

AMERICAN CRYSTAL SUGAR FACTORY LOCKOUT

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

Mr. ELLISON. Madam Speaker, I rise today to bring attention to what is a very serious problem for the families of at least 1,300 workers, 900 of whom live in my home State of Minnesota. They've been in a labor dispute with their company. On Friday, there is a chance to go back to the bargaining table to come up with a good settlement.

Now, these workers, they didn't go on strike. They've been locked out. They've been locked out for 10 months at the American Crystal Sugar Factory in Moorhead, Minnesota. Many of these people have worked at this factory their entire lives and are really good, solid members of their community. These workers have gone to work, and they've actually stood up and gone to bat for the company, particularly regarding the sugar program, and in countless other ways as well. These workers even vowed not to go on strike because they know how important their work is to the company and to the community. The only thing they've done wrong is they haven't been able to pay their higher health insurance costs, which is the real crux of the negotiation.

This Friday, the sides are going back to the bargaining table for the first time in 4 months. I commend both labor and management for getting back to the table. But, Madam Speaker, I urge management to listen carefully to the pleas of these workers and to come up with a fair settlement.

□ 1220

LABOR FORCE PARTICIPATION

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

Mr. GRAVES of Georgia. Madam Speaker, in 2009, the Obama administration said that unemployment would never reach 8 percent if the stimulus was approved. Well, it was. And 3 years later and \$1.2 trillion in spending, unemployment has remained above 8 percent for 40 consecutive months, the longest span since the Great Depression. Even more alarming is that the 8 percent doesn't illustrate how grim the situation really is.

More than 500,000 more Americans are out of work today than they were when President Obama took office in 2009, and the percentage of Americans working is at a 30-year low. Unemployment would be even higher if it were not for the grit and the resolve of the American people themselves. With these numbers, it's clear that President Obama's agenda has failed, and it's making the economy worse.

House Republicans have a plan. They have a plan for America's job creators

to help turn this economy around. It's time for the President and it's time for the Senate Democrats to stop blocking jobs for Americans and to join us in helping get Americans back to work.

68TH ANNIVERSARY OF THE ALLIED INVASION OF EUROPE

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

Mr. YODER. Madam Speaker, I rise today to mark the 68th anniversary of the Allied expeditionary forces landing in Normandy, France, at the start of the end of World War II. The allied invasion of Europe was led by a native Kansan born in Abilene and a truly great American hero, former-President General Dwight "Ike" Eisenhower.

On the morning of June 6, 1944, General Eisenhower inspired his men to fight for the values of liberty and freedom, stating:

Your task will not be an easy one. Your enemy is well trained, well equipped, and battle hardened. He will fight savagely.

Our homefronts have given us an overwhelming superiority in weapons and munitions of war, and placed at our disposal great reserves of trained fighting men. The tide has turned. The free men of the world are marching together to victory.

Good luck. And let us beseech the blessings of Almighty God upon this great and noble undertaking.

We all remember the tremendous sacrifices the Greatest Generation gave for the cause of freedom and liberty as we mark this solemn anniversary today.

REPUBLICAN BUDGET

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Madam Speaker, I'm here to ask that the Republican budget respect our seniors.

We've got to ask ourselves why are we giving those who make over a million dollars about \$394,000 on average in tax cuts and those making between \$20,000 and \$30,000 get \$129. Why? And why is it that there is about \$3 trillion in breaks that we're giving to Big Business, Big Oil, gas, and the super rich? Why are we doing that?

Then there is an effort in the Republican budget to change Medicare to the voucher program. This is why AARP says, "Republicans are shifting the cost to our seniors and ending the Medicare guarantee, that guarantee that many of them rely upon." And our Congressional Budget Office agrees with this.

The attacks on the Affordable Care Act by the Republicans also are going to set us back. That act closes the doughnut hole for seniors' prescription drugs. It also allows them to have preventive health care, and we're taking that away, too.

Madam Speaker, let's just respect our seniors, and not do what we're doing.

ENERGY AND WATER DEVELOP- MENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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 (Mr. GRAVES of Georgia). 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 gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair.

□ 1224

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 Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 5, 2012, the amendment offered by the gentleman from Texas (Mr. FLORES) had been disposed of, and the bill had been read through page 56, line 24.

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 yield to the gentleman from Virginia for the purpose of engaging in a colloquy.

Mr. HURT. Thank you, Mr. Chairman.

In Virginia's Fifth District, State and local officials have been working diligently to attract new businesses to create new jobs in Southside, Virginia. In Henry County, a county located in Virginia's Fifth District, local officials have identified a 200-acre site that has the potential to attract major economic development opportunities at a time when the Martinsville-Henry County area suffers from the highest unemployment rate in Virginia—15 percent and 10 percent respectively.

Unfortunately, Federal regulators, including the Army Corps of Engineers, have resisted moving forward with this important initiative and stalled the

county's permit application because of the lack of an identified end-user for the site. At the same time, the potential companies that would invest in this site and create jobs in Southside, Virginia, are unwilling to commit their resources due to the risk and time delays associated with an outstanding permit with the Corps.

While State regulators have issued permits for the Henry County site, the Corps continues to be steadfast in its unwillingness to move forward with the permit, even though they have issued permits for similar speculative development projects in the past which subsequently attracted new industries and jobs to that area.

Mr. Chairman, this site represents an economic opportunity that could bring thousands of jobs to an area of Virginia that is still struggling with double-digit unemployment. This project has bipartisan support from members of the congressional delegation, as well as Virginia's governor, Bob McDonnell.

Virginia has proven that it is the most attractive State for business and has been recognized as such in the past year. If given the opportunity, I have no doubt that the site would be the impetus for economic development in Martinsville and Henry County, an area which needs economic development more than ever.

Mr. Chairman, I would ask your assistance in working with me to ensure that Federal regulators are not needlessly stalling economic development and job creation in Virginia's Fifth District and other areas of our country.

With that, I thank the chairman for his leadership on this bill and on this issue, and I look forward to working with him.

Mr. FRELINGHUYSEN. I thank the gentleman from Virginia for bringing these concerns to my attention.

I agree that we must assure that Federal agencies and regulations are not contributing to unnecessary delays that harm economic development and job creation, especially at a time of economic distress and high employment.

I pledge our committee pledges to work with the gentleman and others who have seen an overreaching regulatory process negatively affect job prospects in their districts to address these problems.

With that, Madam Chair, 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 yield to the gentleman from Pennsylvania.

Mr. DOYLE. Madam Chair, I rise today to engage in a colloquy with the chairman and the ranking member.

I'm here today to express my concern with the future of the Nation's inland waterway system.

The bill before us today, despite the chairman's best efforts, continues a

trend of underfunding needed infrastructure improvements in our Nation's locks and dams. This underfunding is a combination of the administration's request and lack of a long-term solution to the Inland Waterways Trust Fund.

Locks and dams are a crucial mechanism of commerce and mode of transportation in Pennsylvania. They allow for the transport of commodities that are essential to businesses in my region, like coal, grain, and scrap metal. Along the Allegheny River, the Army Corps' budget for operating locks and dams was cut by nearly one-half in just one year.

□ 1230

Projects on other rivers in the Pittsburgh region, the Ohio and the Monongahela, have slowed to a stop or are in need of repair. The cuts to this fund have the Corps and surrounding communities and businesses wondering exactly how or if a repair will be made if something breaks.

But this is only a portion of the work that needs to be done, and the mechanism that we have to fund new or major rehabilitation projects, the Inland Waterways Trust Fund, is also in need of repair. Even in times of fiscal restraint, we must find ways to fund projects that protect our safety and allow the use of our waterways for commerce. The longer we wait to fully respond to the critical needs for our infrastructure, the more they are going to cost.

Madam Chairman, just in a recent article in the Pittsburgh Post-Gazette, quoting our local Corps person:

This is it for the Allegheny locks and dams. If something breaks we've got to scramble for funds, and there's no guarantee we'll fix it.

This has forced the Corps to adopt a fix-when-fail attitude towards maintaining about 200 locks and related dams on about 11,000 miles of the Nation's rivers. The average lock is over 60 years old. In Pittsburgh, they're over 80 years old.

Mr. Chairman, I would like to work with you and the ranking member to find a solution to this urgent need.

Mr. VISCLOSKY. I yield to the gentleman from Pennsylvania (Mr. CRITZ).

Mr. CRITZ. Thank you, Mr. DOYLE, Mr. VISCLOSKY, and Chairman, for yielding.

I would like to add my voice to Mr. DOYLE's on the issue of the aging state of our Nation's waterways and the vast shortfalls and funding on urgently needed projects. I believe the chairman has done his best, given if available funds in the trust fund and would like to work with the gentleman from New Jersey to find a long-term solution to this issue.

Consisting of over 230 lock chambers, our inland waterways move hundreds of millions of tons of cargo annually. To move this cargo on the Nation's highways would require an additional 24 million trucks, would cost billions

more in fuel costs, and generate millions of tons of pollution.

The Federal Government has invested in this infrastructure for over 200 years. The locks and dams that are the backbone of this system are built with a 50-year design life; yet many, for example, those on the Monongahela River in western Pennsylvania, are over 100 years old.

I am deeply troubled by the lack of funding for these projects and specifically by the lack of progress on finding a solution to the funding shortfalls in the Inland Waterways Trust Fund. This fund generates roughly \$85 million per year through a fuel tax on barges, yet falls well short of the \$380 million per year the Inland Waterways Users Board estimates is needed to fully fund capital reinvestments in the system.

The Transportation Department projects that the waterway traffic will increase 20 percent by 2020. We can no longer afford to sit on our hands and wait for these vital lanes of commerce to fail. We need to invest in America and keep our Federal waterways open for business. The Inland Waterways System is far too important to allow it to continue to languish with inadequate funding and crumbling infrastructure.

I look forward to working with the chairman, the ranking member, and Mr. DOYLE to find a solution to this urgent need.

Mr. VISCLOSKY. I yield to the chairman of the subcommittee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I assure the gentlemen from Pennsylvania that I share their concern with the funding of the inland system and the solvency of the Inland Waterways Trust Fund. This is why you see extensive report language on the Olmsted Locks and Dam and the cost overruns at that project, as well as language on the trust fund itself. As the gentlemen are aware, any changes to address the solvency of the trust fund are most appropriately discussed within the authorizing committees. I know they're aware of the situation and are evaluating various options.

The Acting CHAIR. The time of the gentleman from Indiana has expired.

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

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

Mr. FRELINGHUYSEN. I yield to the ranking member for the purpose of a colloquy.

Mr. VISCLOSKY. I thank the gentleman for yielding.

I simply would associate myself with the chairman's remarks, Mr. CRITZ's remarks and Mr. DOYLE's remarks and would simply conclude my portion by thanking both gentlemen for raising this vital issue. We engage in investing in infrastructure in Afghanistan. We create infrastructure investment in Iraq and elsewhere. It is time that we

repair and invest in the infrastructure, the waterway infrastructure in the United States of America, to create jobs in the short term and to create jobs in the future.

Again, I really, from the bottom of my heart, thank the gentlemen for raising this issue and look forward to working with them.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk that is designated as No. 1.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 0.27260690084897576 percent.

The Acting CHAIR. Pursuant to the order of the House of Tuesday, June 5, 2012, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Chair, funded at \$32 billion, the FY2013 Energy and Water appropriation bill that we have under consideration today actually spends about \$87 million more than we did last year. With a \$1.3 trillion deficit and a national debt that's now more than \$15 trillion, I think we have got to do better here.

This amendment simply says let's pare it back. Let's do an across-the-board cut of .027. Now, the reason we picked that number is that would bring us back exactly to last year.

I think when you look across the country, you look at what State and local governments are doing in order to balance their budgets. Sometimes they are going all the way back to 2005, 2004, or maybe more to balance their budgets. What are we doing here in Congress with a \$15 trillion debt? We're actually increasing spending on some bills.

Now, we have cut others, and I have supported the so-called Ryan budget where we do make some overall cuts, and that's good. But when you have a bill like this, I don't know how we can justify increasing spending \$87 million over last year. Again, as some will say, well, this conforms to the budget agreement, the Ryan budget act and the 302(a) levels that we have set. That is true it does; but I would suggest that if we're increasing funding here, this is a good place to find savings and perhaps the 302(b) level should have been set a little lower.

I would urge adoption of the amendment. Again, this is simply a cut that would take us back to where we were last year—not 2008 or 2009, but FY12. I don't think that's unreasonable.

With that, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I rise in opposition to the gentleman's amendment.

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

Mr. FRELINGHUYSEN. Madam Chair, I take exception to any claim that our bill unnecessarily increases spending. There is one reason that this bill is \$188 million above fiscal year 2000: it's defense, national security. Many Members may not realize it, but nearly one-third of our bill supports critical national security needs, including nuclear weapons. That is actually the origin of why we have a Department of Energy today: it's the Atomic Energy Act.

Only two subcommittees received increases in fiscal year 2013, the Energy and Water bill and the Defense bill, because those increases are needed to support national security. There are no other reasons.

The defense portion of this bill is almost \$300 million more than last year, an increase which directly supports our nuclear weapons and national security. Even with those security increases, our bill is still less than one-third of 1 percent above last year's bill. That means the rest of the bill is cut deeply.

It means that spending for our non-defense accounts is cut by 800 million below last year's levels. Even with the increase for defense spending, our bill is still below 2009 levels, actually quite close to 2008 levels. So I'll not accept any criticism that our bill in any way is not reflective of this body's work to reduce spending. The House's commitment to cut spending, Federal spending, was fully engaged in in a bipartisan way by the Energy and Water Subcommittee.

□ 1240

The gentleman's amendment would cut the bill simply because of the increases we provided for defense spending. To be clear, the amendment is a cut to national security. That's the point I'll make very clear to any Member who has questions on whether to vote for this amendment.

I urge my colleagues to vote "no," to protect defense spending, and I also add a postscript. Our bill, historically, has done things for a lot of States. And Arizona has benefited from the Central Arizona Water Project. It may not have happened during Mr. FLAKE's tenure as a Member of Congress, but in a bipartisan way we've looked after the needs his constituents and Arizonans.

We are reducing spending. And even as we reduce spending, we have obligations to look at other needs across the country in the energy sector as well as the water sector, which is why I relate the Arizona Central Arizona Project.

So we're cutting spending. We're reducing spending. We're keeping our commitment to the American taxpayers.

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 also want to add my voice to the chair's in opposition to the gentleman's amendment. We just had a colloquy on the House floor with several Members from the State of Pennsylvania relative to the fate of 230 lock chambers on our inland waterways that carry hundreds of millions of tons of cargo. If they fail, we would need, as has already been mentioned this morning, 24 million additional trucks, which would cost billions more in fuel and generate millions of tons of pollution. These locks that are the backbone of this Nation's inland waterway system were built with a 50-year design life. Many of those that exist in western Pennsylvania are now over a hundred years old.

Relative to cuts, I want to emphasize to our colleagues that there was a lot of work that the chairman, the members of this subcommittee, and the staffs put into this bill to make very discreet, discerning decisions, and in many instances, to make cuts. I would take simply one program as an example: environmental cleanup.

We have, again, a national responsibility to clean up these legacies of the Cold War for the health and safety of 300 million people. But we made discreet decisions. For defense environmental site-by-site decisions, for example, on the Office of River Protection in the State of Washington, we are \$30 million below last year's level. For the Oak Ridge National Laboratory in the State of Tennessee, we're \$20 million below last year's level. For the Savannah River site in South Carolina, we are \$43 million below in the current year level. For the Waste Isolation Pilot Plant we are \$12 million below last year's level. And for technology development, to do a better job on this, we're \$1 million below. We made discreet decisions.

I would simply close by saying that the gentleman at the close of his remarks said that he wants this cut to take us back to where we were. Those locks were built a hundred years ago. I don't want to go back there. We are here to take this Nation forward and to invest in the future of this Nation so that the young people of this Nation have a future. I do not want to go back to where we were.

I am adamantly opposed to the gentleman's amendment, and I yield back the balance of my time.

Mr. FLAKE. What I simply meant was take back the spending level to where we were last year. Nobody wants to go back in time. But if we want to talk of a future for our kids, as was mentioned, saddling them with \$15 trillion in debt doesn't give them much of a future. And that's the problem here. We just keep doing that bill after bill after bill after bill—increasing spending.

I take the gentleman's point on the needs of defense, but we've got to find savings. We've got to find savings here. We can't continue to go on and pile up more debt. And I would suggest that

finding savings amounting to one-quarter of one penny on this bill is not unreasonable.

I yield back the balance of my time.

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

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Assistant Secretary for Fossil Energy to implement or administer any change to the requirement in section 9.104-1(d) of title 48, Code of Federal Regulations (as in effect on January 19, 2001), that to be determined responsible, a prospective contractor must have a record of satisfactory compliance with antitrust laws.

Mr. DEFAZIO (during the reading). I ask unanimous consent that the reading be suspended.

The Acting CHAIR. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order on the amendment.

The Acting CHAIR. The point of order is reserved.

Pursuant to the order of the House of Tuesday, June 5, 2012, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. This is a very, very dramatic map. The colors indicate gasoline prices across America as of last week by county. As you can see, the entire west coast of the United States is in bright red.

Now we often hear from the oil and gas industry that prices are set internationally. This is an international market. You have to understand that.

Well, that's kind of interesting. Crude oil prices are down dramatically. U.S. production of crude is up a million-and-a-half barrels a day. We're exporting gasoline from the United States of America. But somehow we're missing that international market on the west coast. We're being price gouged on the west coast of the United States through a series of rather interesting or perhaps suspicious circumstances.

The largest refinery in Washington State, Cherry Point, experienced a fire in February, and it's been quite a bit of time in recovery. It's been delayed sev-

eral times. It's now coming back online. But given the fact that it was known that the largest refinery in the Northwest was offline, one would think that other refineries in California would endeavor to stay online, particularly as we begin the summer driving season. Well, no, actually not, because they had to do routine maintenance.

So five refineries in California, just before Memorial Day weekend in May, decided that it was time for routine maintenance. Then, suddenly we had a shortage. Well, actually we didn't have a shortage. There were no gas stations with yellow flags. There were no gas stations with little red flags. No one was going without gasoline, but a shortage was declared by the industry and the price was jacked up.

So while the rest of the country has seen prices come down, following the international markets, the price on the west coast has gone up, skyrocketing last week 13 cents for a gallon of regular. In one week it went up. It dropped a penny yesterday. All right. We're on the way down. It seems it always goes down a lot slower than it goes up. Kind of interesting.

So I contacted the President's working group for oil price and market manipulation, and my inquiry has been referred to various departments within the government, including the Justice Department, to look at antitrust implications; the Commodity Futures Trading Commission, and others, to look at potential market manipulation.

□ 1250

So I just thought in light of the fact that there may have been—may have been—some market manipulation here and perhaps at other times in the past, that we should just have a simple statement of fact on behalf of the United States House of Representatives. No oil or gas company convicted of antitrust violations should be able to access any of the \$500 million in the Fossil Energy Research and Development section. That is to say, taxpayers of the United States should not gift money to oil and gas companies that have been convicted of price-gouging the taxpayers of the United States of America. Pretty simple.

I mean, I have even greater concerns over that account; and I joined with 102 Republicans, last night, and 36 Democrats in voting to delete the \$500 million for fossil energy research and development. I think the industry can fund it on its own. And I would hope at least those 102 Republicans last night who voted to totally eliminate that account and the 36 Democrats who voted to totally eliminate that account would join with me today to say, well, we didn't eliminate the account, but we're not going to allow anybody convicted of antitrust that is price-gouging American consumers and taxpayers to access these taxpayer dollars to subsidize their private research and development and profits.

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

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

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

Mr. VISCLOSKEY. I would simply note that what the gentleman from Oregon proposes is a commonsense approach to ensuring the highest ethical standards for companies that receive a contract with the DOE's Office of Fossil Energy. We should not be rewarding companies that have a history of predatory economic practices with Federal contractors.

If his amendment is allowed in order, I would certainly urge my colleagues to support it, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I rise to claim time in opposition.

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

Mr. FRELINGHUYSEN. The gentleman highlights some very difficult issues that deserve our attention, and I especially share my colleague's concern about gasoline prices, and that's why the committee has focused on trying to reduce gas prices in the future.

However, the areas of antitrust determinations, compliance, and enforcement that he mentions, quite honestly, are within the purview of the authorizing committee. We are aware of them. We're acutely aware of them. We understand where he's coming from.

POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chair, I make a point of order against the amendment.

The Acting CHAIR. The gentleman may state his point of order.

Mr. FRELINGHUYSEN. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: an amendment to a general appropriation bill shall not be in order if changing existing law. The amendment imposes additional duties.

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.

The gentleman from New Jersey makes a point of order that the amendment offered by the gentleman from Oregon proposes to change existing law, in violation of clause 2(c) of rule XXI.

The amendment would limit funds for an assistant Secretary in the Department of Energy to implement or administer any change to a cited regulation as in effect on January 19, 2001. The Chair is aware that such regulation is no longer effective under current law. The amendment would therefore require a determination by the assistant Secretary of the state of prior regulation, and a further determination of what, if anything, has effected a "change" to that prior regulation.

By requiring a new determination, the amendment constitutes legislation within the meaning of clause 2(c) of rule XXI. The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, designated as Flake No. 2.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act may be used for the Batteries and Electric Drive Technology program within the Department of Energy's Efficiency and Renewable Energy Program.

Mr. FLAKE (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to the order of the House of Tuesday, June 5, 2012, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Chair, I know we have been on this bill a long time, and I don't plan to take my full 5 minutes here.

This amendment would simply prohibit funding for the Department of Energy Batteries and Electric Drive Technology program, preventing unnecessary Federal spending to the tune of about \$171 million.

We all know that for too long Washington has meddled too much in the energy market. Not only has the government proved itself to be ill-equipped to pick winners and losers, I think government is just plain bad at it. The list of winners is dubious at best, and it's a diverse one, from oil subsidies, ethanol mandates, to Solyndra, and now the Chevy Volt. The common thread is a seemingly endless supply, endless stream of taxpayer funding.

Enter the Batteries and Electric Drive Technology program. This is one of the countless acronyms that taxpayers know little of despite helping to fund these programs to the tune of a few hundred million dollars. Interestingly, the BEDT is the very program that developed the Chevy Volt battery that we've all heard so much about and, I think, the manufacturing lines that are now stopping or diminishing.

While I wholeheartedly support my colleagues' commitment to work to reduce the burden of rising energy and gasoline prices, I believe it would be imprudent to acquiesce key funding in this regard to components of the President's go green or go bust initiative. This hasn't gone too well, and I don't know why we continue to fund it.

Instead, I think we ought to eliminate the energy subsidies and preferential policies while encouraging free market growth and innovation. We

could start out by eliminating funding for the BEDT.

I urge support for the amendment, and I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I rise to claim the time in opposition.

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

Mr. FRELINGHUYSEN. I rise to oppose the amendment. There is valuable, cutting-edge research in the Department of Energy that enables future generations of vehicle technologies to proceed, technologies that are too far in the future for American private sectors to support, but that will keep future generations of manufacturing and jobs here in the United States and have the consequence of lowering what Americans have to pay for gasoline at the pump.

This amendment—and we're all supporting cutting wasteful spending—would virtually eliminate this important piece of our comprehensive approach; and, therefore, I strongly oppose it.

I yield back the balance of my time.

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

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

Mr. VISCLOSKEY. I also rise in opposition to the gentleman's amendment. We need to move away from our dependency on fuel imported by unfriendly nations. I have in past debates on this floor, and I would do it again, referenced the senior Senator from Indiana, Senator LUGAR, who has long characterized our energy crisis paramount, as one of national security, given where those petroleum purchases take place. The fact is, if we can get more miles per gallon, we have solved part of that national security crisis.

None of us today standing here or sitting here are going to be able to do much about the price of a barrel of oil. But if each one of those individual drivers can get some relief by getting an extra mile per gallon for their vehicle, we have also helped ameliorate their economic pressure and the costs that they have.

I think it is shortsighted to eliminate this program which has the potential to address a major issue in the viability and practicality of electric vehicles, and that is the battery. We need to be looking at the cost, performance, life, and abuse tolerance of batteries, and I do support the Department's efforts on this front and have been active for a number of years in seeking additional funds for it because I think it does a great value to this country's future.

I oppose the gentleman's amendment, and I yield back the balance of my time.

Mr. FLAKE. Madam Chair, it was mentioned that government research, the Federal Government typically gets involved in research when the return is

too far out for commercial enterprise to realize any benefit. I would suggest that that just doesn't apply here at all. We're talking about batteries. And those who tout this program claim that we already have evidence on the road, the Chevy Volt, of this technology working, and so that's not too far out. So if there's technology on the road, or in this case mostly still sitting in the lots, apparently, because these cars aren't selling very well, it isn't out there too far in the future.

I think we get confused about what really is the role of the Federal Government with regard to research when we have programs like this where there could be profit—and is, in certain technologies tomorrow—and it becomes less research and more subsidy, and that's where I think this program falls into.

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

□ 1300

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk, designated as Flake No. 3.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act may be used by the Department of Energy to fund the Wind Powering America Initiative.

Mr. FLAKE (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to the order of the House of Tuesday, June 5, 2012, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Chair, this amendment would prohibit funding for the Wind Powering America initiative under the Department of Energy.

Hot air jokes aside here, nobody can say that the Federal Government has not been good to the wind industry. Turbines made for popular earmarks in Congresses past, and wind technology research and development receives tens of millions of Federal dollars annually. Developers continue to reap billions of dollars from a two-decade-old production tax credit that will hopefully be allowed to expire this year.

But as much as I disagree with my colleagues who would have us continue to prop up an industry that even Secretary Chu of the Energy Department describes as mature, that's not what

this amendment is about. This amendment is about putting an end to Wind Powering America, an initiative that just picks winners and losers and operates in the rarified air of a Federal program that is actively advocating on behalf of a particular industry.

Had you happened across an Associated Press article announcing WPA's creation 13 years ago, you would have mistaken it for a trade organization. The Energy Department described WPA as an initiative aimed at building national awareness of wind's benefits, increasing customer demand, overcoming institutional biases, and even advocating on behalf of the wind production tax credit.

These goals have evolved into egregious examples of unnecessary waste, like a podcast titled: "When wind developed doesn't match up to potential, look at policy." And with episodes like *Careers in Wind Energy*, WPA goes around to the Nation's K-12 schools to promote wind energy workforce development and pushes its *Wind for Schools* project to implement wind-energy curricula.

While it's hard to understand why taxpayer monies are funding WPA, it's downright impossible to find out how they are funding WPA. The last time WPA was mentioned in an appropriation bill was in 2003 in a conference report approving level funding at \$3.1 million. In fact, we couldn't find funding figures more recent than 2008, when an Energy Department budget request confirmed it to be \$5.5 million. After that, WPA falls into the bureaucratic abyss. This amendment would not only put an end to this federalized wind-advocacy program, it would end the practice of blindly funding it.

This amendment is anything but tilting at windmills. Congress ought to make a point to not oversee how much we spend, but how we spend it. We can do just that by eliminating the *Wind Powering America* project.

I urge support for the amendment and reserve the balance of my time.

Mr. DICKS. Madam Chair, I rise to claim the time in opposition to the amendment.

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

Mr. DICKS. The amendment prohibits funds for the *Wind Powering America* program, which has been funded since 1999 to increase information-sharing in support of expanding domestic wind power.

Madam Chairman, I rise to oppose the amendment. I appreciate my colleague's continued efforts to stop inappropriate or wasteful Federal spending. However, there is a distinction between improper and proper Federal activities, and I believe this amendment would eliminate an example of the latter.

I agree with my colleague that the government should not be funding the deployment of proven technologies, and for that reason we have significantly ramped back the wind energy

program. In fact, our bill cuts the program by 25 percent and focuses the remaining funds on unproven technologies not yet in the market, like offshore wind. I know they don't have any of that in Arizona, but we have significant offshore wind in Washington State.

There is also a proper Federal role for facilitating the free flow of information where market failures prevent the efficient operation of free markets. In this case, a small program facilitates the free flow of information collected by national laboratories, such as resource maps and detailed wind data. Programs like this use small amounts of Federal funds to fix a market failure and get government out of the way so that our private sector can get to the work of creating manufacturing and construction jobs here at home.

We can talk about which specific parts of this program should be cut, but I cannot support its complete elimination, and I must oppose the amendment.

I yield to the distinguished ranking member of the subcommittee, Mr. VISCLOSKEY.

Mr. VISCLOSKEY. I appreciate the gentleman yielding.

I believe that there is a proper role for government where there is no private organization willing or able to fill an information need, and information is vital if we are going to improve our energy policy.

This program provides a venue at a very modest cost to the taxpayers to disseminate valuable information that supports the diversification of the Nation's energy supply.

While I do appreciate the gentleman from Arizona's efforts to search out sources of wasteful and inappropriate spending, I disagree that this program is one of those instances and join my colleague from Washington in opposition to the amendment.

Mr. DICKS. Again, the gentleman from Arizona would eliminate this entire program; we think that is overstepping.

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

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 in support of the gentleman from Arizona's amendment. While we may have our differences—and not all of his amendments that he has proposed have passed—he has been congenial and a class act and I'd like to thank him. I would like to thank him also for his continued efforts, which have been recognized on the other side too, to fight wasteful Federal spending.

We agree, I think most of us, that our government should not be funding the deployment of proven technologies. For that reason, our committee and our bill has significantly ramped back

the wind energy program to 25 percent below fiscal year 2012 and focused the remaining funds on unproven technologies not yet in the market, like far offshore wind. If there are small cases where the Department is carrying out activities not appropriate for the Federal Government, they should be eliminated.

So I salute the gentleman, and I am pleased to support his efforts. I yield back the balance of my time.

Mr. FLAKE. I rise to thank the gentleman and express a lot of shock here. But I appreciate the fine work the gentleman does on this legislation.

Again, this program is advocacy for a proven technology. After 13 years of this program, to spend more—and we really don't understand how much each year, but it could be \$5.5 million—for people in the Federal Government, on taxpayer dollars, to go and advocate on behalf of wind energy. All of us receive visits frequently from people in the wind industry who have proven technology, who are out there already deploying it. Why in the world we should continue to spend hard-earned taxpayer dollars to advocate for these programs, I just don't know.

So I thank the gentleman, the chairman of the committee, for supporting the amendment, and I urge its adoption.

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

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

The amendment was agreed to.

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 suspect, Madam Chair, that the ranking member, Mr. VISCLOSKEY, and I are going to use this opportunity to thank a whole host of people who have allowed us to bring this bill to the floor and, we hope, to a very successful conclusion.

□ 1310

First of all, to Chairman ROGERS from Kentucky and his working partner, Congressman NORM DICKS, on behalf of the committee, we want to thank you for giving us full support, bipartisan support, and giving us the flexibility to have a number of hearings to do a comprehensive approach through that hearing process and your insistence, both of you, on what we call regular order, the ability of the Appropriations Committee to work in a bipartisan way. I shouldn't comment on the House in general, but in terms of our committee, there's been a good bipartisan working relationship. So you've laid the foundation for Mr. VISCLOSKEY and me to sort of proceed in regular order, and we're grateful.

I'd also like to thank the Members for their cooperation in terms of amendments. I think we started maybe last year with 103 amendments. A lot of

amendments were drawn into a unanimous consent situation, so we've been able to reduce the amendments, and Members have come to the floor, spoken on an expeditious basis and, I think, performed admirably, and I think they have made our bill better and more comprehensive.

I'd also like to thank those who are on the floor, particularly our committee staff, Rob Blair, our clerk, who's to my left, Joe Levin, Loraine Heckenberg, Angie Giancarlo, Perry Yates, and Trevor Higgins.

On the minority, I'd like to thank Taunja Berquam. I'd also like to thank my personal staff, Nancy Fox and Katie Hazlett, and Mr. VISCLOSKY's personal staff, Joe DeVooght.

And of course, Madam Chair, there are a whole host of people who make the floor work on the appropriations side. Some of them would not like to be publicly recognized. But let me say, in our heart, we hold them dear because we're able to get our bill to the floor, make sure that our amendments all meet the letter of the law and the Constitution, the Parliamentarian having vetted all those amendments. So we're highly appreciative of that.

And I certainly would be happy to yield to my ranking member if he cares to—I'm sure he would—make some remarks.

Mr. VISCLOSKY. I appreciate the gentleman yielding very much. And I think the only other thank-you I would add, and I would very sincerely join the chair in all of the recognitions that he has enumerated, is the Chair, herself, as well as all of those others who have served us over the last 4 days and done a very expeditious job.

I cannot thank the chairman enough for all he has done for us and for this country and for being the consummate gentleman. It is a privilege and a delight to work with you, as well as the other members of the subcommittee.

I would point out that, while we agree very substantively on this bill, there are degrees of differences. We did not, in the intervening last 4 days, agree on every amendment, but we had reasoned and thoughtful debate. We had votes, and decisions were made.

It is a profound privilege that people like Chairman FRELINGHUYSEN, Mr. DICKS, and I have serving this country in this Congress. I am an institutionalist, and this is a perfect example of how that institution should work: to meet collectively, to resolve our differences, and to work as hard as we can to hopefully, in fiscal year 2013, leave this country a little bit better.

Again, thank all of the people, and particularly the staff and the Chair for all their good work.

I appreciate the chairman for yielding.

Mr. FRELINGHUYSEN. Reclaiming my time, I want to also note this is the last Energy and Water bill that Mr. DICKS will be participating in. And I say on behalf of our committee that we've always known that you're fully

engaged in every subcommittee where you are so prominent, and we want to thank you for that.

Let me say, too, that we're pleased we've built in our bill some common ground for energy policy across our Nation. Most importantly, as I said in my remarks, the national security segment: what we need to do to make sure that our nuclear stockpile is reliable, that we proceed with cleanups, things that we do relative to naval reactors and the next generation of nuclear ballistic submarines, and the comprehensive energy policy that's directed not only towards research into the future but trying to minimize rising gas prices, which have affected every American pocketbook.

Lastly, we've done it with a lot less money. We're actually, in some cases, close to the 2008 level, somewhere between 2008 and 2009. And while some people may like to damn us, we've done our best to cut spending and reflect the real economy out there, the fact that people are paying too much in the way of taxes, we have too much debt and such a large deficit. We've done our part.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

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

An amendment by Mr. ROHRABACHER of California.

An amendment by Mr. STEARNS of Florida.

An amendment by Mr. SHIMKUS of Illinois.

An amendment by Mr. TIPTON of Colorado.

An amendment by Mr. LUETKEMEYER of Missouri.

An amendment by Ms. JACKSON LEE of Texas.

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

AMENDMENT OFFERED BY MR. ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) 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 181, noes 229, not voting 21, as follows:

[Roll No. 319]

AYES—181

Adams
Aderholt
Akin
Amash

Amodei
Bachmann
Barrow
Barton (TX)

Benishek
Bilbray
Black
Blackburn

Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Conaway
Costello
Cravaack
Crawford
Cuellar
Culberson
DeFazio
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Harris
Hartzler

Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
King (NY)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Latham
Latta
LoBiondo
Long
Luetkemeyer
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes

Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Ribble
Rigell
Rivera
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Sutton
Thornberry
Upton
Visclosky
Walberg
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Woodall
Yoder
Young (FL)
Young (IN)

NOES—229

Ackerman
Alexander
Altmire
Andrews
Austria
Bachus
Baldwin
Barletta
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Bonner
Bono Mack
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)

Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Emerson
Eshoo
Farr
Fattah
Fleischmann
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gibson

Gonzalez
Goodlatte
Granger
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
Kingston

Kinzing (IL) Pelosi Shimkus
 Langevin Perlmutter Shuster
 Lankford Peters Simpson
 Larsen (WA) Pingree (ME) Sires
 Larson (CT) Pitts Smith (WA)
 LaTourette Polis Speier
 Lee (CA) Price (NC) Stark
 Levin Quigley Stivers
 Lewis (GA) Rahall Terry
 Lipinski Rangel Thompson (CA)
 Loeb sack Rehberg Thompson (MS)
 Lofgren, Zoe Reichert Thompson (PA)
 Lowey Renacci Tiberi
 Lucas Reyes Tipton
 Luján Richmond Tonko
 Lummis Roby Towns
 Lynch Rogers (AL) Rogers (KY)
 Maloney Ros-Lehtinen Tsongas
 Marino Roskam Turner (NY)
 Markey Matsui Roybal-Allard Turner (OH)
 McCarthy (NY) Runyan Van Hollen
 McCollum Ruppertsberger Velázquez
 McDermott Rush Walden
 McGovern Ryan (OH) Walz (MN)
 McKinley Sánchez, Linda Wasserman
 McNerney T. Schultz
 Miller (NC) Sanchez, Loretta Waters
 Miller, George Sarbanes Watt
 Moran Schakowsky Waxman
 Murphy (CT) Schiff Welch
 Nadler Schock Whitfield
 Neal Schrader Wilson (FL)
 Nunnelee Schwartz Womack
 Oliver Scott (VA) Woolsey
 Owens Scott, David Yarmuth
 Pallone Serrano Young (AK)
 Pastor (AZ) Sewell

NOT VOTING—21

Baca Hahn Pascrell
 Berman Hanna Paul
 Castor (FL) Lewis (CA) Platts
 Chu McKeon Richardson
 Coble Miller, Gary Rothman (NJ)
 Engel Moore Shuler
 Filner Napolitano Slaughter

□ 1341

Messrs. MCNERNEY, HOYER, HALL, MARKEY, GERLACH, SARBANES and RAHALL changed their vote from “aye” to “no.”

Messrs. ROGERS of Michigan, HUELSKAMP, NUNES, GRIFFIN of Arkansas, PETRI, SMITH of New Jersey, KUCINICH, Mrs. BUERKLE, Messrs. MCCAUL, CUELLAR, DESJARLAIS and WEBSTER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Chair, on rollcall 319, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. STEARNS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) 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 348, noes 60, not voting 23, as follows:

[Roll No. 320]

AYES—348

Ackerman Eshoo Lofgren, Zoe
 Adams Farenthold Long
 Aderholt Farr Lowey
 Akin Fattah Lucas
 Alexander Fincher Luetkemeyer
 Altmire Fitzpatrick Luján
 Amash Flake Lummis
 Amodoi Fleischmann Lungren, Daniel
 Austria Fleming E.
 Bachmann Flores Lynch
 Bachus Forbes Mack
 Baldwin Fortenberry Maloney
 Barletta Foxx Manzullo
 Barrow Franks (AZ) Marchant
 Bartlett Frelinghuysen Marino
 Barton (TX) Gallegly Markey
 Bass (NH) Gardner Matheson
 Becerra Garrett Matsui
 Benishek Gerlach McCarthy (CA)
 Berg Gibbs McCarthy (NY)
 Biggert Gibson McCaul
 Bilbray Gingrey (GA) McClintock
 Bilirakis Gohmert McCotter
 Bishop (GA) Gonzalez McGovern
 Bishop (NY) Goodlatte McHenry
 Bishop (UT) Gosar McIntyre
 Black Gowdy McKinley
 Blackburn Granger McMorris
 Blumenauer Graves (GA) Rodgers
 Bonamici Graves (MO) McNerney
 Bonner Green, Al Meehan
 Bono Mack Green, Gene
 Boren Griffin (AR) Mica
 Boswell Griffith (VA) Michaud
 Boustany Grimm Miller (FL)
 Brady (PA) Miller (MI) Davis (IL)
 Brady (TX) Miller (NC) DeGette
 Braley (IA) Guthrie DeLauro
 Brooks Hall Miller, George
 Broun (GA) Hanabusa Meekes
 Brown (FL) Harper Dingell
 Buchanan Harris Murphy (CT)
 Bucshon Hartzler Murphy (PA)
 Buerkle Hastings (WA) Myrick
 Burgess Hayworth Nadler
 Burton (IN) Heck Neal
 Butterfield Heinrich Neugebauer
 Calvert Hensarling Noem
 Camp Herger Nugent
 Campbell Herrera Beutler Nunes
 Canseco Higgins Nunnelee
 Cantor Hinojosa Olson
 Capito Hirono Olver
 Capps Hochul Owens
 Capuano Holden Palazzo
 Cardoza Hultgren Pallone
 Carney Huelskamp Pastor (AZ)
 Carter Huizenga (MI) Paulsen
 Cassidy Hultgren Pearce
 Chabot Hunter Pelosi
 Chaffetz Hurt Pence
 Chandler Israel Peterson
 Cicilline Issa Petri
 Coffman (CO) Jackson Lee
 Cohen (TX) Pitts
 Cole Jenkins Poe (TX)
 Conaway Johnson (IL) Polis
 Connolly (VA) Johnson (OH) Pompeo
 Cooper Johnson, Sam Posey
 Costa Jones Price (GA)
 Costello Jordan Price (NC)
 Cravaack Kaptur Quayle
 Crawford Keating Rahall
 Crenshaw Kelly Reed
 Critz Kind Rehberg
 Cuellar King (IA) Reichert
 Culberson King (NY) Renacci
 Cummings Kingston Reyes
 Davis (CA) Kinzinger (IL) Ribble
 Davis (KY) Kissell Rigell
 DeFazio Kline Rivera
 Denham Kucinich Roby
 Dent Labrador Roe (TN)
 DesJarlais Labrador Rogers (AL)
 Diaz-Balart Lamborn Rogers (KY)
 Dicks Lance Rogers (MI)
 Doggett Landry Rohrabacher
 Dold Langevin Rokita
 Donnelly (IN) Lankford Rooney
 Doyle Latham Ros-Lehtinen
 Dreier LaTourette Roskam
 Duffy Latta Ross (AR)
 Duncan (SC) Levin Ross (FL)
 Duncan (TN) Roybal-Allard
 Eilmers Royce
 Emerson Runyan
 LoBiondo Ryan (WI)
 Loeb sack

Sánchez, Linda Smith (NE) Visclosky
 T. Smith (NJ) Walberg
 Sanchez, Loretta Smith (TX) Walden
 Sarbanes Southerland Walsh (IL)
 Scalise Speier Waters
 Schakowsky Stearns Waxman
 Schiff Stivers Webster
 Schilling Stutzman Welch
 Schmidt Sullivan West
 Schock Sutton Westmoreland
 Schrader Terry Whitfield
 Schwartz Thompson (PA) Wilson (SC)
 Schweikert Thornberry Wittman
 Scott (SC) Tiberi Wolf
 Scott, Austin Tierney Womack
 Sensenbrenner Tipton Woodall
 Sessions Tonko Yarmuth
 Sewell Tsongas Yoder
 Sherman Turner (NY) Young (AK)
 Shimkus Turner (OH) Young (FL)
 Shuster Upton Young (IN)
 Simpson Van Hollen

NOES—60

Andrews Fudge Ruppertsberger
 Bass (CA) Garamendi Rush
 Berkley Grijalva Ryan (OH)
 Carnahan Gutierrez Scott (VA)
 Carson (IN) Hastings (FL) Scott, David
 Clarke (MI) Himes Serrano
 Clarke (NY) Hinchey Sires
 Clay Honda Smith (WA)
 Cleaver Jackson (IL) Stark
 Clyburn Johnson, E. B. Thompson (CA)
 Conyers Kildee Thompson (MS)
 Courtney Larson (CT) Towns
 Crowley Lee (CA) Velázquez
 Davis (IL) Lewis (GA) Walz (MN)
 DeGette McCollum Wasserman
 DeLauro McDermott Schultz
 Deutch Meeks
 Dingell Perlmutter Watt
 Edwards Peters Wilson (FL)
 Ellison Rangel Woolsey
 Frank (MA) Richmond

NOT VOTING—23

Baca Hanna Pascrell
 Berman Johnson (GA) Paul
 Castor (FL) Lewis (CA) Platts
 Chu McKeon Richardson
 Coble Miller, Gary Rothman (NJ)
 Engel Moore Shuler
 Filner Moran Slaughter
 Hahn Napolitano

□ 1346

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

Ms. JACKSON LEE of Texas and Ms. PELOSI changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Chair. Mr. Speaker, on rollcall 320, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. SHIMKUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS) 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 326, noes 81, not voting 24, as follows:

[Roll No. 321]

AYES—326

Adams	Fitzpatrick	McCaul
Aderholt	Flake	McClintock
Akin	Fleischmann	McCollum
Alexander	Fleming	McHenry
Altmire	Flores	McIntyre
Amash	Forbes	McKinley
Andrews	Fortenberry	McMorris
Austria	Fox	Rodgers
Bachmann	Franks (AZ)	McNerney
Bachus	Frelinghuysen	Meehan
Baldwin	Gallely	Meeks
Barletta	Gardner	Mica
Barrow	Garrett	Michaud
Bartlett	Gerlach	Miller (FL)
Barton (TX)	Gibbs	Miller (MI)
Bass (NH)	Gibson	Miller (NC)
Benishke	Gingrey (GA)	Miller, George
Berg	Gohmert	Moran
Biggart	Gonzalez	Mulvaney
Bilbray	Goodlatte	Murphy (CT)
Bilirakis	Gosar	Murphy (PA)
Bishop (GA)	Gowdy	Myrick
Bishop (NY)	Granger	Neal
Bishop (UT)	Graves (GA)	Neugebauer
Black	Graves (MO)	Noem
Blackburn	Green, Al	Nugent
Blumenauer	Green, Gene	Nunes
Bonamici	Griffin (AR)	Nunnelee
Bonner	Griffith (VA)	Olson
Bono Mack	Grimm	Owens
Boren	Guinta	Palazzo
Boswell	Guthrie	Paulsen
Boustany	Hall	Pearce
Brady (PA)	Hanabusa	Pence
Brady (TX)	Harper	Peters
Braley (IA)	Harris	Peterson
Brooks	Hartzler	Petri
Broun (GA)	Hastings (WA)	Pitts
Buchanan	Hayworth	Poe (TX)
Buchson	Heinrich	Pompeo
Buerkle	Hensarling	Posey
Burgess	Herger	Price (GA)
Burton (IN)	Herrera Beutler	Price (NC)
Butterfield	Higgins	Quayle
Calvert	Himes	Quigley
Camp	Hinojosa	Rahall
Campbell	Hochul	Reed
Canseco	Holden	Rehberg
Cantor	Huelskamp	Reichert
Capito	Huizenga (MI)	Renacci
Cardoza	Hultgren	Reyes
Carney	Hunter	Ribble
Carter	Hurt	Rigell
Cassidy	Issa	Rivera
Chabot	Jenkins	Roby
Chandler	Johnson (OH)	Roe (TN)
Clay	Johnson, Sam	Rogers (AL)
Cleaver	Jones	Rogers (KY)
Clyburn	Jordan	Rogers (MI)
Coffman (CO)	Kaptur	Rohrabacher
Cohen	Keating	Rokita
Cole	Kelly	Rooney
Conaway	Kildee	Ros-Lehtinen
Connolly (VA)	Kind	Roskam
Cooper	King (IA)	Ross (AR)
Costa	King (NY)	Ross (FL)
Costello	Kingston	Royce
Courtney	Kinzinger (IL)	Runyan
Cravaack	Kline	Ruppersberger
Crawford	Kucinich	Ryan (OH)
Crenshaw	Labrador	Ryan (WI)
Critz	Lamborn	Sarbanes
Cuellar	Lance	Scalise
Culberson	Landry	Schiff
Davis (KY)	Lankford	Schilling
DeFazio	Larsen (WA)	Schmidt
DeGette	Latham	Schock
Denham	LaTourette	Schrader
Dent	Latta	Schwartz
DesJarlais	Lipinski	Schweikert
Deutch	LoBiondo	Scott (SC)
Diaz-Balart	Loeback	Scott (VA)
Dicks	Long	Scott, Austin
Dingell	Lowey	Scott, David
Dold	Lucas	Sensenbrenner
Donnelly (IN)	Luetkemeyer	Sessions
Doyle	Lummis	Sewell
Dreier	Lungren, Daniel	Sherman
Duffy	E.	Shimkus
Duncan (SC)	Lynch	Shuster
Duncan (TN)	Mack	Simpson
Ellmers	Manzullo	Sires
Emerson	Marchant	Smith (NE)
Eshoo	Marino	Smith (TX)
Farenthold	McCarthy (CA)	Smith (WA)
Fincher	McCarthy (NY)	Southerland

Speier	Towns
Stearns	Turner (NY)
Stivers	Turner (OH)
Stutzman	Upton
Sullivan	Van Hollen
Sutton	Visclosky
Terry	Walberg
Thompson (CA)	Walden
Thompson (PA)	Walsh (IL)
Thornberry	Walz (MN)
Tiberi	Webster
Tierney	Welch
Tipton	West
Tonko	Westmoreland

NOES—81

Ackerman	Gutierrez
Amodei	Hastings (FL)
Bass (CA)	Heck
Becerra	Hinchey
Berkley	Hirono
Brown (FL)	Holt
Capps	Honda
Capuano	Hoyer
Carnahan	Israel
Carson (IN)	Jackson (IL)
Chaffetz	Jackson Lee
Cicilline	(TX)
Clarke (MI)	Johnson (IL)
Clarke (NY)	Johnson, E. B.
Conyers	Kissell
Crowley	Langevin
Cummings	Larson (CT)
Davis (CA)	Lee (CA)
Davis (IL)	Levin
DeLauro	Lewis (GA)
Doggett	Lofgren, Zoe
Edwards	Lujan
Ellison	Maloney
Fattah	Markey
Frank (MA)	Matheson
Fudge	Matsui
Garamendi	McCotter
Grijalva	McDermott

NOT VOTING—24

Baca	Hahn
Berman	Hanna
Castor (FL)	Johnson (GA)
Chu	Lewis (CA)
Coble	McKeon
Engel	Miller, Gary
Farr	Moore
Filner	Napolitano

□ 1353

Mr. CICILLINE and Ms. WATERS changed their vote from “aye” to “no.”

Mrs. SCHMIDT and Ms. BONAMICI changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Chair, on rollcall 321, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. TIPTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TIPTON) 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 355, noes 51, not voting 25, as follows:

[Roll No. 322]

AYES—355

Adams	Duncan (TN)	Lipinski
Aderholt	Ellmers	LoBiondo
Akin	Emerson	Loeback
Alexander	Eshoo	Lofgren, Zoe
Altmire	Farenthold	Long
Amash	Fincher	Lowey
Amodei	Fitzpatrick	Lucas
Andrews	Flake	Luetkemeyer
Austria	Fleischmann	Lujan
Bachmann	Fleming	Lummis
Bachus	Flores	Lungren, Daniel
Baldwin	Forbes	E.
Barletta	Fortenberry	Lynch
Barrow	Fox	Mack
Bartlett	Frank (MA)	Maloney
Barton (TX)	Franks (AZ)	Manzullo
Bass (CA)	Frelinghuysen	Marchant
Bass (NH)	Gallely	Marino
Becerra	Gardner	Markey
Benishke	Garrett	Matheson
Berg	Gerlach	Matsui
Berkley	Gibbs	McCarthy (CA)
Biggart	Gibson	McCarthy (NY)
Bilbray	Gingrey (GA)	McCaul
Bilirakis	Gonzalez	McClintock
Bishop (GA)	Goodlatte	McCotter
Bishop (NY)	Gosar	McGovern
Bishop (UT)	Gowdy	McHenry
Black	Granger	McIntyre
Blackburn	Graves (GA)	McKinley
Bonamici	Graves (MO)	McMorris
Bonner	Green, Al	Rodgers
Bono Mack	Green, Gene	McNerney
Boren	Griffin (AR)	Meehan
Boswell	Griffith (VA)	Mica
Boustany	Grimm	Michaud
Brady (PA)	Guinta	Miller (FL)
Brady (TX)	Guthrie	Miller (MI)
Braley (IA)	Hall	Miller, George
Brooks	Hanabusa	Mulvaney
Broun (GA)	Harper	Murphy (CT)
Brown (FL)	Harris	Murphy (PA)
Buchanan	Hartzler	Myrick
Bucshon	Hastings (FL)	Neal
Buerkle	Hastings (WA)	Neugebauer
Burgess	Hayworth	Noem
Burton (IN)	Heck	Nugent
Butterfield	Heinrich	Nunes
Calvert	Hensarling	Nunnelee
Camp	Herger	Olson
Campbell	Herrera Beutler	Owens
Canseco	Higgins	Palazzo
Cantor	Himes	Pallone
Capito	Hinojosa	Pascarell
Capps	Hirono	Paulsen
Capuano	Hochul	Pearce
Carney	Holden	Pelosi
Carter	Hoyer	Pence
Cassidy	Huelskamp	Perlmutter
Chabot	Huizenga (MI)	Peters
Chaffetz	Hultgren	Peterson
Chandler	Hunter	Petri
Cicilline	Hurt	Pingree (ME)
Clarke (MI)	Israel	Pitts
Coffman (CO)	Issa	Poe (TX)
Cole	Jenkins	Polis
Conaway	Johnson (GA)	Pompeo
Connolly (VA)	Johnson (IL)	Posey
Cooper	Johnson (OH)	Price (GA)
Costello	Johnson, E. B.	Price (NC)
Courtney	Johnson, Sam	Quayle
Cravaack	Jones	Rahall
Crawford	Jordan	Rangel
Crenshaw	Kaptur	Reed
Critz	Keating	Rehberg
Cuellar	Kelly	Reichert
Culberson	Kildee	Renacci
Davis (CA)	Kind	Reyes
Davis (KY)	King (IA)	Ribble
DeFazio	King (NY)	Rigell
DeGette	Kingston	Rivera
DeLauro	Kinzinger (IL)	Roby
Denham	Kissell	Roe (TN)
Dent	Kline	Rogers (AL)
DesJarlais	Labrador	Rogers (KY)
Deutch	Lamborn	Rogers (MI)
Diaz-Balart	Lance	Rohrabacher
Dicks	Landry	Rokita
Dingell	Langevin	Rooney
Doggett	Lankford	Ros-Lehtinen
Dold	Larson (CT)	Roskam
Donnelly (IN)	Latham	Ross (AR)
Doyle	LaTourette	Ross (FL)
Dreier	Latta	Roybal-Allard
Duffy	Levin	Royce
Duncan (SC)	Lewis (GA)	Runyan

Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuster

Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky

Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—51

Ackerman
Blumenauer
Cardoza
Carnahan
Clarke (NY)
Clay
Clyburn
Cohen
Conyers
Costa
Crowley
Cummings
Davis (IL)
Edwards
Ellison
Farr
Fattah
Fudge

Garamendi
Grijalva
Gutiérrez
Hinchey
Holt
Honda
Jackson (IL)
Jackson Lee
(TX)
Kucinich
Larsen (WA)
Lee (CA)
McCollum
McDermott
Meeks
Miller (NC)
Moran
Nadler

Olver
Pastor (AZ)
Quigley
Richmond
Rush
Schakowsky
Scott (VA)
Serrano
Sires
Speier
Stark
Thompson (MS)
Towns
Velázquez
Watt
Woolsey

NOT VOTING—25

Baca
Berman
Carson (IN)
Castor (FL)
Chu
Cleave
Coble
Engel
Filner

Gohmert
Hahn
Hanna
Lewis (CA)
McKeon
Miller, Gary
Moore
Napolitano
Paul

Platts
Richardson
Rothman (NJ)
Shuler
Slaughter
Sullivan
Waters

□ 1357

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Chair, on rollcall 322, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. LUETKEMEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER) 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 242, noes 168, not voting 21, as follows:

[Roll No. 323]

AYES—242

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Costello
Courtney
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson

Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lipinski
LoBiondo
Loeb
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent

Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—168

Bonamici
Boren
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler

Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Critz

Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Fortenberry
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating

Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Noem
Oliver
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel

Rehberg
Reyes
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOT VOTING—21

Baca
Berman
Castor (FL)
Chu
Coble
Engel
Filner

Gohmert
Hahn
Hanna
Lewis (CA)
Marchant
McKeon
Miller, Gary

Napolitano
Paul
Platts
Richardson
Rothman (NJ)
Shuler
Slaughter

□ 1402

Messrs. KUCINICH and MARKEY changed their vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Chair, on rollcall 323, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the fourth amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) 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 150, noes 260, not voting 21, as follows:

[Roll No. 324]

AYES—150

Ackerman
Baldwin
Bass (CA)
Becerra
Billbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Frank (MA)
Fudge
Garamendi
Gibson

Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Critz
Latham
Lee (CA)
Levin
Lewis (GA)
Loebach
Lowey
Lynch
Markey
Matheson
Matsui
McCarthy (NY)
McColum
McDermott
McGovern
McIntyre
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal

Nugent
Oliver
Pallone
Pascarell
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—260

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Berkley
Biggart
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza

Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Burton (IN)
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner

Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Flores
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)

Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
LaTourette
Latta
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Mack
Maloney
Manzullo
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem

Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Rohy
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Sanchez, Linda
T.
Scalise
Schilling
Schmidt

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

NOT VOTING—21

Baca
Berman
Castor (FL)
Chu
Coble
Fattah
Filner

Gutierrez
Hahn
Hanna
Lewis (CA)
Marchant
McKeon
Miller, Gary

Napolitano
Paul
Platts
Richardson
Rothman (NJ)
Shuler
Slaughter

□ 1405

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. Filner. Madam Chair, on rollcall 324, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

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. NUGENT) having assumed the chair, Ms. ROS-LEHTINEN, 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.

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

Mr. BROWN of Georgia. Mr. Speaker, pursuant to rule XXII, clause 7(c), I

hereby announce my intention to offer a motion to instruct on H.R. 4348.

The form of the motion is as follows:

Mr. Broun of Georgia moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to insist on provisions that limit funding out of the Highway Trust Fund (including the Mass Transit Account) for Federal-aid highway and transit programs to amounts that do not exceed \$37,500,000,000 for fiscal year 2013.

□ 1410

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. ADERHOLT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5855, and that I may include tabular material on the same.

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

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 consideration of the bill, H.R. 5855.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1411

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 consideration of the bill (H.R. 5855) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Alabama (Mr. ADERHOLT) and the gentleman from North Carolina (Mr. PRICE) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ADERHOLT. Madam Chair, I yield myself such time as I may consume.

Madam Chair, it was 68 years ago today that more than 9,000 Allied soldiers were killed and wounded during the D-day invasion in Normandy, France. That courageous operation, as well as the sacrifice of so many brave individuals, serves as a sobering reminder that freedom and security are not free. It is with this solemn commitment to both freedom and security that I respectfully present to the people's House the FY 2013 appropriations bill for the Department of Homeland Security.