not included in the President's budget and so are unlikely to be funded in fiscal year 2013. While construction funding is trending downward, I believe it is most prudent to prioritize funding for ongoing projects so they can be completed, actually completed, and the Federal Government can realize the public safety, economic and other benefits from previous spending rather than starting new projects.

Given this particular project as currently authorized approaches \$2 million and likely will continue to grow in costs, it would not be prudent to begin another new major new project while we have so many existing commitments.

For these reasons, I must oppose the amendment and urge my colleagues to vote "no."

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKEY. I appreciate the recognition and rise to express, first of all, to my colleague and friend from Louisiana my appreciation for his argument today, and particularly the football analogy that he used. I say that as a Notre Dame graduate, and I would congratulate him on his victory the last time our two teams played on the field.

Having said that, however, both he and my colleague on the Democratic side, I join with the chairman in reluctant opposition to the amendment. The chairman has opted for a policy of no new starts, a policy that I strongly support and have opted for during these times of budgetary constraints.

I would point out that while there is only \$10 million in the amendment before the House today, the fact is this project will cost several billion dollars by the time we are done, and starting it now is a cost that we cannot afford to adequately fund because we do not have the resources in the bill.

Over the last several years, we have, in fact, terminated hundreds of ongoing projects, to our great dismay and to the weakening of the infrastructure of our economy in this country. But until we as an institution, the Congress, have the intestinal fortitude to adequately fund our infrastructure in these types of very necessary investment—that is not the argument before us—I cannot support adding to the inventory of projects that we must start but cannot.

If the allocation for the bill were different, I might be able to support the gentleman's amendment. Again, as it now stands, we are short of cash. The fact is the amount in the bill today—and the chairman and I and every member of the subcommittee fought to add \$82 million to the President's request. We are \$631 million today, in this bill, below what we were spending as a Nation on these projects 2 years ago. We don't have the money, unfortunately, to fund the gentleman's amendment, and therefore, again, I express my sincere appreciation for what he wants to do but my reluctant opposition to his amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. HOLT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert "(increased by \$2,000,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$2,000,000)".

□ 0930

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, today the 2012 Atlantic hurricane season officially begins, and so I come to the floor to speak for increased resources to prevent flood damage, as they have devastated our communities in New Jersey and around the eastern United States.

In H.R. 5325, Chairman FRELINGHUYSEN and the committee have provided for the U.S. Corps of Engineers \$1.5 billion for planning, training, and other measures to ensure the readiness of the Corps to respond to floods, hurricanes, and other natural disasters. I thank the chairman and the committee for that work.

This amount is \$216.7 million below the amount that the Corps received for flood preparation in 2012. My amendment would provide an additional \$2 million so the Corps can continue critical lifesaving flood preparation work. Although this won't close the funding gap, my amendment would demonstrate the commitment of Congress to addressing proactively the variety of problems that can result from severe weather events and flooding.

Last August and September, many central New Jersey residents experienced flood damage due to Hurricane Irene and Tropical Storm Lee. Evacuations and property damage can be a heavy burden to bear for many of our constituents. In recent years, there have been deaths in New Jersey from such flooding.

I was traveling through my district during and after last year's hurricane and saw firsthand the flooding damage in the Delaware and Raritan River Basins and elsewhere. When Hurricane Irene hit New Jersey last year, it cast more than 10,000 people from their homes and left more than 190,000 utility customers without power; 11 inland rivers and their tributaries crested, with some at record levels.

The best time to address flooding is before the severe weather occurs. Unfortunately, it seems that severe weather events like floods and droughts will become only more common as the Earth's temperature continues to rise. There are a number of critical infrastructure and public works projects throughout central New Jersey that the Corps is at work on, that the Corps is aware of, that the Corps is planning to deal with, and they must continue in order to prepare for these severe weather events.

Again, I appreciate the foresight and the wisdom of Chairman FRELINGHUYSEN. This amendment would provide additional funds and incentives to the Corps to continue with these important projects.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I understand the gentleman, my colleague from New Jersey, is trying to show support for the Army Corps of Engineers' construction program. He's been a longtime advocate for projects important to his district, and I commend him for that.

And I agree with him in his desire to invest more in water resources infrastructure. There have been numerous flood control needs, for instance, across the entire country, including our home State of New Jersey. Experience has shown us that it's cheaper to try to prevent flood damages than trying to recover from them.

Although I believe the underlying bill that we've put together—Mr. VISCLOSKY and I—struck a careful balance among all priorities in the bill, including national security and innovation, I do not have any objection to his amendment, and I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. I would join the chairman in supporting the amendment.

I would mention that the Corps' investment in 2010 alone protected infrastructure in this country and prevented over \$28 billion worth of damages. The amendment is a modest one and it is spread across all of the accounts for a 0.14 percent increase. As the chairman noted, he worked very vigorously to increase the amounts over the President's request by \$6 million. We remain \$217 million below last year's level.

So, again, I would join the chair in supporting the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 5, line 1, after the dollar amount, insert "(increased by \$571,429)".

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

Mr. KING of Iowa. Mr. Chairman, I offer this amendment, which strikes a million dollars out of the Fish and Wildlife account and it inserts \$571,429 into the Reserve Maintenance account. So it is a net savings of \$428,571, which would go to deficit reduction.

But my purpose is not to focus on the deficit reduction component of this,

Mr. Chairman. My purpose is to make the statement that we have watched in that Missouri River system, the Pick-Sloan system that has six dams upstream and the longest channel in the United States going downstream, and we suffered a flood last summer, the 2011 flood of epic proportions.

The system had been designed and completed in 1968 based upon the largest runoff ever, which was 1881. Now it's 2011. Now the Corps of Engineers declares that last year's flood was a 500-year event. USGS says it's between a 70- and a 1,000-year event. The Corps picked the 500-year event, which defines it as an anomaly for them, and they refuse to manage the river in a fashion that protects us from serious downstream flooding. So instead of creating a habitat for fish and wildlife, which is the least tern, the piping plover, and the pallid sturgeon, now we have hundreds of miles of camel habitat—sand and dead trees—from the flooding.

I have a bill, H.R. 2942, that needs to move through this Congress. This is an opportunity to speak to the necessity to direct the Corps of Engineers to protect us from serious downstream flooding and consider fish and wildlife in the interests upstream. This redirects some of those funds to that to send a message to the Corps of Engineers to take a little bit out of their Fish and Wildlife account, which is around \$70 million, and put a little bit into their Maintenance account, which is around \$7 million, and start to adjust this proportion.

But it is a token vote, Mr. Chairman, because there's much more that needs to be done. We need to be able to discharge 120,000 cubic feet per second out of Gavins Point Dam and be able to maintain that within the channel. If we can do that, then the fisheries' interests upstream have a very minimal impact when the Corps is finally, under H.R. 2942, directed to adjust the levels to protect us from serious downstream flooding.

That is the argument. I urge the adoption of this amendment, the message that would be sent, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, let me commend the gentleman from Iowa for his strong advocacy and passion for his district and his State and his constituents. First and foremost, he's very, very concerned about a critical issue.

We all know that there are significant water resource needs across our country, and we're doing our best in our bill to address them responsibly. The clarification I would like to be make is that the amendment simply adjusts overall account numbers. It does not direct funding to any specific project.

I would advise, respectfully, the gentleman and any other colleagues thinking of offering similar amendments—and we understand why people do; because they have a passion—that under the earmark ban, the final bill will not include funding towards specific projects in an amount above the President's budget request.

Instead of listing specific projects, our bill includes additional funding for categories of ongoing projects, primarily navigation and flood control. Final project-specific allocations will be made by the administration following the enactment of our bill.

With that clarification in mind, I'm pleased to support the gentleman's amendment, and I yield back the balance of my time.

□ 0940

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. While I regret that we just received a copy of the gentleman's amendment while he was speaking, I have no objection to it, and I yield back the balance of my time.

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

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

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

#### MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$224,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

#### OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$2,507,409,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which

such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects or activities.

#### REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$190,000,000, to remain available until September 30, 2014.

#### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$104,000,000, to remain available until expended.

#### FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$27,000,000, to remain available until expended.

#### AMENDMENT OFFERED BY MR. CLEAVER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, after the dollar amount, insert "(increased by \$3,000,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$3,000,000)".

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

Mr. CLEAVER. Mr. Chairman, I rise today to offer an amendment to bolster the Army Corps of Engineers' ability to fight floods and to quickly begin repair efforts as the floodwaters recede. Last year, my constituents, as well as thousands of others living along the Missouri River, experienced a flood of historic proportions and catastrophic damages. Levees were overtopped or breached, fields were damaged, and hundreds of farmers, homeowners, and businesses had to evacuate. Over 400,000 acres of farmland were flooded along the river, including approximately 207,000 in Missouri. Total repair costs from the flood are estimated to reach \$2 billion.

The Flood Control and Coastal Emergencies account provides funding to as-

sist in the immediate flood-fighting efforts and the repairs. Historically, Congress has provided limited funding annually for this account, mainly relying on supplemental appropriations as emergencies arise.

Funding for this account the last 2 years has been lower than the 5-year average appropriation of \$55 million. As was the case last year, after an emergency the Corps must wait on supplemental appropriations from Congress or they must transfer funds from existing appropriations for temporary emergency efforts. The Corps did this internal transfer last year during and after the 2011 flood. However, it takes time to transfer those funds and temporarily deprives other worthy projects of funding. This is especially burdensome given the Corps' long construction backlog of over \$62 billion worth of projects.

This amendment is a straight transfer of funds to increase funding for the Corps' Flood Control and Coastal Emergencies account and in turn reduce funding for the Corps' expenses account. This transfer would increase the funding to equal the amount that the Senate Appropriations Committee allocated, bringing total funding for that account to \$30 million for fiscal year 2013.

Mr. Chairman, ensuring adequate annual funding for emergencies will better prepare the Corps to respond and save time and effort in trying to re-route funds. And we all know that emergencies will continue to occur as our climate continues changing and development continues in flood-prone areas. It is incumbent upon us to provide the people who respond to these emergencies with the most resources possible. And so on behalf of the families living along the Missouri River who are in desperate need of help from this body, I ask for your support by adopting this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of this amendment. Let me assure the gentleman that we are very sympathetic to his concern for fixing the infrastructure that was damaged in last year's flood event. In fact, we provided \$1.7 billion to the Corps of Engineers for that exact purpose.

The issue the gentleman raises, however, is something that all Members need to be aware of: based on the definitions in last year's amendments to the Budget Control Act, disaster relief funds may only be used in locations declared major disasters under the Stafford Act.

For some agencies, like FEMA, that may make sense. But for the Corps of Engineers, there are times when that definition is too restrictive. We all need to be aware of the potential con-

sequences of forcing regular appropriations to the account for these disaster-related damages that happen to be in the wrong location according to the Budget Control Act.

That notwithstanding, the gentleman's amendment would try to address some of these needs, and I'm pleased to support his amendment.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The Acting Chair. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I rise in support of the amendment, and join with the comments made by the chairman, and I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$177,500,000, to remain available until September 30, 2014, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

#### AMENDMENT OFFERED BY MR. BROUN OF

#### GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 4, after the dollar amount, insert "(reduced by \$5,325,000)".

Page 7, line 22, after the dollar amount, insert "(reduced by \$150,000)".

Page 13, line 16, after the dollar amount, insert "(reduced by \$45,000)".

Page 16, line 20, after the dollar amount, insert "(reduced by \$1,710,000)".

Page 31, line 23, after the dollar amount, insert "(reduced by \$12,000,000)".

Page 47, line 22, after the dollar amount, insert "(reduced by \$2,259,510)".

Page 48, line 6, after the dollar amount, insert "(reduced by \$882,450)".

Page 48, line 14, after the dollar amount, insert "(reduced by \$350,310)".

Page 48, line 20, after the dollar amount, insert "(reduced by \$320,370)".

Page 49, line 9, after the dollar amount, insert "(reduced by \$42,750)".

Page 49, line 17, after the dollar amount, insert "(reduced by \$7,500)".

Page 50, line 17, after the dollar amount, insert “(reduced by \$3,810,840)”.

Page 51, line 20, after the dollar amount, insert “(reduced by \$102,000)”.

Page 52, line 6, after the dollar amount, insert “(reduced by \$30,000)”.

Page 56, line 24, after the dollar amount, insert “(increased by \$27,036,730)”.

Mr. BROUN of Georgia (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

Mr. DICKS. I object to the suspending of the reading.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. The gentleman from New Jersey reserves a point of order.

The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, this amendment would reduce the administrative and salaries and expenses accounts in the underlying bill by just 3 percent. It is similar to an amendment that I offered to the Commerce, Justice, and Science appropriations bill just a few weeks ago.

My message today is the same as it was then: we are in a fiscal emergency, and it is imperative that we work to get spending under control here in Washington, D.C.

Over the last 2 years, the House has voted to reduce our own administrative accounts—our Members’ representational allowances—by over 11 percent. As we all know, this has resulted in pay freezes, and in some cases pay cuts, for a number of our own staff members.

Yet during this same period of time, many agencies have seen reductions which are much lower than those which we have taken here in the House.

□ 0950

Amazingly, some of these Agencies funded under this bill have seen large increases in their administrative accounts. For example, under this bill, the Appalachian Regional Commission would receive a 9 percent increase in its administrative account over the FY11–FY13 period. Likewise, the salaries and the expenses account for the Defense Nuclear Facilities Safety Board would see a 21 percent increase. But if you think those increases are big, think again. This legislation would provide the Department of Energy’s departmental administration account with a 64 percent increase over 2 years.

Mr. Chairman, I’m not arguing the merits of any of these Agencies. But during this fiscal crisis, just 3 percent could yield significant savings—nearly \$30 million in the case of Agencies funded under this bill.

It’s time to tighten our belts. I urge support on my amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to oppose the amendment, but certainly understand it and share the passion of the gentleman for reducing Federal spending, and our bill does plenty of that. As we went through the process, we did exactly that.

This amendment would cut administrative expenses across the entire bill. Over many months and public hearings, our committee, in a bipartisan way, has already considered each administrative account separately and has made specific cuts while maintaining oversight to prevent wasteful spending. We’ve done our job. The gentleman’s amendment cuts all administrative accounts indiscriminately without regard to where funds are needed and where cuts are possible.

We understand where he is going, but the committee has done its work. Therefore, I must strongly oppose his amendment.

I yield back the balance of my time. I continue to reserve my point of order, though.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. Mr. Chairman, I move to express my strong opposition to the amendment. Some would suggest outrage; I will simply say opposition.

The fact is, across-the-board cuts to administrative accounts when we have significant problems as far as the administration of some of these programs in the Department of Energy is a profound mistake.

What I really want to emphasize at this point to all of our colleagues in the House is that members of this subcommittee and the full Appropriations Committee—which approved this bill, the people of this committee approved this bill—have made value judgments account by account.

The fact is, for renewable energy—and we will have amendments on this issue—there is a \$428,345,000 reduction in this bill. In the Office of Science, there is a \$72,203,000 reduction. For environmental clean-up for defense sites, for example, there is an \$88,872,000 cut. These were all discrete decisions made and value judgments.

So I would emphasize to my colleagues that there are significant cuts and savings in this bill. I strongly oppose the gentleman’s amendment, and I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make the point of order that the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of new budget authority in the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

To amend portions of the bill not yet read pursuant to section 3(j)(1) of House Resolution 5, an amendment must propose only to transfer appropriations from an object or objects in the bill to a spending reduction account.

Because the amendment offered by the gentleman from Georgia proposes to increase the spending reduction account by more than the amount being transferred out of other accounts, it may not avail itself of section 3(j)(1) of House Resolution 5 to address the spending reduction account.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less; or
- (6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in this Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99-662) is enacted.

SEC. 104. Within 120 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

SEC. 105. During the fiscal year period covered by this Act, the Secretary of the Army is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with such modifications or emergency measures as the Secretary of the Army determines to be appropriate, to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

SEC. 106. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$4,300,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 107. None of the funds appropriated in this Act shall be available for use by the Chicago District of the United States Army Corps of Engineers to fund any travel that is outside of the District's area of operation unless such travel is directly project-related or is specifically requested by a Member of Congress.

SEC. 108. Of the funds provided for "Olmsted Locks and Dam, Ohio River, IL & KY" in the table under the heading "Corps of Engineers—Civil—Construction" in the report of the Committee on Appropriations accompanying this Act, not more than 50 percent may be available for obligation until—

(1) the Corps of Engineers completes a review of the project, including method of construction;

(2) the Corps of Engineers develops a plan for the expeditious completion of project construction;

(3) the findings of the review and the project completion plan have been communicated to the appropriate committees of the Congress.

SEC. 109. Amounts made available by this Act for the "Investigations", "Construction", and "Operation and Maintenance" accounts of the Corps of Engineers may not be used as provided under the heading "Additional Funding for Ongoing Work" in the matter relating to each such account in the report of the Committee on Appropriations to accompany this Act until the report required under such heading is submitted.

SEC. 110. None of the funds made available by this Act or any subsequent Act making appropriations for Energy and Water Development may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce a change or supplement to the rule dated November 13, 1986, or guidance documents dated January 15, 2003, and December 2, 2008, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

AMENDMENT OFFERED BY MR. MORAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, beginning on line 6, strike section 110.

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

Mr. MORAN. Mr. Chairman, as the Clerk read, this would strike section 110 of this bill.

This is a legislative rider that is bad policy and does not belong in an appropriations bill. This rider, 110, permanently blocks the Army Corps of Engineers from fixing existing policies that are confusing and inconsistent and not working. It risks great harm to fresh sources of drinking water, and it jeopardizes flood protection and outdoor recreation, specifically because section 110 prohibits the Army Corps from clarifying the limits of Federal and State authority under the Clean Water Act.

Mr. Chairman, two Supreme Court cases over the last decade addressed the scope of the Federal Government's authority under the Clean Water Act. The Court's rulings did not require less regulation and protections, but urged the Congress and the executive branch to provide a sound rationale and consistency to clarify the limits of Federal authority. The Corps and the EPA have now issued draft guidance clarifying Federal authority that adheres to the Court's rules. Congress, by contrast, has not.

With this rider, Congress is about to make matters much worse—worse because blocking completion of the guidance and any subsequent regulations which the bill's rider would do would be bad for the public's health, bad for businesses, and bad for farmers. It's especially bad for 117 million Americans whose drinking water comes from headwaters and non-perennial streams. Shouldn't we be concerned about what toxic material is dumped into these streams?

It's bad for American businesses who need certainty. Without updated guidance, businesses will often not know when they need a Corps' permit in order to develop land.

□ 1000

This uncertainty could subject them to civil and criminal liability, and certainly will cost them extra money.

It's bad for farmers because this rider eliminates the agricultural exclusion for prior converted cropland that was added to the waters of the United States rule at the farmers' request.

Section 110 invalidates all rules issued after the rule dated November 13, 1986, but not until 1993 did the Corps and EPA define the waters of the U.S. to exclude "prior converted cropland."

Claims that Federal guidance and regulations are unnecessary because of State clean water programs are wrong as well. Thirty-three States joined a brief in the most recent of the Supreme Court cases urging the Court to uphold

Federal protections for wetlands adjacent to non-navigable streams. States noted that Federal safeguards were critical (A) because water flows between States, (B) because maintaining a Federal floor of pollution control creates parity between States, and (C) because States have come to rely on Federal protections and would face serious administrative and financial burdens if they were solely responsible for these requirements.

Finally, even though the rider may block the guidance clarifying Federal and State authority, it does not make the Clean Water Act requirements for a permit go away. States are still required to implement and enforce the law, and dischargers still must obey it. Likewise, third parties may still file lawsuits.

The real consequence of this rider will be to frustrate the Federal Government's efforts to explain where State or Federal authority under the Clean Water Act ceases to exist. If this rider prevails, more lawsuits will ensue.

So I urge my colleagues to vote to strike this rider to bring clarity to a confusing issue.

Let me say, Mr. Chairman, that many of the groups involved have finally come together and realized that they need clarity on a very difficult issue. There are times when water goes underground during the summer and the surface dries up, but that water is still present, and much of that water is interstate. You need Federal control.

One of the biggest things that I think perhaps the gentleman may not be aware of is the fact that this rider, if it is passed in this bill, would eliminate the agricultural exclusion for prior converted cropland. The fact is that this rider invalidates all rules that were issued after November 13, 1986, and it wasn't until 1993 that the Corps and EPA defined the waters of the U.S. to exclude prior converted cropland. So a lot of the farm community is going to be very upset if the gentleman's rider is not removed. And the fact that 33 States have joined a brief asking the Federal Government to do what the EPA and the Federal Corps of Engineers is doing means that we are going to cause major problems if this rider is passed in this bill.

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

Mr. REHBERG. I move to strike the last word.

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

Mr. REHBERG. Mr. Chairman, you heard it here first. My urban colleague says the Federal Government wants to control your water on private property in rural areas like Montana.

The life of a Montana farmer is hard, up before the sun rises, working all day just to make ends meet. Between the cycle of plowing, planting, and harvesting, there are tractors to fix, barns to repair, and products to bring to market. The last thing any Montana farmer needs is another Federal mandate to

follow, more red tape to cut through, and more Federal paperwork to fill out.

This country was founded by farmers. They understood from personal experience that farming is a full-time job and you can't do it right if you only do it part of the time. So the Framers of the Constitution set up a representative government that lets farmers elect men and women to fight on their behalf so they can go about their business.

The House of Representatives was meant to be the closest to the people. It's not just our privilege to stand up for our Constitution; it's our constitutional duty.

The Constitution delegates legislative power to the Congress, but lately, President Obama has, in too many cases, tried to circumvent the constitutional separation of powers. Congress managed to prevent the disastrous cap-and-trade energy tax from becoming law, so President Obama expanded the definition of a harmful pollutant in the Clean Air Act to include carbon dioxide, the stuff that we exhale.

Congress blocked the massive legislation landgrabs like the Northern Rockies Ecosystem Protection Act, so the Obama administration crafts secret plans to designate 13 million acres as national monuments using the Antiquities Act. The Antiquities Act, by the way, was passed to protect archaeological sites.

And now the Obama administration is looking to expand its reach, over the objections of both the Congress and the Supreme Court, to control water, all water everywhere.

You know, if there's one resource that's more important to dryland farmers than time, it's water. And in arid States like Montana, where we've got plenty of land, there's lots of dirt between light bulbs. The difference between feast and famine can be a little bit of water. And now some folks in the Federal Government want to get involved.

It's been a long fight. Let me show you how we got there.

Back in 2001 and 2003, the Supreme Court limited the authority of the Federal Government to regulate water. Unelected bureaucrats were trying to control water, all water, including melted snow, mud puddles and prairie potholes and irrigation ditches. But the Supreme Court said no.

This makes sense. There is a role for the Federal Government. We want clean water and a safe environment. But living in Montana means you live off the land. It means you grew up learning how to take care of your environment. In fact, Montanans were some of the first conservationists. But the role of government is not unlimited. We don't need the Federal Government thinking for us, and we don't need the Federal Government to tell us how to take care of our irrigation ditches.

The Clean Water Act gives the Federal Government authority to regulate navigable waters of the United States.

President Obama and his allies in Congress are trying to eliminate the requirement that waterways be navigable. Simply eliminating that word gives the Federal Government nearly unlimited power. Fortunately, those legislative efforts have failed.

So in December 2010, the Corps of Engineers crafted a plan to identify water subject to jurisdiction under the Clean Water Act. The goal is to significantly expand Federal jurisdiction over water. The Obama administration and his allies are trying to solve a problem that does not exist.

Fortunately, the Constitution provides a check to the Obama administration's power grab. Montana farmers have a safety net—the House of Representatives. It's our job to fight this battle so that they don't have to. It's our job to act as a check and balance to over-reaching executive actions.

That's what this language does. It simply prevents the President from carrying out his plans. It ensures that when a farmer wakes up before the sun rises, they don't have to worry about onerous Federal regulation. They can just go to work on their farm. That's what the Founding Fathers would have wanted, and that's why I hope you'll join me in opposing this amendment.

I yield back the balance of my time.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words.

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

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. I want to begin by expressing great respect and affection for my friend from Montana who has just spoken. It was a fine speech, but it has nothing to do with the issues before us.

What the committee, in this legislation, has done has been to simply assure that the Corps of Engineers may not put forth guidelines clarifying the law as it was enunciated by the Supreme Court in the case that we are discussing in connection with the Clean Water Act.

It does something more. It fixes it so that farmers will lose certain protections which have been put in for their benefit by the law. And you're going to find, as my friend from Maryland has so wisely observed, that you are going to hurt a bunch of American farming public by denying them a protection which has been given them. Citizens, under the language of the committee bill, will have no way of knowing what the law is or how it is interpreted by the committee.

It is not an issue before us today whether or not you agree with the Clean Water Act. The question is, simply: Is the Corps of Engineers going to be able to tell people what the law is and how it is to be interpreted by the Corps and how citizens will then have to behave?

□ 1010

Under the law, the amendment simply says the Corps may inform people of what the law, as set forth in the Supreme Court's rulings, means. I think that is something which is important in terms of seeing to it that people may go forward with their planning, with economic development and everything of that sort.

It is not wise to deny citizens this kind of information. It is extremely unwise to deny business the opportunity to know what it is they must do to comply with the law as enunciated by the Supreme Court. The amendment makes great sense. The bill, as written, simply re-fights an issue that is not before this body at this time. I hate to see the kind of confusion that is being inflicted upon this body by a simple misunderstanding of what the law is, what the bill does, and what the amendment does.

I urge my colleagues to support the amendment. If you want clarity, if you want people to know how to comply with the law as set forth by the Supreme Court, adopt the amendment. If you want confusion and if you want misfortune to be visited on farmers and the public and confusion to afflict economic development and business, then support the bill as it is and oppose the amendment.

There is a tremendous lack of wisdom here in this fight. Let us understand the issue that plagues us, which is simply whether or not the Corps of Engineers is going to be able to tell people what the law is. At issue is not any change in the law. The amendment accepts the fact that the Supreme Court has made a decision. I happen to strongly disagree with that decision by the Supreme Court. Unfortunately, I am going to have to wait until some future time to come down and attack what is clear misbehavior by the Supreme Court. I was on the floor and had a colloquy with the management of the legislation at the time the bill was passed, and the Supreme Court has clearly disregarded and ignored the legislative history and, worse than that, the clear language of the bill. That issue is not before us today.

What is before us today is simply: Are the Corps of Engineers and the U.S. Government going to be able to tell the people what the law is as set forth by the Supreme Court?

To say anything else about this legislation is either to be misled or to mislead. I would beg my colleagues to vote in favor of the intelligent approach of seeing to it that we are going to allow people to know what the law is and allow the Corps of Engineers to set out what the law is for the benefit of business, industry, and people.

I yield back the balance of my time.

Mr. Chair, I rise in support of the Moran-Dingell amendment which will protect not only the Clean Water Act but also the power and integrity of the United States Congress.

When the Clean Water Act was passed, I stood on the floor of this House as one of its

authors and explained the intent of the Conference Report on the Clean Water Act in a colloquy with Representative Jim Wright of Texas, who was managing the bill. I said, "the conference bill defines the term 'navigable waters' broadly for water quality purposes. It means all 'the waters of the United States' in a geographical sense. It does not mean the 'navigable waters of the United States' in the technical sense as we sometimes see in some laws."

In 2006, the Supreme Court significantly restricted the original Congressional intent of the Federal government's authority under the Clean Water Act. The Supreme Court completely ignored Congress' intent to provide a broader definition of "U.S. waters" and instead upended 35 years of precedence simply because they refused to properly review the legislative history of laws made on this floor by those managing the bill.

Because of the Supreme Court's misguided decision, the Army Corps of Engineers is working on new guidelines that will take into account the decision of the Court and define what their new jurisdiction will be under the Clean Water Act. This is not a massive expansion of power by the Corps as some would have the House believe. This is simply an honest attempt to comply with the Supreme Court's decision.

By preventing the Corps from spending any funds to implement these new guidelines, this House would be casting a dark pall of uncertainty over the country. If someone wants to build a home or new business near a wetland or other body of water, do they need to consult with the Army Corps of Engineers before doing so? The language in this bill would not answer that question and would lead to more costs and confusion to that homeowner or businessperson in legal and court fees. The language in this bill would lead to more court battles and create a wonderful mess that would lead to lawyers making plenty of money.

I ask my colleagues to not let the Supreme Court to blatantly ignore established Congressional intent and to instead allow the Army Corps of Engineers to do the work we told them to do and to implement new guidelines conforming to the court's decision.

Please vote for the Moran-Dingell Amendment.

Mr. GIBBS. I move to strike the last word.

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

Mr. GIBBS. I rise today in strong opposition to this amendment.

My friends on the other side of the aisle are absolutely right in that, currently, there is an assault going on with regard to the Clean Water Act; but it is not by us, rather by this administration. We are not trying to roll back the Clean Water Act but, instead, allow it to work as it was written.

This administration is currently trying to circumvent congressional intent and expand the scope of the law beyond its drafted words. This guidance would substantially change the Agency's policy on waters subject to the jurisdiction under the Clean Water Act, undermine the regulatory community's rights and obligations under the Clean Water Act, and erode the Federal-State

partnership that has long existed between the States and the Federal Government in implementing the Clean Water Act.

By developing this guidance, the Agencies have ignored calls from State agencies and environmental groups, among others, to proceed through the normal rulemaking procedures; and they have avoided consulting with the States, which are supposed to be the agencies partnering in and implementing the Clean Water Act. The agencies cannot circumvent the Administrative Procedure Act through this guidance or change the scope and meaning of the Clean Water Act or the statute's implementing regulations.

If the administration and the Members on the other side of the aisle seek statutory changes in the Clean Water Act, then a proposal must be submitted here in Congress for legislative action, and we should have a healthy debate. Until that time, we must stop this current process.

Also, I would like to add to the gentleman's earlier comments in that I think the intent of the Clean Water Act passed constitutional muster because of the word "navigable" in the Interstate Commerce Clause. This guidance put out essentially circumvents the word "navigable," so I have to raise a question of the constitutionality of this type of amendment.

I urge strong opposition to this amendment, and I yield back the balance of my time.

Ms. EDWARDS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Maryland is recognized for 5 minutes.

Ms. EDWARDS. Mr. Chairman, I rise in support of my colleague Mr. MORAN's amendment to strike this rider in the fiscal year 2013 Energy and Water Development Appropriations Act. For 40 years, the Clean Water Act has helped remove pollution from our drinking water and protect our precious natural resources.

The act regulates the discharge of pollution into navigable waters; but put simply, it makes sure that a glass of water you get from the tap or the fish you catch in any fishing hole or river isn't contaminated by pollutants. Now, some of my colleagues on the other side of the aisle forget that, before the Clean Water Act was passed, rivers caught on fire; oil spills in inland waters were rampant; and few communities had modern wastewater treatment facilities.

The ill-conceived rider in this bill would have a severe impact on my home State of Maryland. In fact, the EPA estimates that 55 percent of the streams in Maryland either do not flow year-round or are "first order" headwater streams. These are waters most vulnerable to pollution or destruction if the Army Corps and EPA are not able to adopt policies to restore the longstanding protections for these

waters. Without these protections, sewage and industrial waste discharges, oil spills and completely filling in streams for development may not be subject to Federal law even when streams provide drinking water, as they do in the Fourth Congressional District of Maryland.

The EPA says that 3,990,016 people in Maryland receive some of their drinking water from areas containing these smaller streams. In Montgomery County alone, 1,846,500 residents are at risk of having their drinking water polluted. These residents use surface water supplied by public drinking water systems that rely on smaller streams that are at risk of losing clean water protections. Also, many waters in Maryland, from small streams to the Chesapeake Bay, are interstate waters. Without strong Federal safeguards for waters of the United States, those States that want to or are able to take State-level steps to protect waters will be unsuccessful.

Even with the Clean Water Act, the Potomac River—I live on the banks of the Potomac River—is listed as the most endangered river by the group American Rivers as part of their America's Most Endangered Rivers of 2012. The river receives this inauspicious award because it's polluted by agriculture runoff, sewage runoff from roadways and from enough pharmaceuticals that male fish have been caught with female characteristics. The Anacostia River, which also flows through my district, is polluted by trash, sewage, and other contaminants. A cleanup of the Anacostia is slowly taking place due in no small part to the guidance provided under the Clean Water Act. Urban rivers like the Potomac and Anacostia are affected by runoff from streets and parking structures.

I want to pause here for a minute because all of us here in this Capitol receive our water, our tap water and our drinking water, from those waters that I am talking about, from the Anacostia and the Potomac. So keep that in mind, Members of Congress, when you're drinking a glass of water.

It's one of the many reasons that I favor public transportation, transit-oriented development, and bike riding. Our air and water are protected when we make smart transportation decisions, and I have to say that we haven't made a single smart transportation and jobs decision in this Congress since the Republicans took over. This is why I support a bipartisan and Senate-passed MAP-21 and hope that the conferees agree to a report that reflects the priorities in that bill, because that's about protecting our drinking water.

So let's be clear about what's at stake. The Clean Water Act protects almost 60 percent of U.S. streams, and that's why 33 States joined a brief in the most recent Supreme Court case on the issue urging the Court to uphold Federal protections for wetlands adjacent to non-navigable tributaries.

□ 1020

These States noted that Federal safeguards were critical because water flows between States, because maintaining a Federal floor of pollution control creates parity among States, and because States have come to rely on Federal protections and would face significant administrative and financial burdens if they were solely responsible for these requirements. Now the success of the Clean Water Act is being threatened by a dirty-water rider attached to the FY 2013 Energy and Water appropriations bill.

I hope you'll join with me and millions of people across the country to stand up for clean water, for safe drinking water, for the health of fishermen, and for fish and wildlife. Future generations will not remember the industries we've made slightly wealthier by rolling back this bipartisan passed bill, but our future generations will know that we are the reason their drinking water is making them sick.

I urge my colleagues to vote for the Moran-Dingell amendment and to strike this dangerous and reckless rider.

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

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Mr. Chair, I have to rise in strong opposition to my friend's amendment.

Today, the EPA and the Corps of Engineers are writing guidance in order to dramatically expand the reach of the Clean Water Act and the Federal Water Pollution Control Act. The EPA and Corps' understanding of waters of the United States would grow to encompass—in my rural district and a lot of rural districts all over this country—dry ditches, culverts, and—who knows—swimming pools and snow, as well.

This guidance is called "Identification of Waters Protected by the Clean Water Act," and it's clear that the draft guidance, which has already been published, says it is not a rule and it is not binding. But let me tell you what's happened in my congressional district. Number one, this guidance is actually causing already the Corps of Engineers to fine a couple of people in my congressional district who supposedly have dry ditches on their property, and they are about 10 different streams removed from the Mississippi River, perhaps. Only when it rains does it stay wet for a day. These people are being told that they're going to have to pay hefty fines unless they stop the development of this particular area on their land. This is absolutely the craziest thing I've ever heard. Nobody is talking about impacting your clean water. This is out in the country. This is in rural areas. This is where there hasn't been a stream running in 100 years. Why that would be called a navigable water is beyond me.

The language included in the underlying bill is just simply going to stop the Corps, along with the EPA, from expanding their regulatory reach. And as I said, it's going to drastically be expanded to include culverts, dry ditches, and the rain falling on our fields. God knows there's going to be a mud puddle there, and it's suddenly going to become a navigable water because you might be able to put somebody with an inner tube in there in the puddle in the yard to be able to swim until it dries up.

Come on. Let's use sound science. Let's use some common sense. Let's follow proper rulemaking. The last thing we need to do is to continue to increase the power of the Federal Government. And this amendment under consideration—and I love my colleagues who are offering it—would further empower the regulatory agencies, and it would endanger more than anything else our private property rights.

Mr. Chair, I urge my colleagues to support private property rights and join me in demanding transparency and accountability of our regulatory agencies. I urge my colleagues to vote "no" to defeat this amendment.

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

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of Mr. MORAN's amendment and would point out that I think the gentleman from Michigan in his earlier remarks hit the nail on the head. This is an issue of clarity versus confusion.

The fact is we have become the "Congress of Confusion." We are charged with running a Nation of 300 million people with domestic and international responsibilities. We have now confused the physician community of the United States more than 17 times—sometimes at a 2-week interval—as to what the reimbursements are going to be under the Medicare program. We have people who have suffered loss of life, significant property damage, and dislocation through floods in our Nation. We are unable as an institution to resolve our differences on flood insurance and have continued it—if I am correct—at least 11 times. The fact is we have an infrastructure, as far as our highways and bridges, that is crumbling. We have now eight or nine times continued that because we cannot make a decision, and we continue to confuse the States, contractors, and our communities as to what the policy of the United States Government is going to be. And depending on what year you died, the last four years—including 2012—this Nation has had three different estate-tax laws, and the current one expires at the end of this year, leading to confusion and the hiring of numerous accountants, insurance agents, and attorneys, all of whom I love.

Why confuse this Nation more by not adopting the clarity of the Moran amendment? There is no question that the two Supreme Court decisions have significantly confused this issue and created uncertainty as to the scope of the Clean Water Act. During multiple hearings before the Committee on Transportation and Infrastructure, witness after witness spoke of how these cases have blurred the lines on what the waters subject to Federal protection are.

The reason in short is because in neither case could the majority of Supreme Court justices agree on what was the appropriate test for determining the scope of Federal protections based on their reading of the term "navigable." No majority or the court could agree what navigable means. In fact, in one of the cases the level of confusion on the court is reflected in that there are five separate opinions filed in the case with no opinion having more than four supporters on the Supreme Court of the United States.

The resulting confusion in interpreting the Clean Water Act is apparent to both the regulated community and regulators. The fact is, the industry has asked for clarification of this confusion through agency rulemaking. The gentlewoman mentioned that we need a rule in this. We do need a clarified rule. However, this legislative rider that is in the bill proposes the status quo of confusion and that that is acceptable. It will only result in increased implementation costs to the Federal Government, to the States, and to the regulated community. It will increase delays in the implementation of important public works projects and protracted litigation on the disparity of this language.

We need to adopt Mr. MORAN's amendment to ensure that we have clarity. We should be taking actions to address the legitimate concerns that have been expressed. But the fact is this is an issue that Congress and the administration needs to address in the authorizing process to clarify it. This is not an issue that should be continued in confusion and perpetuity through the appropriations process.

Again, I strongly support the gentleman's amendment, and I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Chairman, I move to strike the last word.

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

Mr. FITZPATRICK. Mr. Chairman, I rise in support of the amendment and urge my colleagues to support a clarification of the Clean Water Act.

Mr. Chairman, Republican administrators of the EPA—from William Reilly to Russell Train—have all expressed support for protecting our streams, rivers, wetlands, lakes, and other waters of the United States from pollution and from destruction. The rider in this bill will perpetuate the

current confusing and cumbersome bureaucratic situation.

□ 1030

I would suggest it's time to take a step forward, not take a step backward, and I urge my colleagues to oppose the rider and to support the amendment.

I yield back the balance of my time.

Mr. DICKS. I move to strike the last word.

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

Mr. DICKS. I received a letter from the American Fisheries Society, the American Fly Fishing Trade Association, the Sportfishing Association, Backcountry Hunters and Anglers. I think these are very important groups. As a westerner, I pay attention to these people. It says:

MARCH 30, 2012.

DEAR REPRESENTATIVE: As sportsman-conservation organizations representing millions of hunters, boaters, and anglers nationwide, we ask you to oppose any legislation that would block the administration's very deliberate and vital action to clarify and restore long-standing Clean Water Act protections for streams and wetlands across the country. We reaffirm our support for Clean Water Act guidance currently being reviewed and finalized in an interagency process coordinated by the Office of Management and Budget (OMB).

Sportsmen rely on clean water to ensure the opportunity to enjoy hunting, angling, and other outdoor-based recreation (and business) in the great outdoors. When wetlands are drained and filled and streams are polluted, sportsmen are often the first to be directly impacted. Consequently, hunters, boaters, and anglers have consistently advocated for conserving our nation's waters.

Since 2001, U.S. Supreme Court decisions in SWANCC (2001) and Rapanos (2006), along with 2003 and 2008 agency guidance that is inconsistent with those decisions and the related science, have combined to erode long-standing Clean Water Act safeguards for headwater streams and critical wetlands.

Headwater and intermittently flowing streams comprise 59 percent of all stream miles in the continental United States, and are particularly vulnerable under the decisions and existing agency guidance. At-risk wetlands and tributaries provide clean water for iconic systems such as the Mississippi River Delta and the Chesapeake Bay. They recharge aquifers like the Ogallala, help retain floodwaters in areas such as the Prairie Pothole region and Missouri River Basin, and provide important fish and wildlife habitat throughout the nation. According to the U.S. Fish and Wildlife Service (FWS), prairie pothole wetlands in the northern Great Plains, together with similar wetlands in southern Canada, produce 50 to 70 percent of all North American ducks. However, in its most recent report on the status of wetlands nationwide, the FWS found the rate of wetland loss jumped 140 percent between 2004 and 2009. As these waters are polluted and diminished, their ecological, public health, and recreational benefits are lost, as well.

As we all work to create jobs and support economic recovery, we should nurture rather than neglect the economic benefits of hunting, angling, and other outdoor recreation. Hunting, boating, and angling have a tremendously positive impact on the nation's economy, including in rural communities, and support millions of jobs across the country. Consider the following:

Using data from the FWS, the American Sportfishing Association estimates angling generates \$125 billion in annual economic activity and supports more than 1 million jobs. Using similar information, the Congressional Sportsmen's Foundation estimates hunters contribute nearly \$25 billion to the economy, which supports 600,000 jobs.

Data from the National Marine Manufacturers Association indicates that recreational boating contributes over \$41 billion and 337,000 jobs to the U.S. economy.

The FWS reports duck hunting alone generates \$2.3 billion for the economy every year and supports 27,000 private sector jobs.

In order to effectively safeguard key components of our economy, the sports and traditions that millions of Americans enjoy, and the health and integrity of some of our most important fish and wildlife resources, it is essential to act now to restore lost Clean Water Act protections consistent with existing law and science.

The Army Corps of Engineers and Environmental Protection Agency (EPA) proposed new guidance last spring for determining Clean Water Act jurisdiction. The draft guidance is science-based and clearly respects the Supreme Court's decisions. Over the course of three months last summer, the agencies conducted an almost unprecedented public engagement process for a guidance document. More than 200,000 Americans commented and EPA has reported that the clear majority of those comments support the proposed guidance. During this process, more than 250 hunting, angling, and conservation groups from 28 states also weighed in backing the guidance and subsequent rulemaking.

To complete this process the guidance must be finalized as a first step in affirming longstanding clean water protections for many wetlands and streams. This guidance importantly maintains existing exemptions for normal agricultural activity. At the same time, it will provide increased clarity and consistency that is badly needed by land owners, developers, conservationists, and state and federal agencies alike. We urge you to support—and not oppose—this important first step.

As a follow-up to final guidance, we also support agency action to further clarify and strengthen the regulatory definition of "waters of the United States." There is widespread agreement among groups across the spectrum about the inherent value of rulemaking to address critical aspects of this issue. In closing, we urge you to support—and not oppose—the important and careful steps being taken by the administration to clarify and affirm long-standing protections for wetlands and streams across the United States.

Respectfully,

Gus Rassam, Executive Director, American Fisheries Society; Randi Swisher, President, American Fly Fishing Trade Association; Gordon Robertson, Vice President, Government Affairs, American Sportfishing Association; Jim Akenson, Executive Director, Backcountry Hunters and Anglers; Bruce Akin, Chief Executive Officer, BASS, LLC.; Jim Martin, Conservation Director, Berkley Conservation Institute; Rob Olson, President, Delta Waterfowl; David Hoskins, Executive Director, Izaak Walton League of America; Thom Dammrich, President, National Marine Manufacturers Association; Larry Schweiger, President and CEO, National Wildlife Federation; Paul Krausman, CWD, President, The Wildlife Society; Whit Fosburgh, President and CEO, Theodore Roosevelt Conservation Partnership; Chris Wood,

President, Trout Unlimited; Steve Williams, President, Wildlife Management Institute.

So that's why we must today enact the Moran amendment that takes out the language unfortunately added in full committee on this subject. It is the right thing to do. It is the right thing to do. From an environmental perspective and from a hunter, fisherman, outdoor recreational perspective, it's necessary to protect our future.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. I thank the chairman for his recognition. I don't have the letter to read, but listen, the only argument that's being made here that makes any sense is we have got to bring clarity to this issue. We have got to bring clarity to the confusion of this issue.

Well, I will tell you that a hanging is clarity, but it's not necessarily the right option. That's essentially what we're doing here. We're giving control of all these waters that have traditionally been in the control of the States to the Federal Government. And I will tell you, we will have an opportunity to debate this same issue again on the Interior bill dealing with the EPA. This deals with the Army Corps of Engineers.

The fact is is that you don't need this to clarify this, the policies proposed by the Army Corps of Engineers. You can clarify it by legislatively defining what "navigable" means. If the Supreme Court has a problem trying to decide what "navigable" means, then let's address that so we know what we intend by that.

The argument is made repeatedly by some of those that have supported this amendment, whether you are from Virginia or Maryland, and I will tell you, if you want in Virginia or Maryland or Washington or Michigan, the Army Corps of Engineers and the EPA to control every drop of water that falls on your State, I'll help you do it. Let's write legislation to do that so that you guys can have the clarity of the EPA and the Army Corps of Engineers. But in western States, we actually protect those waters by State law. What you are trying to do is exempt State law or override State law and have the Federal Government take control of these. That's just flat wrong.

If you don't think Virginia protects its headwaters enough, then put a bill in to allow the EPA and the Army Corps to control every drop of water that falls in the State of Virginia. You don't need this to bring clarity to this, and the States are doing a good job that do State regulations of headwaters.

Mr. MORAN. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman.

Mr. MORAN. I would like to ask the gentleman what we do about waters that are interstate, they flow down.

Mr. SIMPSON. Well, let me answer that question for you.

Mr. MORAN. Yes, please.

Mr. SIMPSON. If there are waters that the State is not regulating and they will eventually flow into navigable waters, and the only way to control the pollution in those navigable waters—the State is going to ultimately start controlling those headwaters if they're not doing their jobs.

You seem to think that States have no ability to control the State waters that are under State control. They do have the ability to control those State waters, and they do a good job of it in most States. I'm not sure about Virginia. I haven't followed Virginia.

Mr. MORAN. But I suggest to the gentleman, they use the Federal definition in order to enforce the quality of the water coming from other States. That's the problem.

Mr. SIMPSON. The point is that they become navigable waters at some point. If they are being polluted by waters that are controlled by the States, eventually the State is going to have to say, You know what, we have got to get control of this; otherwise, we're going to have problems downstream.

Mr. MORAN. How do they control water from another State?

Mr. SIMPSON. You seem to think that the only way to address this problem is to have a Federal bureaucracy. You know what, we could bring clarity to all of our problems by just eliminating the States. Why have States? Why not have everything under Federal control? That makes sense, because everything goes from State to State eventually. It makes no sense to me.

This does not bring clarity to the situation and it does not help in the regulation of our Clean Water Act. This does not make the waters of the United States cleaner. All it does is give more authority to the Army Corps of Engineers and the EPA.

□ 1040

If you want to bring charity, then bring a bill down here to define what navigable means. And you can do that. As I said, a hanging is clarity—not necessarily the best outcome.

I yield back the balance of my time.

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

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

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

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 111. As of the date of enactment of this Act and thereafter, the Secretary of the

Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

#### TITLE II—DEPARTMENT OF THE INTERIOR

##### CENTRAL UTAH PROJECT

##### CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$19,700,000, to remain available until expended, of which \$1,200,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,300,000.

For fiscal year 2013, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

##### BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

##### WATER AND RELATED RESOURCES (INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$833,635,000, to remain available until expended, of which \$29,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$6,985,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

##### CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$39,883,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3),

and 3405(f) of Public Law 102-575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

##### CALIFORNIA BAY-DELTA RESTORATION (INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$36,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of the Interior: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

##### POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2014, \$57,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

##### ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

##### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$300,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources

Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term "transfer" means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

### TITLE III—DEPARTMENT OF ENERGY ENERGY PROGRAMS

#### ENERGY EFFICIENCY AND RENEWABLE ENERGY (INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,450,960,000 to remain available until expended: *Provided*, That of such amount, \$115,000,000 shall be available until September 30, 2014, for program direction: *Provided further*, That for the purposes of allocating weatherization assistance funds to States and tribes during fiscal year 2013, the Secretary of Energy may waive the allocation formula established pursuant to section 414(a) of the Energy Conservation and Production Act (42 U.S.C. 6864(a)): *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, \$69,667,000 is hereby per-

manently rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount, insert "(increased by \$10,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I rise today to offer an amendment that takes another step toward restoring energy independence for America and new jobs for Americans. My amendment shifts an additional \$10 million for energy efficiency and renewable energy development from departmental administrative accounts. My goal is to better support a diversified energy portfolio and restore continental energy security.

American security and competitiveness hinge on affordable energy for our businesses and families, and our energy future depends on innovation. Fossil fuels continue to provide the bulk of our energy needs, and those accounts are left intact in this bill. But we all should know that a diversified energy portfolio protects America from the instability of a single source of energy dependence.

Our future security depends on diversified energy research and development that provides significant return on investment both financially and in technological advancement and the jobs that go with it. We must ensure that American innovators are on a level playing field with competitors across the globe, including China, and even Russia, and other nations looking for a competitive edge.

For years, the United States has been the global leader in these technologies, but we now are losing edge. Investment in energy efficiency and renewable energy technologies are absolutely essential in securing America's future.

Now, I understand the difficulty in drafting this bill, given the 302(b) allocation and the cuts for energy and water that the subcommittee endured. And I appreciate Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY's dedication to making difficult choices in a tight budget climate. Yet for fiscal 2013, critical energy research accounts have been drastically reduced to \$1.38 billion that actually exacted a \$428 million cut below fiscal year 2012.

Compared to last year, for example, solar energy was cut nearly in half—to \$155 million—and wind energy, the fastest energy sector growing globally, was cut by one-quarter, to \$70 million for R&D. Other programs like geothermal, water power, and building energy technologies received similar large cuts.

Last year, this body came together in a bipartisan fashion to support a mod-

est increase in energy efficiency and renewable energy technologies; and faced with further cuts this year, I ask my colleagues to reaffirm that commitment to a diversified energy policy and lead our country, and indeed the world, toward a new energy age. In fact, this amendment increases funds for the renewable portion of our energy portfolio while maintaining the proposed increases for fossil fuel development. And from a budgetary and accounting standpoint, my amendment actually decreases outlays for fiscal year 2013.

Let me add, this \$10 million transfer we are proposing represents less than 1/20th of the \$230 million administrative budget of the Department of Energy. This is a prudent adjustment to our energy policy strategy. It is forward looking. It makes sense from a budgetary standpoint. It will spur new job creation. And I urge my colleagues' support.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the gentlewoman's amendment. I appreciate my colleague's passion for solar energy. She has been a tireless supporter of American innovation in this energy and technological area. I also have the pleasure of serving with her on the Defense Appropriations Committee, and she's been an innovator and promoter of responsible energy policy with the Department of Defense as well.

But within tight budgets, we need to focus funding on our highest priorities, which is what we've done in our Energy and Water bill. To make room for our national security and infrastructure responsibility, our bill cuts energy efficiency and renewable energy by \$428 million and reprioritizes funds within the program to support American manufacturing and address rising gas prices. The focus is on jobs, the economy, and American manufacturing.

Our bill also preserves \$155 million for solar energy research that continues to advance American manufacturing and helps our companies compete globally. While I support activities that help American manufacturers compete, we cannot afford to add unnecessary funds to solar energy by cutting other important priorities.

Indeed, the amendment would cut departmental administration, a cut that we all know simply cannot be sustained in the final appropriation without jeopardizing the Department of Energy's ability to run and oversee their operation. They have enough management problems now. Reducing that management amount would make it difficult for them to run and oversee the problems that they really need to oversee.

So this amendment uses money we simply do not have. It has perhaps the

effect of crippling management by the Department. We need to live within our means. And I, regretfully, oppose the gentlewoman's amendment, and I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

□ 1050

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of the gentlewoman's amendment. There is \$10 million contained in her amendment. That is a significant sum of money. When compared, however, to current year level spending for the renewable accounts of \$1.825 billion, and as the chairman rightfully pointed out, a reduction of \$428 million from that account, the gentlewoman's amendment is as much a statement of Congress as it is a monetary initiative. That is, we need to make an investment in our energy future as well as our economic future.

Renewable energy must be a part of that future, and the vast majority of industries in our country throughout our history have received substantial support from the government to become established and to be part of this great Nation.

This amendment offered by the gentlewoman from Ohio takes a very small, but very positive, step towards making that investment, and I do urge my colleagues to join me in supporting the amendment; and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

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

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

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

AMENDMENT OFFERED BY MR. HULTGREN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount, insert "(reduced by \$30,000,000)".

Page 26, line 2, after the dollar amount, insert "(increased by \$15,000,000)".

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

Mr. HULTGREN. Mr. Chairman, my amendment would transfer \$15 million from the Energy Efficiency and Renewable Energy research program to the Office of Science. It would also reduce the EERE account by an additional \$15 million, which could be put towards deficit reduction.

The Obama administration has consistently prioritized industrial policy,

under the guise of applied science, at the cost of reduced support for our Nation's critical basic science research and our national labs.

EERE's Advanced Manufacturing Office is \$35 million above current fiscal year 2012 levels. EERE's water technologies program is \$25 million above the President's budget request. EERE's vehicle technologies program is \$42 million above where it was just last year. EERE's solar technology program receives \$155 million, despite billions of dollars of recent loan guarantees to solar companies and several high-profile industry failures.

This amendment would remove \$15 million from the EERE account, which is spent on subsidizing solar power and wind energy, and move it back to the Office of Science, where I would hope report language could specifically target it for the high-energy physics program which is critical to our long-term economic success and scientific leadership.

At this time, I yield to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Mr. Chairman, I would like to thank the gentleman from Illinois for yielding to me, and I appreciate working with him on this important amendment.

This amendment would increase funding for the Office of Science by \$15 million while cutting an additional \$15 million from the underlying bill.

Mr. Chair, the field of high-energy physics is becoming increasingly competitive; and without critical deep underground research spaces, we will continue to put our historic leadership in this area at risk, while continuing to send our best and brightest overseas to conduct their research.

But we can compete. Just this week in my State of South Dakota, the Sanford Underground Research Facility dedicated the Davis campus—4,850 feet underground. Later this year, this campus is scheduled to hold a dark matter detector that after only 4 days of operation stands to add more to our knowledge than all previous dark matter research experiments. We're not talking about subsidies and giveaways for ideas that are years or decades down the road. This is cutting-edge science that's within our grasp.

We need to make tough choices in our current budget situation, but we also need to recognize the role that U.S. research plays in our ability to compete and to innovate. So I urge my colleagues to support our ability to lead the world in underground science in a fiscally responsible way, and I urge support of this amendment.

Mr. HULTGREN. Just briefly, Mr. Chairman, I urge adoption of this amendment. It does make sense. It's a commitment to basic scientific research and fiscal accountability, and I urge support of the amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise very reluctantly to oppose the amendment. I do recognize the passion of the Members of Congress from Illinois and South Dakota who have spoken, and I may say repeatedly spoken and advocated to me over the last couple of months on behalf of the high-energy physics program and national laboratories in their congressional districts and, in fact, all relevant national laboratories that play a critical role in maintaining our Nation's scientific leadership and competitiveness. So I recognize their advocacy, I appreciate it, and I certainly will be working with them to do whatever we can to be of assistance.

We tried our very best in our bill to help those and all of the Department's remarkable national laboratories, but our constraints did not afford us the luxury of bringing more money to the table in many cases. Many labs wanted money, and these are remarkable labs, and they are deserving as well.

We did what we could for high-energy physics by shifting \$16 million into project engineering and design for the Long Baseline neutrino experiment. This allows the Department to move quickly in choosing a path forward for the program.

We also ensured that the Homestake mine, which is a remarkable mine and a remarkable structure and a national asset, has sufficient minimal funding to operate while that path forward is yet to be determined.

If more funding were available, we certainly would have brought more resources to bear. Unfortunately, the amendment finds resources by cutting a program—and we discussed this earlier—that has already been reduced by \$428 million. That's a 24 percent reduction from fiscal year 2012 and a 40 percent reduction below 2010.

I recognize—the committee recognizes—the importance of these programs, and I promise we'll work with our colleagues as we move forward in the appropriations process to be supportive and helpful, but I must reluctantly oppose the amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. Mr. Chairman, I also would rise in reluctant opposition to the gentleman's amendment. As a resident of the neighboring State, I realize all of the great scientific research that is done in the State of Illinois alone at some of our wonderful Federal facilities. There is no question that we need to invest in the science account, as evidenced by the fact it is in this bill. Again, we had a very difficult allocation. Science is cut by \$72,203,000.

But, unfortunately, I do think the gentleman's amendment is counterproductive in that he, because of the

budget rules, needs a \$30 million cut from renewable research to gain a \$15 million add for scientific research. Given the constraints we face, I think that's a bad bargain and we ought to leave the \$30 million right where it is and have that aptly applied.

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

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. MCCLINTOCK

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 20, line 15, after the dollar amount, insert "(reduced by \$1,450,960,000)".

Page 20, line 16, after the dollar amount, insert "(reduced by \$115,000,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$1,450,960,000)".

□ 1100

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

Mr. MCCLINTOCK. Mr. Chairman, this amendment saves nearly \$1.5 billion by ending the failed Energy Efficiency and Renewable Energy program.

If we're serious about an all-of-the-above energy policy, we have got to stop using taxpayer money to pick winners and losers based on political connections. Instead, we need to require every energy company to compete on its own merit as decided by the customers it attracts by offering better products at lower cost.

For too long we have suffered from the conceit that politicians can make better energy investments with taxpayer money than investors can make with their own money. It is this conceit that has produced the continuing spectacle of collapsing energy scandals epitomized by the Solyndra fiasco. At least Solyndra was funded from a loan program in which the public has a chance to get some of its money back when these dubious schemes go bankrupt. This program is direct spending that funds commercialization projects for ideologically pleasing technologies and the politically favored firms that make them, money that taxpayers have no chance of recovering after it's spent.

This amendment and the two that I will offer soon protect taxpayers from being forced into being venture capitalists by incompetent politicians. It gets government out of the energy business and requires all energy companies and

all energy technologies to compete equally and on their own merits.

Most of the money in this program goes to wind, solar, and car research development subsidies. We're told that's necessary to nurture these new and promising technologies. Well, these technologies are not new and they are not promising. Photovoltaic cells, for example, were invented by French physicist Edmund Becquerel in 1839, and in more than 170 years of technological research and innovation and billions of dollars of taxpayer subsidies we have not yet invented a more expensive way to produce electricity. So we hide its true costs to consumers through subsidies taken from their taxes.

Nor is there any earthly reason why taxpayers should be forced to serve as the research and development department for General Motors or for any other company or technology. We're told that, well, someday this research might pay us back many times over. We've been told that for 40 years. Now, I hope someday that these empty promises will be redeemed, but that's still not a reason for taxpayers to foot the bill. It's a reason for the actual research and development to be paid for by the companies that will profit from this long-promised breakthrough. And if they're not willing to finance it with their own money, we have no business forcing our constituents to finance it with theirs.

All we've accomplished with these programs is to take dollars that would have naturally flowed into the most effective and promising technologies and divert them instead to those that are politically favored. This misallocation of resources not only destroys jobs and productive ventures, it ends up minimizing our energy potential instead of maximizing it and destroying our wealth instead of creating it.

Madam Chairman, voters entrusted Republicans with the House majority with the very specific mandate to stop wasting money. Moreover, the House is where spending bills must originate. The government doesn't spend a dollar unless the House says that it will spend a dollar.

A day doesn't go by that we don't hear an indictment of Solyndra and its multiplying scandals, and yet here we have the Republican Energy appropriations bill that continues to shovel billions of dollars on the very same folly that produced Solyndra.

Politicians love to appear at ribbon cuttings and issue self-congratulatory press releases at government-supported "alternative energy" businesses, but they fall strangely silent when asked to actually account for the billions of our dollars that they've wasted. Well, that day of reckoning has arrived. These policies are impoverishing our country. Our taxpayers are exhausted. Our treasury is empty. It is past time that this House majority proved worthy of the trust the American people gave it more than a year and a half ago.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. CAPITO). The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chairman, I rise to oppose this amendment, which would eliminate the Office of Energy Efficiency and Renewable Energy at the Department of Energy.

This year, the committee continued fulfilling its responsibility to reduce government spending by eliminating ineffective and wasteful programs. Our bill cuts EERE by \$428 million. That's a 24 percent cut below fiscal year 2012, nearly 40 percent below 2010, and well below the 2000 level. Our bill slashes programs that are ineffective and cuts activities that improperly intervene in private markets.

The committee will continue its work to reduce spending and to keep the government out of private enterprise where private enterprise could make those substantial investments themselves.

I yield back the balance of my time.

Mr. VISCLOSKEY. Madam Chairman, I move to strike the last word.

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

Mr. VISCLOSKEY. I appreciate the recommendation and also rise in opposition to the gentleman's amendment, and will simply state that my objection is based on national security concerns.

The fact is, as the senior Senator from Indiana, Senator LUGAR has characterized our energy crisis for years, and I absolutely agree with him. The fact is the importation of petroleum products in our use of carbon, because of where we buy them, has created a significant national security issue for the United States of America.

One of the accounts in the renewable accounts that will be eliminated under the gentleman's amendment is vehicle technology. There is no question American citizens are suffering today because of high gas prices. I myself—and I only speak for myself—can't do anything about that particular price at the pump today. But if through the vehicle technology program and the wise investment of the Federal taxpayers dollars we can get every American another mile per gallon, we have removed some of their economic discomfort and burden. We have also helped to begin to ensure our national security by reducing our dependency on foreign oil. Therefore, I do strongly oppose the gentleman's amendment and yield back the balance of my time.

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

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

Mr. MCCLINTOCK. Madam Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. TONKO

Mr. TONKO. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(increased by \$180,440,000)".

Page 30, line 5, after the dollar amount insert "(reduced by \$180,440,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, first I want to thank my colleagues, Representative BISHOP, Representative HIRONO, and Representative WELCH, for offering this amendment with me.

Madam Chair, the Tonko-Bishop-Hirono-Welch amendment is simple and straightforward. It increases funding for two important State energy efficiency programs in the Energy Efficiency and Renewable Energy accounts at the Department of Energy.

The amendment would increase spending for the Weatherization Assistance Program. Weatherization is the largest residential efficiency program in our Nation. Weatherization reduces energy costs for low-income families and the elderly and disabled. It creates jobs, invests in local businesses, and advances technology—state-of-the-art technology. Weatherizing homes under this program saves \$437 in annual utility bills for the average homeowner. These energy savings insulate families from rising energy costs by permanently lowering household energy demand for both heating and cooling.

Our amendment also restores funding to the State Energy Program, or SEP. SEP is the only cost-shared program administered by the United States Department of Energy that provides resources directly to the States to support their efforts in energy efficiency. This includes 56 State and territory energy offices. And, according to a study by the Oak Ridge National Laboratory, for every dollar in Federal SEP funds we have 1.03 million source Btus, along with the cost savings of \$7.22, and a leveraging of \$10.71 on that same very dollar.

Madam Chair, these programs traditionally have received strong bipartisan support. Saving money by saving energy is good—good for everyone.

The bill's deep cuts in weatherization programs from recent years' allocations is so-called "justified" in the report by the claim that there are large amounts of unspent funds from previous appropriations, including those from the American Recovery and Reinvestment Act, ARRA.

□ 1110

Well, the majority of these funds have, in fact, been allocated, and I understand they will be completely spent

by April 1 of next year, the beginning of the Weatherization Program year for States. So that means there will be little to nothing available by the time that FY13 funds get to these States.

The ARRA money and the money from fiscal year 2011 has been obligated in contracts to subgrantees. In addition to the cuts in weatherization in this bill, the other source of Federal funds for this program, 10 percent of LIHEAP funds, is also reduced due to the reductions in funding for that program.

We're going in the wrong direction. If someone can make the case that we have fully exploited all of our opportunities in weatherization or can demonstrate that we have done all that we can to make citizens' homes and businesses energy efficient, then winding down the program would perhaps be reasonable. But we are a long way from achieving that goal.

Energy we do not have to use is, in fact, the cheapest energy available to us. We need to be doing much more in efficiency, not less. Efficiency should be our fuel of choice.

This bill is skewed to reinforce our existing energy use patterns. It continues outsized investments in the established energy industries that have received generous Federal support for nearly a century while renewable energy technologies are shortchanged.

We should be lending Federal assistance where it is most needed: to individual citizens and to developing industries that are struggling to bring new energy technologies forward, such as solar, wind, and geothermal. The petroleum industry has the means to support its own research.

Madam Chair, we are likely to be reliant on fossil fuels for quite some time, and we should use these fuels wisely. An all-of-the-above strategy must include energy efficiency, and we should support States' efforts to encourage the adoption of new energy technologies and increase energy efficiency.

Let's continue our history of bipartisan support for programs that save money, create jobs, and improve our energy security. Weatherization and SEP are such programs worthy of our support. I urge adoption of this amendment.

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

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to strongly oppose the gentleman's amendment. His amendment would put at risk our nuclear security activities, the things we're doing to modernize our nuclear stockpile, the type of investments we're making there that help protect our country. And we would be adding money to programs that, quite honestly, don't need the money. He referenced some of those programs.

The Weatherization Program has hundreds of millions of dollars in unspent money. Some of it's been obligated; some of it has not been obligated. But sitting in that program and in the State programs he referred to is a lot of Federal money from the stimulus and other prior appropriations that remains unspent. So it's not a question of not having enough money. They just haven't spent it down.

Our bill provides enough funding, new funding, that when combined with the unspent funds, our bill will fully fund each State at the fiscal year 2010 level. That's enough money for the States. More funding is unnecessary.

This amendment has unnecessary funding, adds unnecessary funding, and it cuts our security, our national security, things we need to do for our nuclear stockpile, and I strongly oppose it.

I yield back the balance of my time.

Mr. BISHOP of New York. Madam Chair, I move to strike the last word.

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

Mr. BISHOP of New York. Madam Chair, I rise to support the Tonko-Bishop-Hirono-Welch amendment, and I commend my good friend and fellow New Yorker on his steadfast commitment and long-standing leadership on this issue.

The increase to weatherization funding provided in this amendment brings the Weatherization Assistance Program funding close to its pre-Recovery Act levels, which helped States retrofit close to 100,000 homes a year. In addition, nearly 92 percent of the Recovery Act funds appropriated to the Weatherization Program have been spent, meaning that the recommended funding level in this bill will result in a majority of States receiving reduced Federal funding for weatherization. Arguments to the contrary with respect to available funds are simply not accurate.

New York has spent the entirety of its Recovery Act funds on time and under budget, weatherizing nearly 70,000 units, 20 percent, over its initial goal. On Long Island, the Community Development Corporation of Long Island weatherized 3,000 units, thanks to the Recovery Act, and has continued to spend down the regularly appropriated funds it receives to retrofit qualified homes.

Weatherization Assistance continues to be a successful program, and we must build on its success. Even after the Recovery Act and regular appropriations, the CDC of Long Island has a wait list of 8,000 qualified homes that could be retrofitted for energy efficiency. The demand is there. And this is just Long Island.

Adequately funding the Weatherization Assistance Program to meet this demand will have several positive effects on communities and the economy. It will reduce energy costs for homeowners, which is absolutely critical as these costs continue to climb. Perhaps

most important, it will put local contractors back to work retrofitting homes to be more energy efficient. This means job creation in local communities.

Most recognize that this is the time when Washington must balance spending reduction with wise investment. If we all agree that this Congress must do more to foster an environment of job creation, then I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

Ms. HIRONO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Madam Chair, I rise to support the Tonko-Bishop-Hirono-Welch amendment. This amendment would increase the funding for the State Energy Program and the Weatherization Assistance Program.

The bill before us slices the State Energy Program in half, from \$50 million to \$25 million. I'm not sure what the justification for this is. This program is effective and we should continue to support it. In fact, each dollar invested through the State Energy Program translates into \$7.23 of savings on energy costs. It also helps to leverage State and local funds for bigger impacts.

Hawaii has utilized this funding for a variety of beneficial activities. It has been used to support expanded clean vehicle infrastructure, more energy-efficient buildings, and other purposes.

This amendment also invests in the Weatherization Assistance Program. This program helps the elderly, disabled, and low-income families benefit from energy efficiency upgrades.

Most folks think of helping weatherize homes against cold weather, and certainly that's one of the key benefits of this program. In warm Hawaii, which has the highest energy costs in the country, we also use in program. We help our families weatherize by installing money-saving things like energy-efficient water heaters or insulating existing water heaters. Since 2009, at least 800 homes in Hawaii have been able to improve energy efficiency through this program. A modest beginning, but more, of course, needs to be done. This has helped to create jobs and give families the benefit of increased energy efficiency.

I recognize the hard decisions that are made in this bill, but these programs that we just talked about may seem small but represent big savings for families all across our country, and, in fact, it will save our country money over the long term.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

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

Mr. TONKO. Madam Chair, I ask for a recorded vote.

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

AMENDMENT OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(reduced by \$74,000,000)".

Page 56, line 24, after the dollar amount insert "(increased by \$74,000,000)".

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

Mr. CHAFFETZ. Madam Chair, I have a simple amendment that takes a line item within the Energy Efficiency and Renewable Energy program back to the fiscal year 2011 level. Now, I think that's probably a pretty reasonable approach to it. It's not too long ago. If left to my own devices, I'd probably zero it out.

But if you go back and look within energy efficiency and renewable energy and then go back down and look at advanced manufacturing, which is the line item that I'm talking about, what this amendment suggests is that we would reduce spending on this, what is proposed, by \$74 million, taking it back to the fiscal year 2011 level, which would be \$76 million.

□ 1120

Now, that was not just some random number. There was real justification for this, and I hope my colleagues on both sides of the aisle will find this reasonable. I'm going back, and I'm looking at the committee report for Energy and Water appropriations, and there are three things that I want to highlight within that committee report, so I will read from that.

The first one I want to highlight reads:

For example, the Advanced Manufacturing Program within Energy Efficiency and Renewable Energy currently funds more than 40 centers in a variety of sizes, ages and effectiveness levels, only a portion of which are mentioned in the budget request. These centers vary in how well they support the program's new manufacturing mission.

Now, I don't think it's appropriate to literally double—double—from 2011 levels the spending that we are going to have on these programs when we can't basically answer the questions about the effectiveness levels.

In fact, I would go further into the committee's report where it reads:

Addressing this problem requires a higher degree of transparency, evaluation and prioritization to ensure that only highly effective centers closely aligned to program missions are funded.

I would agree with that. Until we can as a body answer that question, it's hardly a time to double the funding for this particular program.

The report further reads:

The Department is directed to submit to the committee no later than February 10, 2013, a comprehensive list of all centers funded through fiscal year 2013, including the date of establishment, the funding level in fiscal year 2013, the total funding received to date, purpose, milestones, and expectation of termination date.

Those are all reasonable things to look at in making this determination, but until we can answer that question, I don't think it's appropriate to double the spending.

The third point I'd like to make from the committee report on this particular line item reads:

The committee is concerned that, historically, technology innovations developed through the EERE research and development programs ultimately lead to the manufacturing of new or cheaper products overseas.

So, if the conclusion of the committee is that the money we spend ultimately leads to the development of products overseas, maybe it's not time to double the spending there.

This amendment, Madam Chair, simply reduces the spending on this back to 2011 levels. It's a reasonable thing. We can live within that. Again, if it were up to me, I would zero it out, but I am trying to be reasonable here. Let's save the \$76 million, answer these questions, and reevaluate the program. That's why I urge the adoption of this amendment.

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

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the gentleman from Utah's amendment.

Our bill works hard to cut Federal spending. We're on his side. We want to reduce spending. Our committee has gone through the budget for the Department of Energy. We've taken a look at it, and we've prioritized. In fact, we've already said in other debates on other amendments that we've cut this EERE, Energy Efficiency and Renewable Energy, by \$428 million. That's 40 percent below the fiscal year 2011 level. With the remaining funds, we re-prioritize to invest in our Nation's most pressing needs, one of which is in doing more research to help American manufacturers compete and survive.

Let me restate: We do not increase this account. We re-prioritize to address our Nation's most pressing needs. In this case, the challenge is to keep our American manufacturers competitive and to keep jobs here. Our bill does that. Therefore, I must oppose the gentleman's amendment.

I yield back the balance of my time. Mr. VISCLOSKY. I move to strike the last word.

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

Mr. VISCLOSKY. I would join the chair in opposition to the amendment.

I would point out one of the fallacies of the gentleman's argument that he

used on the floor in his language of the committee's report, that being our very serious concern that in the past we have applied moneys to research that has essentially been siphoned off overseas.

During general debate yesterday on this floor, in my opening remarks, I commended the members of the subcommittee and particularly Chairman FRELINGHUYSEN for making sure we don't do that in this bill this year, and that there is throughout this bill and that report language directives to the Department of Energy to be focused on using this money wisely so that we maintain and begin to grow our industrial base and our manufacturing base and keep these jobs here.

This would be a mistake, and I am opposed to the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. CHAFFETZ. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. HAHN

Ms. HAHN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(increased by \$50,000,000)".

Page 22, line 23, after the dollar amount insert "(reduced by \$100,000,000)".

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. HAHN. I think it is time that we begin to allow Americans to ease off their dependence of oil and give them a real alternative. Every day, we see the damage done by our dependence on oil. We see high gas prices threatening our economic recovery and burdening families already struggling to make ends meet. We see higher respiratory disease rates. And we see any number of distant regimes holding our foreign policy hostage, weakening our ability to stand by our principles and our friends.

I think it's time for us to throw off these burdens and step into the future, not double down on the dependencies of the past. Yet somehow this bill allocates almost five times more funding to deepening and extending our relationship with fossil energy than it does on advancing energy efficiency and clean, renewable energy technologies.

One of the most promising and necessary things we can do to give Americans an alternative to oil is to speed our transition to electric vehicles. Passenger cars alone use more than 40 percent of the oil consumed in this country. By 2020, the Natural Resources De-

fense Council estimates Americans will spend \$260 billion a year on gas.

Just think of what we stand to gain from helping Americans switch to electric vehicles. The technology is here, and all we need to do is implement it. My amendment would help us begin to make the kind of investments the scale of the opportunity before us requires, giving \$50 million to the Department of Energy's Energy Efficiency and Renewable Energy section.

I drive an electric vehicle back in Los Angeles, and I haven't been to a gas station since last September. Unfortunately, I don't get to drive as far as I want to because we haven't yet built the electric vehicle charging infrastructure that would help electric vehicle owners continue to drive as far as they want. The "range anxiety" of not being able to find a charging station when the battery goes low means that many EV drivers don't drive as far as they can and that many prospective electric vehicle owners are scared off. That's why we need to get serious about addressing the barriers to the adoption of electric vehicles.

Later this year, Nissan will be making the LEAF, their electric vehicle, right here in America, in Tennessee. Just last month, the Department of Energy announced they were offering \$5 million to spur electric vehicle adoption, seeking proposals that address barriers to the adoption of these vehicles and that drive market development and transformation to make Alternative Fuel Vehicles and fueling infrastructure widely available.

We need to be bolder. We ought to have 100 times that much here, but I know my friends on the other side are a little timid about electric vehicles, so I am only proposing 10 times as much. I've even reduced the budgetary authority of this bill by \$50 million because I know how much my Republican friends like to cut spending. With the right investments and electric vehicle infrastructure, we can clean our skies, free our foreign policy, strengthen our hand with regimes like Iran, and put money lost at the pump back into the pockets of American consumers.

Madam Chair, I hope my colleagues on the other side will meet me halfway on this, will meet Americans halfway. I hope you will support this amendment. This is about jobs in America. This is about giving our American consumers an alternative to their sole dependence on oil.

I yield back the balance of my time.

□ 1130

Mr. FRELINGHUYSEN. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chair, I rise to oppose the amendment.

The amendment will reduce fossil fuel energy by \$50 million. And let's start by noting that fossil fuels

produce most of our Nation's energy, nearly 70 percent of our electricity and nearly all of our transportation fuels.

But I do appreciate the gentlewoman's passion for electric vehicles. In fact, our bill already funds research in that area at above the fiscal year 2012 level as part of our focus on programs that address future gas prices. Therefore, I do oppose her amendment. I understand her views and her passion, but I strongly oppose it.

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

Mr. VISCLOSKY. Madam Chairwoman, I move to strike the last word.

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

Mr. VISCLOSKY. Madam Chairwoman, I rise in reluctant opposition to the gentlewoman's amendment for the very reasons that I mentioned earlier in debate when the gentleman from Illinois had an amendment to cut EERE—the renewable accounts—to add \$15 million to science. Again, in this case, I don't think it is wise for us to make a choice of cutting fossil energy research by \$100 million to increase the energy efficiency account by one-half that amount, \$50 million.

The fact is I understand that some people have a significant concern about the use of fossil fuels. I certainly do myself. But the fact remains that 83 percent of all energy consumption in the United States today is generated by fossil fuel, and we need to apply ourselves to the wise and efficient use of that fuel as well.

Again, I would reluctantly be opposed to the gentlewoman's amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. HAHN).

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

Ms. HAHN. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(reduced by \$335,000,000)".

Page 56, line 24, after the dollar amount insert "(increased by \$335,000,000)".

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

Mr. BROUN of Georgia. Madam Chairman, my amendment would reduce funding for the Energy Efficiency and Renewable Energy account by \$355 million, with the intention of removing all funding for vehicle technologies.

This reduction would be transferred to the spending reduction account.

Madam Chairman, I'm 100 percent supportive of the automobile industry producing more fuel-efficient automobiles if they choose to do so; however, there is simply no good reason that the Federal Government should be subsidizing billion-dollar companies at a time when our Nation is broke.

Over the past few years, we have seen the automobile industry receive an unprecedented amount of government assistance. We've seen an industry bailout, the market-distorting Cash for Clunkers, and many more subsidies all done with little regard for taxpayer money. It's time we begin to reverse this disturbing trend and let the automobile industry succeed or fail on its own merits.

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

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chair, briefly I rise to oppose the amendment.

I share my colleague's concerns that we should not be funding activities that the private sector should do on its own. That's why our bill cuts 24 percent out of this account, only preserving appropriate Federal activities that are too risky for the private sector to take on alone. The amendment goes too far, undercuts our ability to address gas prices, and therefore I must oppose it.

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

Mr. VISCLOSKY. Madam Chair, I move to strike the last word.

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

Mr. VISCLOSKY. I simply would add my agreement to the chairman's opposition to the amendment.

I had already remarked earlier in the day relative to my support for vehicle technology and am opposed to the gentleman's amendment.

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

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ELECTRICITY DELIVERY AND ENERGY  
RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$123,000,000, to remain available until expended: *Provided*, That of such amount, \$27,600,000 shall be available until September 30, 2014, for program direc-

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses and 2 ambulances, all for replacement only, \$765,391,000, to remain available until expended, of which \$10,000,000 shall be derived from the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)), to be made available only to support the high-level waste geologic repository at Yucca Mountain: *Provided*, That, of the amount made available under this heading, \$90,015,000 shall be available until September 30, 2014, for program direction.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule 18, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

An amendment by Mr. SCALISE of Louisiana.

An amendment by Mr. KING of Iowa.

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. HULTGREN of Illinois.

An amendment by Mr. CHAFFETZ of Utah.

Amendment No. 6 by Mr. MCCLINTOCK of California.

An amendment by Ms. KAPTUR of Ohio.

An amendment by Mr. TONKO of New York.

An amendment by Ms. HAHN of California.

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

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 177, not voting 38, as follows:

[Roll No. 306]

AYES—216

Adams	Bilbray	Canseco
Akin	Bilirakis	Cantor
Alexander	Bishop (GA)	Carney
Altmire	Bishop (UT)	Carson (IN)
Amash	Boren	Cassidy
Amodei	Boustany	Chabot
Bachmann	Brady (TX)	Chaffetz
Barletta	Brown (FL)	Cicilline
Barrow	Buchanan	Clarke (MI)
Barton (TX)	Buerkle	Clarke (NY)
Bass (CA)	Burgess	Cleaver
Becerra	Butterfield	Coffman (CO)
Benishek	Campbell	Cohen

Cole	Jackson Lee	Posey
Conaway	(TX)	Price (GA)
Conyers	Jenkins	Quayle
Courtney	Johnson (IL)	Rahall
Cravaack	Johnson (OH)	Rangel
Crawford	Johnson, E. B.	Reed
Critz	Johnson, Sam	Renacci
Cuellar	Jones	Reyes
Culberson	Jordan	Richardson
Cummings	Keating	Richmond
Davis (IL)	Kelly	Rigell
DeFazio	Kildee	Roe (TN)
DeGette	King (IA)	Rogers (MI)
Denham	Kinzinger (IL)	Rokita
Deutch	Kissell	Rooney
Dingell	Klaine	Ros-Lehtinen
Duncan (SC)	Kucinich	Ross (FL)
Duncan (TN)	Lamborn	Royce
Edwards	Landry	Runyan
Ellmers	Langevin	Scalise
Farenthold	Larson (CT)	Schakowsky
Fitzpatrick	Lee (CA)	Schmidt
Flake	Lewis (GA)	Schock
Fleming	Lowey	Schweikert
Forbes	Lucas	Scott (SC)
Franks (AZ)	Luetkemeyer	Scott (VA)
Fudge	Lujan	Scott, Austin
Gardner	Lummis	Sensenbrenner
Garrett	Lungren, Daniel	Serrano
Gibbs	E.	Sessions
Gibson	Manzullo	Sewell
Gingrey (GA)	Marchant	Sherman
Gohmert	Markey	Shimkus
Gonzalez	McCarthy (NY)	Smith (TX)
Goodlatte	McCaul	Smith (WA)
Gosar	McClintock	Southerland
Gowdy	McCotter	Stearns
Graves (GA)	McHenry	Sullivan
Graves (MO)	McMorris	Sutton
Green, Al	Rodgers	Thompson (MS)
Griffin (AR)	Meehan	Thornberry
Griffith (VA)	Meeks	Tipton
Grimm	Mica	Tonko
Hall	Michaud	Towns
Hanabusa	Miller (FL)	Turner (NY)
Hanna	Miller (MI)	Upton
Harper	Mulvaney	Walberg
Hastings (FL)	Nugent	Wasserman
Hayworth	Nunnelee	Schultz
Heck	Olson	Watt
Hensarling	Pastor (AZ)	Welch
Herrera Beutler	Paulsen	West
Hinojosa	Pearce	Westmoreland
Hochul	Pelosi	Whitfield
Holden	Pence	Wilson (FL)
Huelskamp	Peters	Wilson (SC)
Hultgren	Petri	Wittman
Hurt	Pingree (ME)	Woodall
Israel	Pitts	Yarmuth
Jackson (IL)	Platts	Young (AK)
	Polis	

NOES—177

Ackerman	Chandler	Gerlach
Aderholt	Chu	Granger
Andrews	Connolly (VA)	Green, Gene
Austria	Cooper	Grijalva
Bachus	Costello	Guthrie
Baldwin	Crenshaw	Gutierrez
Bartlett	Crowley	Hahn
Bass (NH)	Davis (CA)	Harris
Berg	Davis (KY)	Hartzler
Berkley	DeLauro	Hastings (WA)
Berman	Dent	Higgins
Biggart	DesJarlais	Himes
Bishop (NY)	Diaz-Balart	Hinchee
Black	Dicks	Hirono
Blackburn	Doggett	Holt
Blumenauer	Dold	Honda
Bonamici	Donnelly (IN)	Hoyer
Bonner	Dreier	Huizenga (MI)
Bono Mack	Duffy	Hunter
Boswell	Emerson	Issa
Brady (PA)	Engel	Johnson (GA)
Braley (IA)	Eshoo	Kaptur
Brooks	Farr	King (NY)
Broun (GA)	Fattah	Kingston
Bucshon	Filmer	Labrador
Camp	Fincher	Lance
Capito	Fleischmann	Lankford
Capps	Flores	Larsen (WA)
Capuano	Foxx	Latham
Carnahan	Frank (MA)	Latta
Carter	Frelinghuysen	Levin
Castor (FL)	Garamendi	Lipinski

LoBiondo Pallone Schwartz  
 Loeback Perlmutter Shuster  
 Lofgren, Zoe Peterson Simpson  
 Long Poe (TX) Sires  
 Lynch Pompeo Smith (NE)  
 Maloney Price (NC) Smith (NJ)  
 Marino Quigley Speier  
 Matheson Rehberg Stark  
 Matsui Reichert Stivers  
 McDermott Ribble Stutzman  
 McGovern Rivera Terry  
 McIntyre Roby Thompson (CA)  
 McKinley Rogers (AL) Thompson (PA)  
 McNeerney Rogers (KY) Tiberi  
 Miller (NC) Rohrabacher Tierney  
 Miller, George Roskam Turner (OH)  
 Moran Ross (AR) Van Hollen  
 Murphy (CT) Roybal-Allard Visclosky  
 Murphy (PA) Ruppertsberger Walden  
 Myrick Rush  
 Nadler Ryan (OH) Waxman  
 Napolitano Ryan (WI) Webster  
 Neugebauer Sánchez, Linda Wolf  
 Noem T. Womack  
 Nunes Sanchez, Loretta Woolsey  
 Olver Sarbanes Yoder  
 Owens Schiff Young (IN)  
 Palazzo Schrader

The Clerk will redesignate the amendment.  
 The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 185, not voting 43, as follows:

[Roll No. 307]  
 AYES—203

Baca Heinrich Paul  
 Burton (IN) Herger Rothman (NJ)  
 Calvert Kind Schilling  
 Cardoza LaTourette Scott, David  
 Clay Lewis (CA) Shuler  
 Clyburn Mack Slaughter  
 Coble McCarthy (CA) Tsongas  
 Costa McCollum Velázquez  
 Doyle McKeon Walsh (IL)  
 Ellison Miller, Gary Walz (MN)  
 Fortenberry Moore Waters  
 Gallegly Neal Young (FL)  
 Guinta Pascrell

Adams Goodlatte Owens  
 Aderholt Gosar Palazzo  
 Akin Gowdy Paulsen  
 Amash Granger Pearce  
 Amodei Graves (GA) Pence  
 Austria Graves (MO) Peterson  
 Bachmann Griffith (VA) Petri  
 Bachus Guthrie Pitts  
 Barletta Hall Platts  
 Bartlett Harper Poe (TX)  
 Barton (TX) Harris Pompeo  
 Benishek Hartzler Posey  
 Berg Hayworth Price (GA)  
 Bilirakis Heck Quayle  
 Bishop (UT) Hensarling Rahall  
 Black Herrera Beutler Reed  
 Blackburn Higgins  
 Bonner Hinojosa Rehberg  
 Boswell Hochul Reichert  
 Boustany Huelskamp Renacci  
 Brady (TX) Hultgren Ribble  
 Braley (IA) Hunter Rigell  
 Brooks Rivera  
 Broun (GA) Issa Roby  
 Buchanan Jenkins Roe (TN)  
 Bucshon Johnson (IL) Rogers (AL)  
 Buerkle Johnson (OH) Rogers (KY)  
 Burgess Johnson, Sam Rogers (MI)  
 Camp Jordan Rohrabacher  
 Campbell Kelly Rokita  
 Canseco King (IA) Rooney  
 Cantor King (NY) Ros-Lehtinen  
 Capito Kingston Roskam  
 Carter Kinzinger (IL) Ross (FL)  
 Cassidy Kissell Royce  
 Chabot Kline Runyan  
 Chaffetz Labrador Ryan (WI)  
 Chu Lamborn  
 Coffman (CO) Lance Scalise  
 Cole Lankford Schmidt  
 Conaway Latham Schock  
 Cravaack Lipinski Schweikert  
 Culberson Loeback Scott (SC)  
 Davis (KY) Lucas Scott, Austin  
 Denham Sessions  
 DesJarlais Lummis Shimkus  
 Diaz-Balart Lungren, Daniel Smith (NE)  
 Dold E. Smith (NJ)  
 Dreier Manullo Smith (TX)  
 Duffy Marchant Souterland  
 Duncan (SC) Marino Stearns  
 Duncan (TN) McCaul Stutzman  
 Ellmers McClintock Sullivan  
 Emerson McHenry Terry  
 Farenthold McIntyre Thompson (PA)  
 Fincher McMorris Thornberry  
 Fitzpatrick Rodgers Turner (NY)  
 Flake Mica Turner (OH)  
 Fleischmann Michaud Visclosky  
 Fleming Miller (FL) Walberg  
 Flores Miller (MI) Webster  
 Forbes Mulvaney Westmoreland  
 Franks (AZ) Myrick Wilson (SC)  
 Frelinghuysen Neugebauer Wittman  
 Garrett Noem Wolf  
 Gerlach Nugent Woodall  
 Gibbs Nunes Yoder  
 Gingrey (GA) Nunnelee Young (AK)  
 Gohmert Olson Young (IN)

Hinchey Pingree (ME)  
 Hirono Polis  
 Holden Price (NC)  
 Holt Quigley  
 Honda Rangel  
 Hoyer Reyes  
 Cleaver Israel Richardson  
 Cohen Jackson (IL) Richmond  
 Connolly (VA) Jackson Lee Ross (AR)  
 Conyers (TX) Roybal-Allard  
 Cooper Johnson (GA) Ruppertsberger  
 Costello Johnson, E. B. Rush  
 Courtney Jones Ryan (OH)  
 Crawford Kaptur Sánchez, Linda  
 Crenshaw Keating T.  
 Critz Kildee Sanchez, Loretta  
 Crowley Kucinich Sarbanes  
 Cuellar Langevin Schakowsky  
 Cummings Larsen (WA) Schiff  
 Davis (CA) Larson (CT) Schrader  
 Davis (IL) Latta Schwartz  
 DeFazio Lee (CA) Scott (VA)  
 DeGette Levin Sensenbrenner  
 DeLauro Lewis (GA) Serrano  
 Dent LoBiondo Sewell  
 Deutch Lofgren, Zoe Sherman  
 Dicks Long Shuster  
 Dingell Lowey Simpson  
 Doggett Lujan Sires  
 Donnelly (IN) Lynch Smith (WA)  
 Edwards Maloney Speier  
 Engel Markey Stark  
 Eshoo Matheson Stivers  
 Farr Matsui Sutton  
 Fattah McCarthy (NY) Thompson (CA)  
 Filner McCotter Thompson (MS)  
 Foxx McGovern Tiberi  
 Frank (MA) McGovern Tierney  
 Fudge McKinley Tipton  
 Garamendi McNeerney Tonko  
 Gardner Meehan Towns  
 Gibson Meeks Upton  
 Gonzalez Miller (NC) Walden  
 Green, Al Moran Wasserman  
 Green, Gene Murphy (CT) Schultz  
 Griffin (AR) Murphy (PA) Watt  
 Grijalva Grimm Waxman  
 Gutierrez Napolitano Welch  
 Hahn Oliver West  
 Hanabusa Pallone Whitfield  
 Hanna Pastor (AZ) Wilson (FL)  
 Hastings (FL) Pelosi Womack  
 Hastings (WA) Perlmutter Woolsey  
 Himes Peters Yarmuth

NOT VOTING—43

Alexander Heinrich Paul  
 Baca Herger Rothman (NJ)  
 Bass (CA) Huizenga (MI) Schilling  
 Burton (IN) Kind Scott, David  
 Calvert Landry Shuler  
 Cardoza LaTourette Slaughter  
 Clay Lewis (CA) Tsongas  
 Clyburn Mack Van Hollen  
 Coble McCarthy (CA) Velázquez  
 Costa McCollum Walsh (IL)  
 Doyle McKeon Walsh (MN)  
 Ellison Miller, Gary Waters  
 Fortenberry Moore Young (FL)  
 Gallegly Neal  
 Guinta Pascrell

NOT VOTING—38

□ 1209

Mr. WALDEN, Mrs. ROBY, Mr. MORAN, Ms. SCHWARTZ, Messrs. LATTA, KINGSTON, LABRADOR, BASS of New Hampshire, Ms. BONAMICI, Ms. LORETTA SANCHEZ of California, Messrs. SIMPSON, FINCHER, SMITH of Nebraska, DESJARLAIS, Mrs. BLACKBURN, Messrs. RYAN of Ohio, HONDA, RUSH, and FRANK of Massachusetts changed their vote from “aye” to “no.”

Messrs. JACKSON of Illinois, SCOTT of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Messrs. DAVIS of Illinois, THOMPSON of Mississippi, GRIFFITH of Virginia, Ms. WILSON of Florida, Messrs. REED, KINZINGER of Illinois, WESTMORELAND, CANTOR, Ms. SCHAKOWSKY, Mr. WHITFIELD, Ms. CLARKE of New York, Messrs. AL GREEN of Texas, ISRAEL, AMODEI, Mrs. ELLMERS, Mr. CUELLAR, Mrs. LOWEY, Messrs. MEEKS, CLEAVER, FORBES, CONYERS, BECERRA, Mrs. MILLER of Michigan, Messrs. PASTOR of Arizona, CICILLINE, GRAVES of Missouri, LUJÁN, POLIS, NUGENT, GONZALEZ, Ms. WASSERMAN SCHULTZ, Messrs. LANGEVIN, DEUTCH, and HASTINGS of Florida changed their vote from “no” to “aye.”

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KING OF IOWA  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

NOES—185

Ackerman Berman  
 Altmire Biggart  
 Andrews Bilbray  
 Baldwin Bishop (GA)  
 Barrow Bishop (NY)  
 Bass (NH) Blumenauer  
 Becerra Bonamici  
 Berkley Bono Mack

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1212

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MORAN  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 237, not voting 42, as follows:

[Roll No. 308]

AYES—152

Ackerman	Green, Al	Oliver
Andrews	Green, Gene	Pallone
Baldwin	Grijalva	Pastor (AZ)
Bass (CA)	Gutierrez	Pelosi
Bass (NH)	Hahn	Perlmutter
Becerra	Hanabusa	Peters
Berkley	Hastings (FL)	Pingree (ME)
Berman	Hayworth	Platts
Bishop (NY)	Higgins	Polis
Blumenauer	Himes	Price (NC)
Bonamici	Hinchev	Quigley
Brady (PA)	Hinojosa	Rangel
Braley (IA)	Hirono	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Roybal-Allard
Capuano	Israel	Ruppersberger
Carnahan	Jackson (IL)	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sánchez, Linda
Chu	Johnson (GA)	T.
Cicilline	Johnson, E. B.	Sanchez, Loretta
Clarke (MI)	Kaptur	Sarbanes
Clarke (NY)	Keating	Schakowsky
Cleaver	Kildee	Schiff
Cohen	Kucinich	Schwartz
Connolly (VA)	Langevin	Scott (VA)
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell
Courtney	Lee (CA)	Sherman
Crowley	Levin	Sires
Cummings	Lewis (GA)	Smith (WA)
Davis (CA)	Lipinski	Speier
Davis (IL)	Lofgren, Zoe	Stark
DeFazio	Lowey	Sutton
DeGette	Lujan	Thompson (CA)
DeLauro	Lynch	Thompson (MS)
Deutch	Maloney	Tierney
Dicks	Markey	Tonko
Dingell	Matsui	Towns
Doggett	McCarthy (NY)	Van Hollen
Dold	McDermott	Visclosky
Edwards	McGovern	Wasserman
Engel	McNerney	Wasserman
Eshoo	Meeks	Schultz
Farr	Michaud	Watt
Fattah	Miller (NC)	Waxman
Filner	Miller, George	Welch
Fitzpatrick	Moran	Wilson (FL)
Frank (MA)	Murphy (CT)	Wittman
Fudge	Nadler	Woolsey
Gonzalez	Napolitano	Yarmuth

NOES—237

Adams	Buchanan	Donnelly (IN)
Aderholt	Bucshon	Dreier
Akin	Buerkle	Duffy
Altmire	Buerkle	Duncan (SC)
Amash	Camp	Duncan (TN)
Amodei	Campbell	Ellmers
Austria	Canseco	Farenthold
Bachmann	Cantor	Fincher
Bachus	Capito	Flake
Barletta	Carter	Fleischmann
Barrow	Cassidy	Fleming
Bartlett	Castor (FL)	Flores
Barton (TX)	Chabot	Forbes
Benishkek	Chaffetz	Fox
Berg	Chandler	Franks (AZ)
Biggart	Coffman (CO)	Frelinghuysen
Bilbray	Cole	Garamendi
Bilirakis	Conaway	Gardner
Bishop (GA)	Costello	Garrett
Bishop (UT)	Cravaack	Gerlach
Black	Crawford	Gibbs
Blackburn	Crenshaw	Gibson
Bonner	Critz	Gingrey (GA)
Bono Mack	Cuellar	Gohmert
Boren	Culberson	Goodlatte
Boswell	Davis (KY)	Gosar
Boustany	Denham	Gowdy
Brady (TX)	Dent	Granger
Brooks	DesJarlais	Graves (GA)
Broun (GA)	Diaz-Balart	Graves (MO)

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

NOT VOTING—42

Alexander	Quinta	Pascrell
Baca	Heinrich	Paul
Burton (IN)	Herger	Rothman (NJ)
Calvert	Huizenga (MI)	Schilling
Cardoza	Kind	Scott, David
Clay	LaTourette	Shuler
Clyburn	Lewis (CA)	Slaughter
Coble	Mack	Stivers
Costa	McCarthy (CA)	Tsongas
Doyle	McCollum	Velázquez
Ellison	McKeon	Walsh (IL)
Emerson	Miller, Gary	Walz (MN)
Fortenberry	Moore	Walters
Gallegly	Neal	Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1216

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HULTGREN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. HULTGREN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 130, noes 256, not voting 45, as follows:

[Roll No. 309]

AYES—130

Adams	Gosar	Pence
Aderholt	Gowdy	Petri
Akin	Graves (MO)	Poe (TX)
Amash	Griffith (VA)	Pompeo
Amodei	Grimm	Posey
Bachmann	Hall	Price (GA)
Bachus	Hartzler	Quayle
Benishkek	Hensarling	Ribble
Berg	Hinojosa	Rigell
Biggart	Hochul	Roe (TN)
Bilirakis	Huelskamp	Rogers (MI)
Black	Hultgren	Rohrabacher
Blackburn	Hunter	Rokita
Brady (TX)	Hurt	Rooney
Brooks	Jenkins	Ros-Lehtinen
Broun (GA)	Johnson (IL)	Roskam
Buchanan	Jordan	Ross (FL)
Buerkle	Kelly	Royce
Burgess	Kinzinger (IL)	Ryan (WI)
Campbell	Kline	Scalise
Canseco	Labrador	Schmidt
Cantor	Lamborn	Schock
Cassidy	Landry	Schweikert
Chabot	Lofgren, Zoe	Scott (SC)
Conaway	Luetkemeyer	Scott, Austin
Costello	Lummis	Scott, Austin
Cravaack	Lungren, Daniel	Sensenbrenner
Dent	E.	Sessions
DesJarlais	Manzullo	Shimkus
Duffy	Marchant	Smith (NE)
Duncan (SC)	Matheson	Smith (TX)
Duncan (TN)	McClintock	Southerland
Ellmers	McCotter	Stearns
West	McHenry	Stutzman
Farenthold	McKinley	Thornberry
Fincher	Miller (FL)	Turner (NY)
Flake	Mulvaney	Walberg
Fleming	Myrick	Webster
Flores	Neugebauer	Westmoreland
Forbes	Noem	Wilson (SC)
Franks (AZ)	Nugent	Wittman
Garrett	Olson	Woodall
Gingrey (GA)	Paulsen	Young (AK)
Gohmert	Pearce	Young (IN)
Goodlatte		

NOES—256

Altmire	Cole	Granger
Andrews	Connolly (VA)	Green, Al
Austria	Conyers	Green, Gene
Baldwin	Cooper	Griffin (AR)
Barletta	Courtney	Grijalva
Barrow	Crawford	Guthrie
Bartlett	Crenshaw	Gutierrez
Barton (TX)	Critz	Hahn
Bass (CA)	Crowley	Hanabusa
Bass (NH)	Cuellar	Hanna
Becerra	Culberson	Harper
Berkley	Cummings	Harris
Berman	Davis (CA)	Hastings (FL)
Bilbray	Davis (IL)	Hastings (WA)
Bishop (GA)	Davis (KY)	Hayworth
Bishop (NY)	DeFazio	Heck
Bishop (UT)	DeGette	Herrera Beutler
Blumenauer	DeLauro	Higgins
Bonamici	Denham	Himes
Bonner	Deutch	Hinchev
Bono Mack	Diaz-Balart	Hirono
Boren	Dicks	Holden
Boswell	Dingell	Holt
Boustany	Doggett	Honda
Brady (PA)	Dold	Hoyer
Braley (IA)	Donnelly (IN)	Israel
Brown (FL)	Dreier	Issa
Butterfield	Edwards	Jackson (IL)
Camp	Emerson	Jackson Lee
Capito	Engel	(TX)
Capps	Eshoo	Johnson (GA)
Capuano	Farr	Johnson (OH)
Carnahan	Fattah	Johnson, E. B.
Carney	Filner	Jones
Carson (IN)	Fitzpatrick	Kaptur
Carter	Fleischmann	Keating
Castor (FL)	Fox	Kildee
Chaffetz	Frank (MA)	King (IA)
Chandler	Frelinghuysen	King (NY)
Chu	Fudge	Kingston
Cicilline	Garamendi	Kissell
Clarke (MI)	Gardner	Kucinich
Clarke (NY)	Gerlach	Lance
Cleaver	Gibbs	Langevin
Coffman (CO)	Gibson	Lankford
Cohen	Gonzalez	Larsen (WA)

Larson (CT) Palazzo  
 Latham Pallone  
 Latta Pastor (AZ)  
 Lee (CA) Pelosi  
 Levin Perlmutter  
 Lewis (GA) Peters  
 Lipinski Peterson  
 LoBiondo Pingree (ME)  
 Loeb sack Pitts  
 Long Platts  
 Lowey Polis  
 Lucas Price (NC)  
 Luján Quigley  
 Lynch Rahall  
 Maloney Rangel  
 Marino Reed  
 Markey Rehberg  
 Matsui Reichert  
 McCarthy (NY) Renacci  
 McDermott Reyes  
 McGovern Richardson  
 McIntyre Richmond  
 McMorris Tonko  
 Rodgers Rivera  
 McNerney Roby  
 Meehan Rogers (AL)  
 Meeks Rogers (KY)  
 Mica Ross (AR)  
 Michaud Roybal-Allard  
 Miller (MI) Runyan  
 Miller (NC) Ruppertsberger  
 Miller, George Rush  
 Moran Ryan (OH)  
 Murphy (CT) Sanchez, Linda  
 Murphy (PA) T.  
 Nadler Sanchez, Loretta  
 Napolitano Schakowsky  
 Nunes Schiff  
 Nunnelee Schrader  
 Olver Schwartz  
 Owens Scott (VA)

[Roll No. 310]  
 AYES—140  
 Adams Gowdy  
 Akin Graves (GA)  
 Amash Graves (MO)  
 Amodei Guthrie  
 Bachmann Hall  
 Bachus Harris  
 Barton (TX) Hayworth  
 Benishek Hensarling  
 Bilirakis Huelskamp  
 Bishop (UT) Hultgren  
 Black Hunter  
 Blackburn Hurt  
 Bono Mack Issa  
 Boustany Jenkins  
 Brady (TX) Johnson (IL)  
 Brooks Johnson (OH)  
 Broun (GA) Jones  
 Buchanan Jordan  
 Buchson King (IA)  
 Buerkle Kline  
 Burgess Labrador  
 Camp Lamborn  
 Campbell Lance  
 Canseco Landry  
 Cantor Lankford  
 Cassidy Latta  
 Chabot Long  
 Chaffetz Luetkemeyer  
 Conaway Lummis  
 Cravaack Lungren, Daniel  
 DesJarlais E.  
 Duffy Manullo  
 Duncan (SC) Marchant  
 Duncan (TN) Matheson  
 McCaul McCauley  
 McClintock  
 McMorris  
 Rodgers  
 Flores  
 Forbes  
 Foxx  
 Franks (AZ)  
 Garrett  
 Gibbs  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar

LoBiondo Peterson  
 Loeb sack Pingree (ME)  
 Lofgren, Zoe Platts  
 Lowey Polis  
 Lucas Price (NC)  
 Luján Quigley  
 Lynch Rahall  
 Maloney Rangel  
 Marino Reed  
 Markey Rehberg  
 Matsui Reichert  
 McCarthy (NY) Renacci  
 McCotter Reyes  
 McDermott Richardson  
 McGovern Richmond  
 McHenry Rivera  
 McIntyre Roby  
 McKinley Rogers (AL)  
 McNeerney Rogers (KY)  
 Meehan Rogers (MI)  
 Meeks Ros-Lehtinen  
 Michaud Roskam  
 Miller (NC) Ross (AR)  
 Miller, George Roybal-Allard  
 Moran Runyan  
 Murphy (PA) Ruppertsberger  
 Nadler Rush  
 Napolitano Ryan (OH)  
 Noem Sánchez, Linda  
 Olver T.  
 Owens Sanchez, Loretta  
 Palazzo Sarbanes  
 Pallone Schakowsky  
 Pastor (AZ) Schiff  
 Pelosi Schrader  
 Perlmutter Schwartz  
 Peters Scott (VA)

Serrano Sewell  
 Sherman Sherman  
 Shimkus Shimkus  
 Shuster Shuster  
 Simpson Simpson  
 Sires Sires  
 Smith (NJ) Smith (NJ)  
 Smith (WA) Smith (WA)  
 Speier Speier  
 Stark Stark  
 Stivers Stivers  
 Sullivan Sullivan  
 Sutton Sutton  
 Terry Terry  
 Thompson (CA) Thompson (CA)  
 Thompson (MS) Thompson (MS)  
 Thompson (PA) Thompson (PA)  
 Tiberi Tiberi  
 Tierney Tierney  
 Tipton Tipton  
 Tonko Tonko  
 Towns Towns  
 Turner (OH) Turner (OH)  
 Upton Upton  
 Van Hollen Van Hollen  
 Visclosky Visclosky  
 Walden Walden  
 Wasserman Wasserman  
 Schultz Schultz  
 Watt Watt  
 Waxman Waxman  
 Welch Welch  
 Whitfield Whitfield  
 Wilson (FL) Wilson (FL)  
 Wittman Wittman  
 Womack Womack  
 Woolsey Woolsey  
 Yarmuth Yarmuth  
 Yoder Yoder

NOT VOTING—45

Ackerman  
 Alexander  
 Baca  
 Bucshon  
 Burton (IN)  
 Calvert  
 Cardoza  
 Clay  
 Clyburn  
 Coble  
 Costa  
 Doyle  
 Ellison  
 Fortenberry  
 Gallegly

Moore  
 Neal  
 Pascrell  
 Paul  
 Rothman (NJ)  
 Schilling  
 Scott, David  
 Shuler  
 Slaughter  
 Tsongas  
 Velázquez  
 Walsh (IL)  
 Walz (MN)  
 Waters  
 Young (FL)

Ackerman  
 Alexander  
 Baca  
 Bass (CA)  
 Burton (IN)  
 Calvert  
 Cardoza  
 Clay  
 Clyburn  
 Coble  
 Costa  
 Crowley  
 Doyle  
 Ellison  
 Fortenberry  
 Gallegly

Guinta  
 Heinrich  
 Heger  
 Huizenga (MI)  
 Johnson, Sam  
 Kind  
 LaTourette  
 Lewis (CA)  
 Mack  
 McCarthy (CA)  
 McCollum  
 McKeon  
 Miller, Gary  
 Moore  
 Murphy (CT)  
 Neal

NOES—245

Aderholt  
 Altmire  
 Andrews  
 Austria  
 Baldwin  
 Barletta  
 Barrow  
 Bartlett  
 Bass (NH)  
 Becerra  
 Berg  
 Berkley  
 Berman  
 Biggert  
 Bilbray  
 Bishop (GA)  
 Bishop (NY)  
 Blumenauer  
 Bonamici  
 Bonner  
 Boren  
 Boswell  
 Brady (PA)  
 Braley (IA)  
 Brown (FL)  
 Butterfield  
 Capito  
 Capps  
 Capuano  
 Carnahan  
 Carney  
 Carson (IN)  
 Carter  
 Castor (FL)  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Cleaver  
 Coffman (CO)  
 Cohen  
 Cole  
 Connolly (VA)  
 Conyers  
 Cooper

Griffith (VA)  
 Grijalva  
 Grimm  
 Gutierrez  
 Hahn  
 Hanabusa  
 Hanna  
 Harper  
 Hartzler  
 Hastings (FL)  
 Hastings (WA)  
 Heck  
 Herrera Beutler  
 Higgins  
 Himes  
 Hinchey  
 Hinojosa  
 Hirono  
 Hochul  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson, E. B.  
 Kaptur  
 Keating  
 Kelly  
 Kildee  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kucinich  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski

Pascarell  
 Paul  
 Rothman (NJ)  
 Schilling  
 Scott, David  
 Shuler  
 Slaughter  
 Stutzman  
 Tsongas  
 Velázquez  
 Walsh (IL)  
 Walz (MN)  
 Waters  
 Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1219

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHAFFETZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 140, noes 245, not voting 46, as follows:

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1223

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. MCCLINTOCK  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 113, noes 275, not voting 43, as follows:

[Roll No. 311]

AYES—113

Adams Amash  
 Aderholt Amodei  
 Akin Bachmann  
 Bachus  
 Benishek  
 Bilirakis

Bishop (UT)	Hartzler	Poe (TX)	Murphy (PA)	Rogers (AL)	Smith (WA)	Clarke (NY)	Holt	Pingree (ME)
Blackburn	Hensarling	Pompeo	Nadler	Rogers (KY)	Speier	Cleaver	Honda	Platts
Boustany	Huelskamp	Posey	Napolitano	Rogers (MI)	Stark	Coffman (CO)	Israel	Polis
Brady (TX)	Hultgren	Price (GA)	Noem	Ros-Lehtinen	Stivers	Cohen	Jackson (IL)	Price (NC)
Brooks	Hunter	Quayle	Roemer	Roskam	Sullivan	Conyers	Jackson Lee	Quigley
Broun (GA)	Hurt	Ribble	Owens	Ross (AR)	Sutton	Cooper	(TX)	Rahall
Buerkle	Issa	Roe (TN)	Palazzo	Roybal-Allard	Terry	Costello	Johnson (GA)	Rangel
Burgess	Jenkins	Rohrabacher	Pallone	Runyan	Thompson (CA)	Courtney	Johnson, E. B.	Reichert
Campbell	Jones	Rokita	Pastor (AZ)	Ruppersberger	Thompson (MS)	Critz	Jones	Reyes
Cantor	Jordan	Rooney	Pelosi	Rush	Thompson (PA)	Crowley	Kaptur	Richardson
Cassidy	Kline	Ross (FL)	Perlmutter	Ryan (OH)	Tiberi	Cuellar	Keating	Richmond
Chabot	Labrador	Royce	Peters	Sánchez, Linda	Tierney	Cummings	Kildee	Ross (AR)
Chaffetz	Landry	Ryan (WI)	Peterson	T.	Tipton	Davis (CA)	King (IA)	Roybal-Allard
Conaway	Long	Scalise	Pingree (ME)	Sanchez, Loretta	Tonko	Davis (IL)	Kucinich	Runyan
Culberson	Lummis	Schmidt	Pitts	Sarbanes	Towns	DeGette	Lance	Ruppersberger
DesJarlais	Manzullo	Schweikert	Platts	Schakowsky	Turner (OH)	DeLauro	Langevin	Rush
Duffy	Marchant	Scott (SC)	Polis	Schiff	Van Hollen	Dent	Larsen (WA)	Ryan (OH)
Duncan (SC)	McClintock	Scott, Austin	Price (NC)	Schock	Visclosky	Deutch	Larson (CT)	Sánchez, Linda
Duncan (TN)	McHenry	Sensenbrenner	Quigley	Schrader	Walden	Dicks	Latham	T.
Farenthold	McMorris	Sessions	Rahall	Schwartz	Wasserman	Dingell	Lee (CA)	Sanchez, Loretta
Fincher	Rodgers	Southerland	Rangel	Scott (VA)	Schultz	Doggett	Levin	Sarbanes
Flake	Mica	Stearns	Rehberg	Serrano	Watt	Dold	Lewis (GA)	Schakowsky
Fleming	Miller (FL)	Stutzman	Rehberg	Sewell	Waxman	Donnelly (IN)	Lipinski	Schiff
Flores	Miller (MI)	Thornberry	Reichert	Sherman	Webster	Edwards	LoBiondo	Schrader
Foxx	Mulvaney	Turner (NY)	Renacci	Shimkus	Welch	Engel	Loeb sack	Schwartz
Franks (AZ)	Myrick	Upton	Reyes	Shuster	Wilson (FL)	Farr	Lowey	Scott (VA)
Garrett	Neugebauer	Walberg	Richardson	Simpson	Wittman	Fattah	Luján	Scott, Austin
Gingrey (GA)	Nugent	West	Richmond	Sires	Wolf	Filner	Lynch	Sensenbrenner
Gohmert	Nunes	Westmoreland	Rigell	Smith (NE)	Womack	Fitzpatrick	Maloney	Serrano
Goodlatte	Nunnelee	Whitfield	Rivera	Smith (NJ)	Woolsey	Frank (MA)	Markey	Sewell
Gosar	Olson	Wilson (SC)	Roby	Smith (TX)	Yarmuth	Fudge	Matsui	Sherman
Gowdy	Paulsen	Woodall				Garamendi	McCarthy (NY)	Sires
Graves (GA)	Pearce	Yoder				Gardner	McDermott	Smith (NJ)
Graves (MO)	Pence	Young (AK)	Ackerman	Heinrich	Pascrell	Gerlach	McGovern	Smith (WA)
Harris	Petri	Young (IN)	Alexander	Herger	Paul	Gibson	McIntyre	Speier
			Baca	Huizenga (MI)	Rothman (NJ)	Gingrey (GA)	McNerney	Stark
			Burton (IN)	Johnson, Sam	Schilling	Gonzalez	Meeks	Sutton
			Calvert	Kind	Scott, David	Goodlatte	Mica	Thompson (CA)
			Cardoza	Lamborn	Shuler	Green, Al	Michaud	Tierney
			Clay	LaTourette	Slaughter	Green, Gene	Miller (NC)	Tipton
			Clyburn	Lewis (CA)	Tsongas	Griffith (VA)	Miller, George	Tonko
			Coble	Mack	Velazquez	Grijalva	Murphy (CT)	Towns
			Costa	McCarthy (CA)	Walsh (IL)	Gutierrez	Nadler	Van Hollen
			Doyle	McCollum	Walz (MN)	Hahn	Napolitano	Visclosky
			Ellison	McKeon	Waters	Hanabusa	Olver	Wasserman
			Fortenberry	Miller, Gary	Young (FL)	Hastings (FL)	Owens	Schultz
			Gallegly	Moore		Higgins	Pallone	Watt
			Guinta	Neal		Himes	Pastor (AZ)	Waxman
						Hinchev	Pelosi	Welch
						Hinojosa	Perlmutter	Wilson (FL)
						Hirono	Peters	Woolsey
						Hochul	Peterson	Yarmuth

## NOES—275

Altmire	Davis (CA)	Holt
Andrews	Davis (IL)	Honda
Austria	Davis (KY)	Hoyer
Baldwin	DeFazio	Israel
Barletta	DeGette	Jackson (IL)
Barrow	DeLauro	Jackson Lee
Bartlett	Denham	(TX)
Barton (TX)	Dent	Johnson (GA)
Bass (CA)	Deutch	Johnson (IL)
Bass (NH)	Diaz-Balart	Johnson (OH)
Becerra	Dicks	Johnson, E. B.
Berg	Dingell	Kaptur
Berkley	Doggett	Keating
Berman	Dold	Kelly
Biggert	Donnelly (IN)	Kildee
Bilbray	Dreier	King (IA)
Bishop (GA)	Edwards	King (NY)
Bishop (NY)	Ellmers	Kingston
Black	Emerson	Kinzinger (IL)
Blumenauer	Engel	Kissell
Bonamici	Eshoo	Kucinich
Bonner	Farr	Lance
Bono Mack	Fattah	Langevin
Boren	Filner	Lankford
Boswell	Fitzpatrick	Larsen (WA)
Brady (PA)	Fleischmann	Larsen (CT)
Braley (IA)	Forbes	Latham
Brown (FL)	Frank (MA)	Latta
Buchanan	Frelinghuysen	Lee (CA)
Buschon	Fudge	Levin
Butterfield	Garamendi	Lewis (GA)
Camp	Gardner	Lipinski
Canseco	Gerlach	LoBiondo
Capito	Gibbs	Loeb sack
Capps	Gibson	Lofgren, Zoe
Capuano	Gonzalez	Lowey
Carnahan	Granger	Lucas
Carney	Green, Al	Luetkemeyer
Carson (IN)	Green, Gene	Luján
Carter	Griffin (AR)	Lungren, Daniel
Castor (FL)	Griffith (VA)	E.
Chandler	Grijalva	Lynch
Chu	Grimm	Maloney
Cicilline	Guthrie	Marino
Clarke (MI)	Gutierrez	Markey
Clarke (NY)	Hahn	Matheson
Cleaver	Hall	Matsui
Coffman (CO)	Hanabusa	McCarthy (NY)
Cohen	Hanna	McCaul
Cole	Harper	McCotter
Connolly (VA)	Hastings (FL)	McDermott
Conyers	Hastings (WA)	McGovern
Cooper	Hayworth	McIntyre
Costello	Heck	McKinley
Courtney	Herrera Beutler	McNerney
Cravaack	Higgins	Meehan
Crawford	Himes	Meeks
Crenshaw	Hinchev	Michaud
Critz	Hinojosa	Miller (NC)
Crowley	Hirono	Miller, George
Cuellar	Hochul	Moran
Cummings	Holden	Murphy (CT)

## NOT VOTING—43

Heinrich  
Pascrell  
Paul  
Rothman (NJ)  
Schilling  
Scott, David  
Shuler  
Slaughter  
Tsongas  
Velazquez  
Walsh (IL)  
Walz (MN)  
Waters  
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1227

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT OFFERED BY MS. KAPTUR  
The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Ohio (Ms. KAPTUR)  
on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 183, noes 200,  
not voting 48, as follows:

[Roll No. 312]

AYES—183

Andrews	Bishop (NY)	Capps
Baldwin	Blumenauer	Capuano
Barrow	Bonamici	Carnahan
Bartlett	Bono Mack	Carney
Bass (CA)	Boren	Carson (IN)
Bass (NH)	Boswell	Castor (FL)
Becerra	Brady (PA)	Chandler
Berkley	Braley (IA)	Chu
Berman	Brown (FL)	Cicilline
Bishop (GA)	Butterfield	Clarke (MI)
Adams	Duffy	Johnson (OH)
Aderholt	Duncan (SC)	Jordan
Altmire	Duncan (TN)	Kelly
Amash	Ellmers	King (NY)
Amodel	Emerson	Kingston
Austria	Farenthold	Kinzinger (IL)
Bachmann	Fincher	Kissell
Bachus	Flake	Kline
Barletta	Fleischmann	Labrador
Barton (TX)	Fleming	Lamborn
Benishek	Flores	Landry
Berg	Forbes	Lankford
Biggert	Foxx	Latta
Bilbray	Franks (AZ)	Lofgren, Zoe
Bilirakis	Frelinghuysen	Long
Bishop (UT)	Garrett	Lucas
Black	Gibbs	Luetkemeyer
Blackburn	Gohmert	Lummis
Bonner	Gosar	Lungren, Daniel
Boustany	Gowdy	E.
Brady (TX)	Granger	Manzullo
Brooks	Graves (GA)	Marchant
Broun (GA)	Graves (MO)	Marino
Buchanan	Griffin (AR)	Matheson
Buschon	Grimm	McCaul
Buerkle	Guthrie	McClintock
Camp	Hall	McCotter
Campbell	Hanna	McHenry
Canseco	Harper	McKinley
Cantor	Harris	McMorris
Capito	Hartzler	Rodgers
Cassidy	Hastings (WA)	Meehan
Chabot	Hayworth	Miller (FL)
Cole	Heck	Miller (MI)
Conaway	Hensarling	Moran
Connolly (VA)	Herrera Beutler	Mulvaney
Cravaack	Holden	Murphy (PA)
Crawford	Hoyer	Myrick
Crenshaw	Huelskamp	Neugebauer
Culberson	Hultgren	Noem
Davis (KY)	Hunter	Nugent
Denham	Hurt	Nunes
DesJarlais	Issa	Nunnelee
Diaz-Balart	Jenkins	Olson
Dreier	Johnson (IL)	Palazzo

## NOES—200

Adams	Duffy	Johnson (OH)
Aderholt	Duncan (SC)	Jordan
Altmire	Duncan (TN)	Kelly
Amash	Ellmers	King (NY)
Amodel	Emerson	Kingston
Austria	Farenthold	Kinzinger (IL)
Bachmann	Fincher	Kissell
Bachus	Flake	Kline
Barletta	Fleischmann	Labrador
Barton (TX)	Fleming	Lamborn
Benishek	Flores	Landry
Berg	Forbes	Lankford
Biggert	Foxx	Latta
Bilbray	Franks (AZ)	Lofgren, Zoe
Bilirakis	Frelinghuysen	Long
Bishop (UT)	Garrett	Lucas
Black	Gibbs	Luetkemeyer
Blackburn	Gohmert	Lummis
Bonner	Gosar	Lungren, Daniel
Boustany	Gowdy	E.
Brady (TX)	Granger	Manzullo
Brooks	Graves (GA)	Marchant
Broun (GA)	Graves (MO)	Marino
Buchanan	Griffin (AR)	Matheson
Buschon	Grimm	McCaul
Buerkle	Guthrie	McClintock
Camp	Hall	McCotter
Campbell	Hanna	McHenry
Canseco	Harper	McKinley
Cantor	Harris	McMorris
Capito	Hartzler	Rodgers
Cassidy	Hastings (WA)	Meehan
Chabot	Hayworth	Miller (FL)
Cole	Heck	Miller (MI)
Conaway	Hensarling	Moran
Connolly (VA)	Herrera Beutler	Mulvaney
Cravaack	Holden	Murphy (PA)
Crawford	Hoyer	Myrick
Crenshaw	Huelskamp	Neugebauer
Culberson	Hultgren	Noem
Davis (KY)	Hunter	Nugent
Denham	Hurt	Nunes
DesJarlais	Issa	Nunnelee
Diaz-Balart	Jenkins	Olson
Dreier	Johnson (IL)	Palazzo

Paulsen	Rooney	Thompson (MS)	Green, Al	Lipinski	Ruppersberger	Roskam	Simpson	Visclosky
Pearce	Ros-Lehtinen	Thompson (PA)	Green, Gene	Loeb	Rush	Ross (AR)	Smith (NE)	Walberg
Pence	Roskam	Thornberry	Grijalva	Lowe	Ryan (OH)	Ross (FL)	Smith (NJ)	Walden
Petri	Ross (FL)	Tiberi	Gutierrez	Lynch	Sánchez, Linda	Royce	Smith (TX)	Webster
Pitts	Royce	Turner (NY)	Hahn	Maloney	T.	Runyan	Smith (WA)	West
Poe (TX)	Ryan (WI)	Turner (OH)	Hanabusa	Markey	Sanchez, Loretta	Ryan (WI)	Southerland	Westmoreland
Pompeo	Scalise	Upton	Hanna	Matsui	Sarbanes	Scalise	Stivers	Stivers
Posey	Schmidt	Walberg	Hastings (FL)	McCarthy (NY)	Schakowsky	Schiff	Stutzman	Whitfield
Price (GA)	Schock	Walden	Higgins	McDermott	Schrader	Schmidt	Sullivan	Wilson (SC)
Quayle	Schweikert	West	Himes	McGovern	Schwartz	Schock	Terry	Wittman
Reed	Scott (SC)	Westmoreland	Hinches	McNerney	Scott (VA)	Schweikert	Thompson (CA)	Wolf
Rehberg	Sessions	Whitfield	Hinojosa	Meeks	Serrano	Scott (SC)	Thompson (PA)	Womack
Renacci	Shimkus	Wilson (SC)	Hirono	Michaud	Sewell	Scott, Austin	Thornberry	Woodall
Ribble	Shuster	Wittman	Hochul	Miller (NC)	Sherman	Sessions	Tiberi	Yoder
Rigell	Simpson	Wolf	Holden	Miller, George	Sires	Shimkus	Tipton	Young (AK)
Rivera	Smith (NE)	Womack	Holt	Moran	Speier	Shuster	Turner (OH)	Young (IN)
Roby	Smith (TX)	Woodall	Hoyer	Murphy (CT)	Stark		Upton	
Roe (TN)	Southerland	Yoder	Israel	Nadler	Sutton			
Rogers (AL)	Stearns	Young (AK)	Jackson (IL)	Napolitano	Thompson (MS)	Ackerman	Gallegly	Neal
Rogers (KY)	Stivers	Young (IN)	Jackson Lee	Oliver	Tierney	Alexander	Guinta	Pascarell
Rogers (MI)	Stutzman		(TX)	Pallone	Tonko	Baca	Heinrich	Paul
Rohrabacher	Sullivan			Pelosi	Towns	Burgess	Herger	Rothman (NJ)
Rokita	Terry			Perlmutter	Turner (NY)	Burton (IN)	Honda	Schilling

NOT VOTING—48

Ackerman	Ellison	Miller, Gary
Akin	Eshoo	Moore
Alexander	Fortenberry	Neal
Baca	Gallegly	Pascarell
Burgess	Guinta	Paul
Burton (IN)	Heinrich	Rothman (NJ)
Calvert	Herger	Schilling
Cardoza	Huizenga (MI)	Scott, David
Carter	Johnson, Sam	Shuler
Chaffetz	Kind	Slaughter
Clay	LaTourette	Tsongas
Clyburn	Lewis (CA)	Velázquez
Coble	Mack	Walsh (IL)
Costa	McCarthy (CA)	Walz (MN)
DeFazio	McCollum	Waters
Doyle	McKeon	Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1230

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 236, not voting 47, as follows:

[Roll No. 313]

AYES—148

Baldwin	Carson (IN)	DeFazio
Bass (CA)	Castor (FL)	DeGette
Bass (NH)	Chu	DeLauro
Becerra	Cicilline	Deutch
Bishop (GA)	Clarke (MI)	Dingell
Bishop (NY)	Clarke (NY)	Doggett
Blumenauer	Cleaver	Edwards
Bonamici	Cohen	Engel
Boswell	Connolly (VA)	Eshoo
Brady (PA)	Conyers	Farr
Braley (IA)	Cooper	Fattah
Brown (FL)	Costello	Filner
Butterfield	Courtney	Fitzpatrick
Capps	Crowley	Frank (MA)
Capuano	Cummings	Fudge
Carnahan	Davis (CA)	Garamendi
Carney	Davis (IL)	Gibson

Green, Al	Lipinski
Green, Gene	Loeb
Grijalva	Lowe
Gutierrez	Lynch
Hahn	Maloney
Hanabusa	Markey
Hanna	Matsui
Hastings (FL)	McCarthy (NY)
Higgins	McDermott
Himes	McGovern
Hinches	McNerney
Hinojosa	Meeks
Hirono	Michaud
Hochul	Miller (NC)
Holden	Miller, George
Holt	Moran
Hoyer	Murphy (CT)
Israel	Nadler
Jackson (IL)	Napolitano
Jackson Lee	Oliver
(TX)	Pallone
Johnson (GA)	Pelosi
Johnson (IL)	Perlmutter
Johnson, E. B.	Peters
Jones	Peterson
Kaptur	Pingree (ME)
Keating	Polis
Kildee	Price (NC)
Kucinich	Quigley
Langevin	Rahall
Larson (CT)	Rangel
Lee (CA)	Richardson
Levin	Richmond
Lewis (GA)	Roybal-Allard

NOES—236

Adams	Ellmers
Aderholt	Emerson
Akin	Farenthold
Altmire	Fincher
Amash	Flake
Amodei	Fleischmann
Andrews	Fleming
Austria	Flores
Bachmann	Forbes
Bachus	Foxx
Bacchetta	Franks (AZ)
Barrow	Frelinghuysen
Bartlett	Gardner
Barton (TX)	Garrett
Benishek	Gerlach
Berg	Gibbs
Berkley	Gingrey (GA)
Berman	Gohmert
Biggart	Gonzalez
Bilbray	Goodlatte
Bilirakis	Gosar
Bishop (UT)	Gowdy
Black	Granger
Blackburn	Graves (GA)
Bonner	Graves (MO)
Bono Mack	Griffin (AR)
Boren	Griffith (VA)
Boustany	Grimm
Brady (TX)	Guthrie
Brooks	Hall
Broun (GA)	Harper
Buchanan	Harris
Bucshon	Hartzler
Buerkle	Hastings (WA)
Camp	Hayworth
Campbell	Heck
Canseco	Hensarling
Cantor	Herrera Beutler
Capito	Huelskamp
Cassidy	Hultgren
Chabot	Hunter
Chandler	Hurt
Coffman (CO)	Issa
Cole	Jenkins
Conaway	Johnson (OH)
Cravaack	Jordan
Crawford	Kelly
Crenshaw	King (IA)
Critz	King (NY)
Cuellar	Kingston
Culberson	Kinzinger (IL)
Davis (KY)	Kissell
Denham	Kline
Dent	Labrador
DesJarlais	Lamborn
Diaz-Balart	Lance
Dicks	Landry
Dold	Lankford
Donnelly (IN)	Larsen (WA)
Dreier	Latham
Duffy	Latta
Duncan (SC)	LoBiondo
Duncan (TN)	Lofgren, Zoe

Long	Manzullo
Lucas	Marchant
Luetkemeyer	Marino
Lujan	Matheson
Lummis	McCaul
Lungren, Daniel	McClintock
E.	McCotter
	McHenry
	McIntyre
	McKinley
	McMorris
	Rodgers
	Meehan
	Mica
	Miller (FL)
	Miller (MI)
	Mulvaney
	Murphy (PA)
	Myrick
	Neugebauer
	Noem
	Nugent
	Nunes
	Nunnelee
	Olson
	Owens
	Palazzo
	Pastor (AZ)
	Paulsen
	Pearce
	Pence
	Petri
	Pitts
	Platts
	Poe (TX)
	Pompeo
	Posey
	Price (GA)
	Quayle
	Reed
	Rehberg
	Reichert
	Renacci
	Reyes
	Ribble
	Rigell
	Rivera
	Roby
	Roe (TN)
	Rogers (AL)
	Rogers (KY)
	Rogers (MI)
	Rohrabacher
	Rokita
	Rooney
	Ros-Lehtinen

NOT VOTING—47

Ackerman	Gallegly	Neal
Alexander	Guinta	Pascarell
Baca	Heinrich	Paul
Burgess	Herger	Rothman (NJ)
Burton (IN)	Honda	Schilling
Calvert	Huizenga (MI)	Scott, David
Cardoza	Johnson, Sam	Shuler
Carter	Kind	Slaughter
Chaffetz	LaTourette	Stearns
Clay	Lewis (CA)	Tsongas
Clyburn	Mack	Velázquez
Coble	McCarthy (CA)	Walsh (IL)
Costa	McCollum	Walz (MN)
Doyle	McKeon	Waters
Ellison	Miller, Gary	Young (FL)
Fortenberry	Moore	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1233

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Madam Chair, on rollcall No. 313 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. HAHN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. HAHN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 139, noes 245, not voting 47, as follows:

[Roll No. 314]

AYES—139

Amash	Butterfield	Cummings
Andrews	Capps	Davis (CA)
Baldwin	Capuano	Davis (IL)
Bass (CA)	Carnahan	DeFazio
Bass (NH)	Carney	DeGette
Becerra	Carson (IN)	Deutch
Berkley	Castor (FL)	Dicks
Berman	Chu	Dingell
Bilbray	Cicilline	Doggett
Bishop (GA)	Clarke (MI)	Edwards
Bishop (NY)	Clarke (NY)	Eshoo
Blumenauer	Cleaver	Farr
Bonamici	Cohen	Fattah
Boswell	Connolly (VA)	Filner
Brady (PA)	Conyers	Frank (MA)
Braley (IA)	Cooper	Garamendi
Brown (FL)	Crowley	Gibson

Grijalva	Loeb	Ryan (OH)	Smith (TX)	Upton
Gutierrez	Lofgren, Zoe	Ryan (WI)	Southerland	Visclosky
Hahn	Lowey	Ruppersberger	Stearns	Walberg
Hanabusa	Lujan	Rush	Schmidt	Walden
Hastings (FL)	Lynch	Sánchez, Linda	Schock	Webster
Higgins	Maloney	T.	Schweikert	West
Himes	Markey	Sanchez, Loretta	Scott (SC)	Westmoreland
Hinchee	Matsui	Sarbanes	Scott, Austin	Whitfield
Hinojosa	McDermott	Schakowsky	Sensenbrenner	Wilson (SC)
Hirono	McGovern	Schiff	Sessions	Wittman
Hochul	McNerney	Schrader	Sewell	Wolf
Holt	Meeks	Schwartz	Shimkus	Womack
Honda	Michaud	Scott (VA)	Shuster	Woodall
Hoyer	Miller (NC)	Serrano	Simpson	Yoder
Israel	Miller, George	Sherman	Smith (NE)	Young (AK)
Jackson (IL)	Moran	Speier	Smith (NJ)	Young (IN)
Johnson (GA)	Nadler	Stark		
Johnson (IL)	Napolitano	Stark		
Johnson, E. B.	Olver	Thompson (CA)		
Jones	Pallone	Tierney		
Kaptur	Pastor (AZ)	Tierney		
Keating	Pelosi	Tonko		
Kildee	Perlmutter	Van Hollen		
Kissell	Peters	Wasserman		
Kucinich	Pingree (ME)	Wasserman		
Langevin	Polis	Schultz		
Lee (CA)	Price (NC)	Watt		
Levin	Quigley	Waxman		
Lewis (GA)	Rangel	Welch		
Lipinski	Reyes	Wilson (FL)		
		Woolsey		
		Yarmuth		

## NOES—245

Adams	Fleming	Lungren, Daniel
Aderholt	Flores	E.
Akin	Forbes	Manzullo
Altire	Fox	Marchant
Amodei	Franks (AZ)	Marino
Austria	Frelinghuysen	Matheson
Bachmann	Fudge	McCarthy (NY)
Bachus	Gardner	McCaul
Barletta	Garrett	McClintock
Barrow	Gerlach	McCotter
Bartlett	Gibbs	McHenry
Barton (TX)	Gingrey (GA)	McIntyre
Benish	Gohmert	McKinley
Berg	Gonzalez	McMorris
Biggart	Goodlatte	Rodgers
Bilirakis	Gosar	Meehan
Bishop (UT)	Gowdy	Mica
Black	Graves (GA)	Miller (FL)
Blackburn	Graves (MO)	Miller (MI)
Bonner	Green, Al	Mulvaney
Bono Mack	Green, Gene	Murphy (CT)
Boren	Griffin (AR)	Murphy (PA)
Boustany	Griffith (VA)	Myrick
Brady (TX)	Grimm	Neugebauer
Brooks	Guthrie	Noem
Broun (GA)	Hall	Nugent
Buchanan	Hanna	Nunes
Buchson	Harper	Nunnelee
Buerkle	Harris	Olson
Camp	Hartzler	Owens
Campbell	Hastings (WA)	Palazzo
Canseco	Hayworth	Paulsen
Cantor	Heck	Pearce
Capito	Hensarling	Pence
Cassidy	Herrera Beutler	Peterson
Chabot	Holden	Petri
Chandler	Huelskamp	Pitts
Coffman (CO)	Hultgren	Platts
Cole	Hunter	Poe (TX)
Conaway	Hurt	Pompeo
Costello	Issa	Posey
Courtney	Jackson Lee	Price (GA)
Cravaack	(TX)	Quayle
Crawford	Jenkins	Rahall
Crenshaw	Johnson (OH)	Reed
Critz	Jordan	Rehberg
Cuellar	Kelly	Reichert
Culberson	King (IA)	Renacci
Davis (KY)	King (NY)	Ribble
DeLauro	Kingston	Richardson
Denham	Kinzinger (IL)	Richmond
Dent	Kline	Rigell
DesJarlais	Labrador	Rivera
Diaz-Balart	Lamborn	Roby
Dold	Lance	Roe (TN)
Donnelly (IN)	Landry	Rogers (AL)
Dreier	Lankford	Rogers (KY)
Duffy	Larsen (WA)	Rogers (MI)
Duncan (SC)	Larson (CT)	Rohrabacher
Ellmers	Latham	Rokita
Emerson	Latta	Rooney
Engel	LoBiondo	Ros-Lehtinen
Farenthold	Long	Roskam
Fincher	Lucas	Ross (AR)
Fitzpatrick	Luetkemeyer	Ross (FL)
Flake	Lummis	Royce
Fleischmann		Ryunan

will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business today. I expect the majority of these bills to come from the Natural Resources Committee, and I want to thank Chairman DOC HASTINGS and his staff for their tireless work in assisting Members on both sides of the aisle with their bills to responsibly remove Federal red tape that stands in the way of local economic development.

Members are also advised that the House will resume consideration of H.R. 5325, the Energy and Water Development Appropriations Act, on Tuesday, our first day back next week. Those wishing to offer amendments to the bill should be prepared to do so as soon as they return to Washington.

The House may also consider two additional appropriations bills next week: H.R. 5855, the Department of Homeland Security Appropriations Act, sponsored by Representative ROBERT ADERHOLT; and H.R. 5882, the Legislative Branch Appropriations Act, sponsored by Representative ANDER CRENSHAW. Chairman HAL ROGERS and the entire Appropriations Committee on both sides of the aisle should be congratulated for helping to restore the open process of allocating and prioritizing the Nation's spending.

Finally, Mr. Speaker, the House will consider H.R. 436, the Protect Medical Innovation Act, a very important bill for jobs and innovation in the medical device industry, that Representative ERIC PAULSEN is sponsoring. The Paulsen bill will be combined with H.R. 5842, the Restoring Access to Medication Act, sponsored by Representative LYNN JENKINS, and H.R. 1004, the Medical FSA Improvement Act, sponsored by Representative CHARLES BOUSTANY.

Mr. HOYER. I thank the gentleman for that information, and I want to make the comment that the gentleman correctly congratulated the appropriations leadership on his side of the aisle.

I also want to observe that on our side of the aisle there has been cooperation, and there's not been an effort to either delay or dissemble. That is why this process works. That's the way it should work. It hasn't always been that way, as the gentleman knows, but I'm pleased that it is working. I think that's best for our institution, and I think it's best for the country. So I'm pleased that, as well.

I tell my friend—and he knows this—according to the schedule I have, the House is scheduled to be in session a total of 28 days until the August break and 41 days from now until November.

## NOT VOTING—47

Fortenberry	Moore
Gallegly	Neal
Granger	Pascarell
Guinta	Paul
Heinrich	Rothman (NJ)
Herger	Schilling
Huizenga (MI)	Scott, David
Johnson, Sam	Shuler
Kind	Slaughter
LaTourette	Tsongas
Lewis (CA)	Velázquez
Mack	Walsh (IL)
McCarthy (CA)	Walz (MN)
McCollum	Waters
McKeon	Young (FL)
Miller, Gary	

## ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1237

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Chair, I was unavoidably detained and missed rollcall vote Nos. 306, 307, 308, 309, 310, 311, 312, 313 and 314. Had I been present, I would have voted "aye" on rollcall vote Nos. 308, 312, and 313. Had I been present, I would have voted "no" on rollcall vote Nos. 306, 307, 309, 310, 311 and 314.

Mr. FRELINGHUYSEN. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TURNER of New York) having assumed the chair, Mrs. CAPITO, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

□ 1240

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Virginia, the majority leader, for the purposes of inquiring about the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday the House is not in session. On Tuesday the House