

Rooney	Sessions	Wagner
Ros-Lehtinen	Sewell (AL)	Walden
Roskam	Shea-Porter	Walorski
Ross	Sherman	Walz
Rothfus	Shuster	Wasserman
Royce	Simpson	Schultz
Ruiz	Smith (NE)	Waters
Runyan	Smith (NJ)	Watt
Ruppersberger	Smith (TX)	Waxman
Ryan (OH)	Smith (WA)	Webster (FL)
Ryan (WI)	Speier	Welch
Sanford	Stewart	Wenstrup
Scalise	Stutzman	Westmoreland
Schiff	Takano	Whitfield
Schneider	Thornberry	Williams
Schock	Tiberi	Wilson (FL)
Schrader	Titus	Wilson (SC)
Schwartz	Tonko	Wolf
Scott (VA)	Tsongas	Womack
Scott, Austin	Upton	Yarmuth
Scott, David	Van Hollen	Yoho
Sensenbrenner	Vargas	Young (IN)
Serrano	Vela	

NAYS—138

Amash	Graves (MO)	Nugent
Andrews	Green, Gene	Paulsen
Bass	Griffin (AR)	Pearce
Benishek	Griffith (VA)	Perry
Bishop (GA)	Gutiérrez	Peters (MI)
Bishop (NY)	Hanna	Peterson
Brady (PA)	Heck (NV)	Pittenger
Braley (IA)	Herrera Beutler	Pitts
Broun (GA)	Holding	Poe (TX)
Bucshon	Honda	Price (GA)
Burgess	Hudson	Radel
Capuano	Israel	Rahall
Carson (IN)	Jenkins	Reed
Castor (FL)	Johnson (OH)	Reichert
Chu	Jordan	Renacci
Clarke	Joyce	Rigell
Cleaver	Keating	Roe (TN)
Clyburn	Kelly (IL)	Roybal-Allard
Coffman	Kilmer	Rush
Cohen	Kind	Sánchez, Linda
Collins (GA)	Kinzinger (IL)	T.
Conaway	Lance	Sanchez, Loretta
Conyers	Latham	Sarbanes
Costa	Latta	Schakowsky
Cotton	Lee (CA)	Sires
Courtney	Lewis	Slaughter
Crowley	LoBiondo	Smith (MO)
Cuellar	Lowenthal	Southerland
Cummings	Lynch	Stivers
Davis, Rodney	Maffei	Stockman
DeFazio	Maloney,	Swalwell (CA)
Denham	Carolyn	Thompson (CA)
DeSantis	Maloney, Sean	Thompson (MS)
Dingell	Marchant	Thompson (PA)
Duckworth	Markey	Tierney
Duffy	Matheson	Tipton
Edwards	Matsui	Turner
Fitzpatrick	McDermott	Valadao
Fleming	McGovern	Veasey
Flores	McIntyre	Velázquez
Foxx	Messer	Visclosky
Gabbard	Miller (FL)	Walberg
Garamendi	Miller, George	Weber (TX)
Garcia	Mulvaney	Wittman
Gardner	Napolitano	Woodall
Gerlach	Neal	Yoder
Gibson	Nolan	

ANSWERED "PRESENT"—1

Owens

NOT VOTING—33

Barber	Holt	Pallone
Boustany	Horsford	Pastor (AZ)
Buchanan	Hoyer	Rangel
Butterfield	Hunter	Rogers (KY)
Campbell	Hurt	Salmon
Diaz-Balart	Johnson, E. B.	Schweikert
Franks (AZ)	Kirkpatrick	Shimkus
Fudge	McCarthy (NY)	Sinema
Gohmert	Moore	Terry
Gosar	Negrete McLeod	Young (AK)
Grijalva	Nunnelee	Young (FL)

□ 1348

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 308 on ordering the previous question on H. Res. 288, providing for

consideration of the bill (H.R. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes. Had I been present, I would have voted "yea."

Mr. Speaker, I was not present for rollcall vote No. 309 on H. Res. 288, providing for consideration of the bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes. Had I been present, I would have voted "yea."

Mr. Speaker, I was not present for rollcall vote No. 310 on approval of the journal. Had I been present, I would have voted "yea."

AUTHORIZING USE OF EMANCIPATION HALL FOR CEREMONY HONORING NELSON MANDELA

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 43, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. WEBSTER). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 43

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY HONORING NELSON MANDELA.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on July 18, 2013, for a ceremony honoring the life and legacy of Nelson Mandela on the occasion of the 95th anniversary of his birth. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

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 include extraneous material on consideration of H.R. 2609, and that I might 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 288 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. 2609.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 1352

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. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes, with Mr. HULTGREN 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 New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may consume.

It is my honor to bring the fiscal year 2014 Energy and Water Development bill before the membership of the House.

However, before I go through its highlights, I would like to thank my ranking member, Ms. KAPTUR, for her partnership on this bill and hard work and friendship. It's been a real honor to work with you, and I look forward to working with you to get through the entire process. I would also like to thank all the members of our committee on both sides of the aisle for putting this bill so quickly together and so responsibly.

I would also like to recognize the hard work of Chairman ROGERS and Ranking Member LOWEY to bring this bill, and several others before it, to the floor under an open rule.

The bill for fiscal year 2014 totals \$30.4 billion, \$2.9 billion below last year's levels and more than \$4 billion below the President's request.

The budget allocation we received this year made for some very difficult decisions, but in our bipartisan tradition, we worked hard to incorporate priorities and perspectives from both sides of the aisle.

Mr. Chairman, we placed the greatest priority on national defense, our nuclear deterrent, also the critical work of the Army Corps of Engineers and other activities on which the Federal Government must take the lead. The reductions we had to make to the applied energy research and development programs will shift more of their work to the private sector.

The bill provides \$7.6 billion, an increase of \$98 million above the fiscal year 2013 amount, to modernize the Nation's nuclear weapons stockpile and its supporting infrastructure, excluding rescissions.

I would also like to note that the recommendation contains no funding to

implement the President's recently announced plans in Berlin to reduce the nuclear stockpile. No funding for such purposes will be available until Congress has judged that these plans will fully support our national defense.

The recommendations increase the Corps of Engineers by \$50 million above the President's request and redirects funds to ensure our waterways and harbors keep America open for business and economically competitive. These waterways and harbors handled foreign commerce valued at more than \$1.7 trillion last year alone. As in previous fiscal years, the bill maintains the constitutional role of Congress in the appropriations process by ensuring that all worthy Corps of Engineers projects have a chance to compete for funding.

Basic science programs total \$4.7 billion, just above last year's post-sequestration levels.

Environmental cleanup programs to address the legacy of the Manhattan Project and other contaminated sites are funded at \$5.5 billion, approximately \$185 million above the post-sequester levels for fiscal year 2013.

In order to find room for the bill's core priorities, applied energy research and development had to be cut. The

recommendation prioritizes funding in this area for programs which truly support American manufacturing jobs, stable energy prices, and diversity of energy supplies.

Our bill includes \$450 million for fossil energy technologies and \$650 million for nuclear energy activities. Both of these programs are cut below the fiscal year 2013 post-sequester level.

The bill combines the electricity delivery program and the energy efficiency and renewable energy program, and provides \$983 million for these activities, excluding rescissions. The recommendation orients these programs to focus on electricity infrastructure resilience—to include cybersecurity—and gasoline prices.

Finally, on Yucca Mountain, our recommendation includes \$25 million to sustain the program, along with similar language as last year's prohibiting activities which keep that facility from being usable in the future. It also includes support for the Nuclear Regulatory Commission to get that Yucca license application finally finished. No funding is included for requested activities to move past the Yucca Mountain repository program. If and when Congress authorizes changes to the

program of record, the committee will consider funding for alternatives.

Mr. Chairman, this bill recognizes our fiscal realities and makes the tough decisions to ensure we get our spending under control without sacrificing our most critical of Federal functions. I'm expecting a vigorous and open debate during an open process over the coming days so all can have a chance to contribute to this legislation.

Before I reserve the balance of my time, I want to thank those who helped bring this bill on the floor. On the majority side: our clerk, Rob Blair; Angie Giancarlo; Ben Hammond; Loraine Heckenberg; Perry Yates; Adam Borrelli. On the minority side: Taunja Berquam. From our personal offices, Ms. KAPTUR's: Nathan Facey, her deputy chief of staff; and Ryan Steyer. From my staff: Nancy Fox, my chief of staff; and Katie Hazlett.

All of these individuals and others behind the scenes make this process work, one that we can be proud of, and I think we have a bill that, indeed, we can be proud of.

I reserve the balance of my time.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2014 (H.R. 2609)
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
Investigations.....	125,000	90,000	90,000	-35,000	---
Supplemental (P.L. 113-2) (emergency).....	50,000	---	---	-50,000	---
Subtotal.....	175,000	90,000	90,000	-85,000	---
Construction.....	1,674,000	1,350,000	1,343,000	-331,000	-7,000
Supplemental (P.L. 113-2).....	3,461,000	---	---	-3,461,000	---
Subtotal.....	5,135,000	1,350,000	1,343,000	-3,792,000	-7,000
Mississippi River and Tributaries.....	252,000	279,000	249,000	-3,000	-30,000
Operations and Maintenance.....	2,410,000	2,588,000	2,682,000	+272,000	+94,000
Supplemental (P.L. 113-2) (emergency).....	821,000	---	---	-821,000	---
Subtotal.....	3,231,000	2,588,000	2,682,000	-549,000	+94,000
Regulatory Program.....	193,000	200,000	193,000	---	-7,000
Formerly Utilized Sites Remedial Action Program (FUSRAP).....	109,000	104,000	104,000	-5,000	---
Flood Control and Coastal Emergencies.....	27,000	28,000	28,000	+1,000	---
Supplemental (P.L. 113-2) (emergency).....	1,008,000	---	---	-1,008,000	---
Subtotal.....	1,035,000	28,000	28,000	-1,007,000	---
Expenses.....	185,000	182,000	182,000	-3,000	---
Supplemental (P.L. 113-2) (emergency).....	10,000	---	---	-10,000	---
Subtotal.....	195,000	182,000	182,000	-13,000	---
Office of Assistant Secretary of the Army (Civil Works).....	5,000	5,000	5,000	---	---
=====					
Total, title I, Department of Defense - Civil... Appropriations.....	10,330,000 (8,441,000)	4,826,000 (4,826,000)	4,876,000 (4,876,000)	-5,454,000 (-3,565,000)	+50,000 (+50,000)
Emergency appropriations.....	(1,889,000)	---	---	(-1,889,000)	---
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah Project construction.....	---	---	6,425	+6,425	+6,425
Fish, wildlife, and recreation mitigation and conservation.....	---	---	1,000	+1,000	+1,000
Central Utah Project Completion Account.....	19,700	---	---	-19,700	---
Subtotal.....	19,700	---	7,425	-12,275	+7,425
Program oversight and administration.....	1,300	---	1,300	---	+1,300
Total, Central Utah project completion account..	21,000	---	8,725	-12,275	+8,725
Bureau of Reclamation					
Water and Related Resources.....	895,000	791,135	812,744	-82,256	+21,609
Central Valley Project Restoration Fund.....	53,068	53,288	53,288	+220	---
California Bay-Delta Restoration.....	39,651	37,000	30,000	-9,651	-7,000
Policy and Administration.....	60,000	60,000	60,000	---	---
Indian Water Rights Settlements.....	---	78,661	---	---	-78,661
San Joaquin River Restoration Fund.....	---	26,000	---	---	-26,000

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2014 (H.R. 2609)
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Central Utah Project Completion Account.....	---	3,500	---	---	-3,500
Total, Bureau of Reclamation.....	1,047,719	1,049,584	956,032	-91,687	-93,552
Total, title II, Department of the Interior.....	1,068,719	1,049,584	964,757	-103,962	-84,827
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Renewable Energy, Energy Reliability and Efficiency...	---	---	982,637	+982,637	+982,637
Energy Efficiency and Renewable Energy.....	1,814,091	2,775,700	---	-1,814,091	-2,775,700
Electricity Delivery and Energy Reliability.....	139,500	169,015	---	-139,500	-169,015
Nuclear Energy.....	759,000	735,460	656,389	-102,611	-79,071
Fossil Energy Research and Development.....	534,000	420,575	450,000	-84,000	+29,425
Naval Petroleum and Oil Shale Reserves.....	14,909	20,000	14,909	---	-5,091
Strategic Petroleum Reserve.....	192,704	189,400	189,400	-3,304	---
Northeast Home Heating Oil Reserve.....	10,119	8,000	8,000	-2,119	---
Rescission.....	-6,000	---	---	+6,000	---
Subtotal.....	4,119	8,000	8,000	+3,881	---
Energy Information Administration.....	105,000	117,000	100,000	-5,000	-17,000
Non-defense Environmental Cleanup.....	235,721	212,956	194,000	-41,721	-18,956
Uranium Enrichment Decontamination and Decommissioning Fund.....	472,930	554,823	545,000	+72,070	-9,823
Science.....	4,876,000	5,152,752	4,653,000	-223,000	-499,752
Advanced Research Projects Agency-Energy.....	265,000	379,000	50,000	-215,000	-329,000
Race to the Top for Energy Efficiency and Grid Modernization.....	---	200,000	---	---	-200,000
Title 17 Innovative Technology Loan Guarantee Program	38,000	48,000	22,000	-16,000	-26,000
Offsetting collection.....	-38,000	-22,000	-22,000	+16,000	---
Subtotal.....	---	26,000	---	---	-26,000
Advanced Technology Vehicles Manufacturing Loans program.....	6,000	6,000	6,000	---	---
Departmental Administration.....	237,623	226,580	187,863	-49,760	-38,717
Miscellaneous revenues.....	-108,000	-108,188	-108,188	-188	---
Net appropriation.....	129,623	118,392	79,675	-49,948	-38,717
Office of the Inspector General.....	42,000	42,120	42,000	---	-120
Total, Energy programs.....	9,590,597	11,127,193	7,971,010	-1,619,587	-3,156,183
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons Activities.....	7,577,341	7,868,409	7,675,000	+97,659	-193,409
Defense Nuclear Nonproliferation.....	2,434,303	2,140,142	2,100,000	-334,303	-40,142
Naval Reactors.....	1,080,000	1,246,134	1,109,000	+29,000	-137,134
Office of the Administrator.....	410,000	397,784	382,000	-28,000	-15,784
Total, National Nuclear Security Administration.....	11,501,644	11,652,469	11,266,000	-235,644	-386,469
Environmental and Other Defense Activities					
Defense Environmental Cleanup.....	5,023,000	4,853,909	4,750,000	-273,000	-103,909
Defense Environmental Cleanup (legislative proposal)...	---	463,000	---	---	-463,000

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2014 (H.R. 2609)
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other Defense Activities.....	823,364	749,080	830,000	+6,636	+80,920
Total, Environmental and Other Defense Activities.....	5,846,364	6,065,989	5,580,000	-266,364	-485,989
Total, Atomic Energy Defense Activities.....	17,348,008	17,718,458	16,846,000	-502,008	-872,458
Power Marketing Administrations /1					
Operation and maintenance, Southeastern Power Administration.....	8,428	7,750	7,750	-678	---
Offsetting collections.....	-8,428	-7,750	-7,750	+678	---
Subtotal.....	---	---	---	---	---
Operation and maintenance, Southwestern Power Administration.....	45,010	45,456	45,456	+446	---
Offsetting collections.....	-32,308	-33,564	-33,564	-1,256	---
Subtotal.....	12,702	11,892	11,892	-810	---
Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration.....	285,900	299,919	299,919	+14,019	---
Offsetting collections.....	-194,000	-203,989	-203,989	-9,989	---
Subtotal.....	91,900	95,930	95,930	+4,030	---
Falcon and Amistad Operating and Maintenance Fund.....	4,169	5,331	5,331	+1,162	---
Offsetting collections.....	-3,949	-4,911	-4,911	-962	---
Subtotal.....	220	420	420	+200	---
Total, Power Marketing Administrations.....	104,822	108,242	108,242	+3,420	---
Federal Energy Regulatory Commission					
Salaries and expenses.....	304,600	304,600	304,600	---	---
Revenues applied.....	-304,600	-304,600	-304,600	---	---
=====					
Total, title III, Department of Energy.....	27,043,427	28,953,893	24,925,252	-2,118,175	-4,028,641
Appropriations.....	(27,049,427)	(28,953,893)	(24,925,252)	(-2,124,175)	(-4,028,641)
Rescissions.....	(-6,000)	---	---	(+6,000)	---
=====					
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission.....	68,263	64,618	70,317	+2,054	+5,699
Defense Nuclear Facilities Safety Board.....	29,130	29,915	29,915	+785	---
Delta Regional Authority.....	11,677	11,319	11,319	-358	---
Denali Commission.....	10,679	7,396	7,396	-3,283	---
Northern Border Regional Commission.....	1,497	1,355	1,355	-142	---
Southeast Crescent Regional Commission.....	250	---	250	---	+250
Nuclear Regulatory Commission:					
Salaries and expenses.....	1,027,240	1,043,937	1,043,937	+16,697	---
Revenues.....	-899,726	-920,721	-920,721	-20,995	---
Subtotal.....	127,514	123,216	123,216	-4,298	---
Office of Inspector General.....	10,860	11,105	11,105	+245	---
Revenues.....	-9,774	-9,994	-9,994	-220	---
Subtotal.....	1,086	1,111	1,111	+25	---
Total, Nuclear Regulatory Commission.....	128,600	124,327	124,327	-4,273	---
Nuclear Waste Technical Review Board.....	3,400	3,400	3,400	---	---

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2014 (H.R. 2609)
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects.....	1,000	1,000	1,000	---	---
Total, title IV, Independent agencies.....	254,496	243,330	249,279	-5,217	+5,949
Appropriations.....	(254,496)	(243,330)	(249,279)	(-5,217)	(+5,949)
TITLE V - GENERAL PROVISIONS					
Sec. 508 Rescissions:					
Corps of Engineers.....	---	-100,000	-200,000	-200,000	-100,000
Department of Energy: Energy Efficiency and Renewable Energy.....	---	---	-157,000	-157,000	-157,000
Department of Energy: Weapons Activities.....	---	---	-142,000	-142,000	-142,000
Department of Energy: Defense Nuclear Nonproliferation.....	---	---	-20,000	-20,000	-20,000
Total, Title V, General Provisions.....	---	-100,000	-519,000	-519,000	-419,000
Grand total.....	38,696,642	34,972,807	30,496,288	-8,200,354	-4,476,519
Appropriations.....	(36,813,642)	(35,072,807)	(31,015,288)	(-5,798,354)	(-4,057,519)
Rescissions.....	(-6,000)	(-100,000)	(-519,000)	(-513,000)	(-419,000)

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling.

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume.

I appreciate Chairman FRELINGHUYSEN's able and collegial leadership throughout this process and efforts to assemble a bill in an inclusive manner in our subcommittee. I also want to say what a pleasure it was to work with him, and I wish all subcommittees could work as effectively.

I want to thank Chairman ROGERS and Ranking Member LOWEY for their efforts to restore a semblance of regular order to this House in consideration of our appropriations bills, and I want to thank all members of our subcommittee for their thoughtful deliberation in considering the best interests of our Nation as they relate to energy and water development and, importantly, America's nuclear security.

I appreciate the dedication, hard work, and sound judgment of our committee staff on both sides of the aisle. On the majority committee staff side: Rob Blair, Ben Hammond, Loraine Heckenberg, Angie Giancarlo, Perry Yates, and Adam Borrelli. And on the minority committee staff side: Taunja Berquam; from the Chairman's personal office, Katie Hazlett and Nancy Fox; and finally my staff, Ryan Steyer, Nathan Facey, and Steve Fought.

□ 1400

While Chairman FRELINGHUYSEN's worthy efforts are to be commended in the highest way, the allocation imposed on our subcommittee by the Republican leaders of this House, and its Budget Committee, move America backwards in a global economy where our Nation's future is at stake.

The Budget Committee's directive to us reminds me of a seafaring expression: "If you don't know which way your ship is headed, you're bound to run aground or die at sea."

This bill runs America aground. It says to future generations, we'll risk your lives floating lost at sea. It's simply inadequate to meet the needs of our Nation.

America's budget deficit spiked because high unemployment, resulting from Wall Street's abandon and over a decade of war, caused high unemployment that reduced Federal revenues.

This bill will not embrace the future, nor create the necessary jobs to reverse that trend and lift up America's working families. Our focus has to be on the future, on creating jobs and opportunity, with every single measure that comes before this House.

Foreign energy dependence is our Nation's chief strategic vulnerability. This bill abandons America's quest for energy independence, which has the potential to create millions of new jobs.

For every American life lost in pursuit of our Nation's national security, now dependent on energy imports, I dedicate my work on this bill today. And I also dedicate my work on the floor in memory of Judge Francis "Buddy" Restivo, a World War II veteran who passed this weekend, and just a phenomenal citizen of our country.

This bill not only guts funding for alternative energy research and development, it officially heralds the Republican majority's embrace of sequestration.

Sequestration is the most vivid symbol of congressional negligence. With that one dreadful bill, the Republican majority manages not only to turn its back on energy independence, but also to surrender its congressional responsibility to manage the budget of our country responsibly. The majority has waved the white flag.

This year, in the Lake Erie region, we are celebrating the heroics of Commodore Oliver Hazard Perry, hero of the pivotal battle of Lake Erie in the War of 1812. Oliver Hazard Perry's motto was "Don't give up the ship."

The majority's motto is "We just give up." We give up trying to perform our constitutional responsibilities with respect to fiscal affairs. We give up trying to create the much-needed jobs that will restore our fiscal footing. We give up trying to help America break free of its dependence on imported petroleum. We just give up. Let the mindless sequester be the status quo.

It's no mystery why Congress' approval ratings have hit an all-time low. This policy is running our economic ship of state aground when we need full sail ahead.

The allocation for the energy and water bill is \$30.4 billion, which is \$4.1 billion below the administration's request and \$2.8 billion below last year's level. There are further allocation cuts beyond even sequestration levels, resulting in deep and severe reductions made to important priorities within the bill.

The chairman worked to include resources for many Federal priorities, including the Corps of Engineers, the Advanced Manufacturing Office, nuclear safety and cleanup, and the bill also prioritizes some of the nuclear security programs.

But funding these programs came at the expense of others so vital to future energy systems for our Nation, including renewable energy, cut by nearly 60 percent, and advanced energy research at ARPA-E, which received an 81 percent reduction.

Shortchanging critical energy and infrastructure investments will slow economic growth and job creation, hindering America's competitiveness.

Let us look at the water accounts. We must continue to invest in America. The scope of damage caused by natural disasters like Hurricane Sandy have laid bare the inadequacies of our water infrastructure.

The Corps of Engineers budget currently has a backlog of authorized projects in excess of \$60 billion from coast to coast. But this bill continues a steady decline in water resources infrastructure, reducing the construction account by \$304 million from 2013.

Communities across our country will continue to erode as they experience, firsthand, this decreased investment.

The risks illustrated by the failure of flood control projects that the American people endured in the wake of Katrina are not gone. Communities across our country are in desperate need of investment, but this bill short-cuts that.

Take St. Louis, Missouri, or Sacramento, California, where a levee break could leave residents with as little as 20 minutes to flee before the water gets 1 foot deep, are just two examples of major metropolitan areas where the Corps must work harder and faster toward more comprehensive protection.

What sense does cleaning up after natural disasters make when preventive measures could prevent destruction and loss of life?

We should be doing more to build infrastructure and create jobs, not less. Investments now will yield future benefits that will far outweigh repayment costs. That is what the Hoover Dam was all about. That is what our Mississippi River lock and dam system is all about. That is what electrifying our Nation, rural and urban, was all about, great visions for a great Nation, not Lilliputian surrender.

On future energy systems, this bill would slash funding for applied energy research and development by more than half, even as foreign competition doubles down to develop 21st century technology while undermining our markets through illegal dumping and intellectual property theft.

Renewable energy is a vital leg of future energy independence beyond the fossil fuel age. It will achieve cost competitiveness, but the question is, which countries will develop and own those technologies?

The United States has spent \$2.3 trillion importing foreign petroleum since 2003, representing thousands and thousands of dollars out of the pockets of every hardworking American family. These are dollars diverted not to much-needed American job creation but overseas, assisting our competitors in developing their economies and their energy futures. We are ceding millions of jobs and trillions in income from this country to undemocratic kingdoms far from home.

Wake up, America. Wake up, Congress.

In 2012, every billion dollars of U.S. exports supported nearly 5,000 jobs here at home. But can you imagine what \$2.3 trillion in our energy trade deficit translates into lost jobs in America over the last 10 years?

It's a hemorrhage. Our Republic will not compete in this 21st century and beyond if we further reduce investments in this area and cede our energy future to other countries.

Predatory foreign competition in energy poses a real security threat to our country. I view it as the chief security threat to our country. I appreciate the chairman's commitment to ensure that technology developed with taxpayer dollars benefits our Nation first.

The Department of Energy, however, must do more to ensure that intellectual property supported by Federal dollars furthers the interests of the United States economy. And I'm concerned with the level of funding, but I appreciate the chairman's commitment to American manufacturing in this bill.

Manufacturing remains one of the most important job drivers in our economy, and there is little merit in using Federal dollars to foster technological advances or breakthroughs for products that are not ultimately made in America and manufactured domestically.

America must do more to reverse the trend of domestic firms shifting production overseas because, to put it simply, domestic manufacturing drives domestic innovation and jobs here in America.

Tragically, the science account critical to the competitiveness of our Nation is reduced by 5 percent from 2012. And, with an 81 percent reduction, 81 percent reduction in the new ARPA-E program, this bill would effectively end the most advanced research our Nation can launch. That is not a formula for success.

We are beginning to see the initial payment from the ARPA-E, which advances high-potential, high-impact energy technology so advanced it is too early for private sector investment. Return on investment from our publicly-funded research and development ranges from 20 to 67 percent. It's a home run.

With this rate of return, Congress should be increasing our investment in science. This bill moves us exactly in the opposite direction.

Finally, I remain concerned this bill increases spending for nuclear weapons upgrades at the expense of nuclear non-proliferation and cleanup. I support the funding to maintain our nuclear arsenal at acceptable levels, and I appreciate the efforts to improve program and project management, including the reporting requirement on Life Extension Programs at the National Nuclear Security Administration.

However, nonproliferation programs are on the front lines of our defense. They are the most cost-effective way to achieve the urgent goal of securing and reducing the amount of vulnerable bomb-grade material. But this bill cuts these critical efforts by \$559 million.

What sense does that make?

Further, I am concerned that the funding the bill includes for environmental management activities is insufficient to meet the Federal Government's legal obligations to clean up its defense nuclear waste.

In sum, this bill should achieve critical investments in our country. It fails to do so. It should promote job creation. It fails to do so. It should ensure national energy security and national security. It fails to do so. It should protect and promote vital infrastructure. It fails to do so. And it

should advance American competitiveness, and it fails to do so.

Unfortunately, Republicans on the Budget Committee continue to push the outrageous notion that we can balance our budget through cuts to non-defense discretionary spending, which accounts for only 17 percent of Federal spending. In so doing, they harm America's future in a very major way.

Again, I commend the chairman's effort, however the allocation for this bill is insufficient and irresponsible and I cannot, in good conscience, support it.

It is my firm hope that the committee will be provided a workable path toward the fiscal 2014 appropriation bills, and I look forward to the day we will return allocations to acceptable levels and to working with the chairman to draft a bill worthy of support.

Let me, before reserving the balance of my time, read that quote right up there above the Speaker's rostrum.

Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered.

That is our charge in this bill, and this bill fails.

Madam Chair, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), our very able ranking member of the Appropriations Committee.

Mrs. LOWEY. Well, I first want to thank the chair, and I appreciate your important work on this bill. And I would like to thank the chairman of the full committee, and the ranking member, for your leadership and for your eloquent statement on this bill. It has been a pleasure for me to work with you, and I thank you so very much.

I rise in strong opposition to this woefully inadequate bill. With an allocation of \$30.4 billion, \$2.8 billion less than the FY 2013 enacted level, when adjusted for Sandy reconstruction, and a little more than \$4 billion below the request, the consequences of following the majority's budget are crystal clear: the erosion of America's high-tech and scientific workforce, the loss of clean and renewable energy breakthroughs to countries like China, the abandonment of communities along our Nation's coastlines and waterways.

And with an 81 percent reduction in ARPA-E and a 60 percent, or \$700 million, reduction to energy efficiency, renewable energy and energy delivery and reliability programs compared to last year, this bill will leave our scientific and technological workforce ill-equipped to tackle the great challenges of our time. Such drastic cuts will force the Federal Government to with-

draw critical support for clean energy and renewable investments on the cusp of their maturity.

□ 1415

These funding levels will inflict great pain on the American people, who will be left jobless with the exportation of America's clean energy and innovation economy to China and other foreign competitors.

The consequence of allowing our competitors to gain ground is already evident. Last month, China's newest supercomputer, which was built almost entirely from Chinese parts, was deemed the fastest in the world, clocking in about twice as fast as the best American machine. If supercomputing is a measure of our scientific innovation, we are losing badly.

This bill also dramatically underinvests by \$300 million below last year in our Nation's water resource infrastructure, leaving homes, businesses, and communities vulnerable to damage from natural disasters like Superstorm Sandy. This decrease would compound prior cuts in 2011, 2012, and 2013, totaling \$769 million, of which \$688 million was cut from the Army Corps' construction account for projects we all know need to be done. Over 300 projects were suspended between 2011 and 2012. Are we going to abandon these projects forever? As a Member whose district was affected by Hurricane Sandy, I can attest that prevention is cheaper and smarter than paying for reconstruction later.

Additionally, decreasing investments in water infrastructure inhibits construction job creation, and local businesses and individuals will not reap the indirect economic benefits that encourages critical investments in their communities.

It is my firm hope that the majority will recognize that this bill does not provide a workable path forward and return to the spending levels agreed to under the Budget Control Act. To do otherwise is to purposely undermine efforts to support American job creation and economic growth.

I urge my colleagues to oppose the bill.

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

Ms. KAPTUR. Madam Chair, I yield 2 minutes to the gentleman from California, Representative BERA.

Mr. BERA of California. I rise today to applaud the committee for addressing a critical issue not just to my own hometown but to our Nation.

Most know Sacramento as the capital of the Golden State. What many don't know is that the Sacramento region, which sits at the confluence of the Sacramento and American Rivers, where they converge near the bay delta, has the second highest flood risk in the United States. Only New Orleans is at greater risk for flooding. And we know what happened in Hurricane Katrina.

The Folsom Dam Joint Federal Project is vital to protecting the region from disaster. We must continue

to fund these improvements to take pressure off our overburdened levees and keep people who work and live in the region safe. A flood in Sacramento would be devastating to the 1.4 million residents in our metropolitan area. The flood risk could result in closures of evacuation routes like Interstate 5 and Interstate 80, a shutdown of our international airport, and destruction of homes and hospitals, not to mention the irreversible tragic loss of life. Additionally, flooding could result in billions of dollars in potential damage, and it could take weeks or months to pump the water out of the region.

Another area of crucial importance that I hope this body will soon address is the Sacramento-American River levee system. Many of the levees in my area date from the 1870s, when farmers began building nearly 1,100 miles of protection around the Sacramento-San Joaquin Delta to control floodwaters and create farmland. Today, these levees are in desperate need of critical repair to help prevent a catastrophic disaster.

We all witnessed the devastation caused by Superstorm Sandy this past November. However, unlike a slow-moving hurricane, a breach of the levees could occur with little or no warning. In fact, Robert Bea, professor of engineering at the University of California, Berkeley, warns:

In terms of damage, deaths, and long-term costs, a rupture in the delta levees would be far more destructive than what happened in Hurricane Katrina. This is a ticking bomb.

The Acting CHAIR (Mrs. MILLER of Michigan). The time of the gentleman has expired.

Ms. KAPTUR. I yield the gentleman an additional 1 minute.

Mr. BERA of California. In 2006, Governor Arnold Schwarzenegger declared a state of emergency for California's levees. He signed an executive order directing agencies to identify, evaluate, and repair the levees. The citizens in Natomas levied themselves a tax; and they've already paid, along with the State of California, for 35 percent of the work. But we now need this body to allocate the rest to keep our region safe.

As the ranking member said, it is better to prevent a catastrophe than wait for that tragic loss of life. Addressing vital projects like the Sacramento-American River levees is crucial. It's what we should be doing. It puts people to work. It is time for us to come together as a body and get America working again and fund vital projects like the Sacramento-American River levees.

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

Ms. KAPTUR. Madam Chair, I yield 2 minutes to the gentlewoman from California, Representative JANICE HAHN.

Ms. HAHN. I'm disappointed that, once again, we're shortchanging American ports, businesses, and consumers by failing to fully utilize the receipts and surplus of the Harbor Maintenance Trust Fund on our ports.

When our ports aren't well maintained, when we fail to support their infrastructure and their dredging, we threaten more than \$3 trillion of economic output and over 13 million jobs. American consumers face higher costs and American businesses have a harder time competing globally.

Decades ago, Congress created a tax on the value of the goods imported through our ports to ensure that no American port would suffer underdredging. Yet, for years, Congress has failed to fully use the receipts of this tax on keeping our ports in good order. It has gotten so bad that the American Association of Port Authorities estimates that the full channel dimensions of our Nation's ports and harbors are available less than 35 percent of the time. Ships are constantly forced to light load or wait for high tide to enter U.S. harbors. Those inefficiencies and added costs ripple all the way back to the wallets of average Americans. I don't think it's right to make Americans pay for a tax and pay again for our failure to use that tax that we promised.

We may be increasing the amount of the Harbor Maintenance Trust Fund we are spending on ports in this bill, but it still \$700 million less than what our ports are owed. By the start of FY 2015, we will owe our ports nearly \$9 billion that should have gone to investments in our ports that would create jobs and keep us globally competitive. We can't wait anymore. We need to fully utilize the Harbor Maintenance Trust Fund as soon as possible.

Mr. FRELINGHUYSEN. Madam Chair, may I ask if the ranking member, Ms. KAPTUR, is prepared to close.

Ms. KAPTUR. Madam Chair, we have no further requests for time, and I yield back the balance of my time.

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

Mr. RAHALL. Madam Chair, the Energy and Water Subcommittee is to be commended for its efforts to present a more balanced and reasoned approach to America's energy needs, particularly with respect to numerous provisions that recognize coal's key role in our Nation's energy supply. I strongly support, for example, provisions in the bill that would block agency efforts to redefine fill and jurisdictional waters of the United States—both of which would have severe consequences for coal mining in my home state.

I am grateful to the Subcommittee for providing \$450 million for Fossil Energy Research and Development at the Department of Energy—a figure that is \$20 million above the President's request. That bump up represents the realization that coal is and will continue to be a vital part of America's energy portfolio throughout the foreseeable future. It is particularly significant given the overall budgetary constraints with which the Appropriations Committee is confronted and against the backdrop of anti-coal political fervor that seems to have taken hold in much of Washington these days.

As much as I welcome this additional funding, I feel it important to make the case for even more funding for coal research and de-

velopment. Just this week, in testimony before the Committee on Natural Resources, a representative for the Institute for Energy Research noted that coal continues to be an abundant domestic energy resource; that it provides more than 40 percent of energy production worldwide; and that other nations—including China and Germany—are ramping up coal-fired electricity generation. In fact, according to the Energy Information Administration, coal use in China has grown by 40 percent over the last decade.

However much the legions of wishful thinkers believe they can merely fantasize coal away, coal is real, it is here, and its use is on the rise globally.

Given that truth—one thing that coal supporters and coal opponents ought to agree on is that we should continue pursuing every avenue to find more and better ways to burn coal more cleanly and efficiently. Through the fossil energy program, public-private partnerships have led to huge improvements in the efficiency of coal power as well as dramatic reductions in the environmental effects of burning coal.

I believe that effort ought to continue and that the United States ought to continue leading that effort, but to do that we need to fund research and development robustly and better position our Nation to shape worldwide energy advances.

The Acting CHAIR. All time for general debate has 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. 2609

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, 2014, 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, \$90,000,000, 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), \$1,343,000,000, 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.

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, \$249,000,000, 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, \$2,682,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for 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, \$193,000,000, to remain available until September 30, 2015.

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, \$28,000,000, to remain available until expended.

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, \$182,000,000, to remain available until September 30, 2015, 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 this title 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.

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, 2015.

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.

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

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

Ms. KAPTUR. In looking at our bill and looking at some of the accounts, especially for the energy and water accounts and the general provisions, there was an excellent article in this week's International Herald Tribune. It talks about sound investments. I will read portions of it very briefly here. It talks about how the rate of economic growth in Germany is surpassing our own just now, and the unemployment rate as a result has dropped to 5.3 percent, and falling further—much lower than in the United States. It investigates why that is the case. It talks quite a bit here about the German economy having made investments whose future benefits will far outweigh repayment costs. This bill and its accounts, essentially, should be doing that; but, unfortunately, it cuts back on some of the most significant job growth.

The article goes on to say that the U.S. economy is still in doldrums. And that's because many of the needed workers and machines are now idle. If the country waits, it will need to bid them away from other tasks. Also, because of the sluggish economy, the materials required for the work are now relatively inexpensive. So this is really the time to encourage investment in our economy to lift the entire system.

The article goes on to talk about the fact that in Germany there had been certain austerity backers, they call them, and it says:

Now austerity backers urge—preposterously—that infrastructure repairs be postponed until government budgets are in balance. But would they also tell an indebted family to postpone fixing a leaky roof until it paid off all of its debts? Not only would the repair grow more costly with the delay, but the water damage would mount in the interim. Families should pay off debts, yes, but not in ways that actually increase their indebtedness in the longer term.

I found this article particularly instructive as we move amendments to the floor and move this bill forward.

In the article it says:

Austerity advocates object that more deficit spending now will burden grandchildren with crushing debt. That might be true if the proposal were to build bigger houses and stage more lavish parties with borrowed money.

But, in fact, the dollars were being invested in the nation in projects that were creating opportunity and infrastructure that would advance the worth of the nation in decades hence.

□ 1430

So I think that we ought to think about this as we proceed title by title in this bill and ask ourselves the question why it is that many of the important accounts, such as the Corps of Engineers—and several of our speakers today have referenced those—has been cut by \$104 million compared to this year's enacted level and falls far short of the investments that we need in one of the fundamentals in the country, and that is in water systems.

Madam Chair, I will place this article in the RECORD from the International Herald Tribune.

I also want to point out and place in the RECORD some of the severe cutbacks in this bill with more specificity:

The Renewable Energy, Energy Reliability, and Efficiency account is \$971 million less than the 2013 enacted level and \$1.96 billion less than the President's request;

The Department of Energy Office of Science is \$223 million less than 2013's enacted level and \$499.8 million less than the President's request;

The Advanced Research Projects Agency is \$215 million less than the 2013 enacted level and \$329 million less than the President's request;

The funding for environmental cleanup is \$243 million less than the 2013 enacted level and \$133 million less than the President's request;

The Nuclear Nonproliferation account is \$334 million less than the 2013 enacted level and \$40 million less than the President's request;

In terms of the Army Corps of Engineers, it is \$104 million less than the 2013 enacted level;

In the water resources projects within the Department of the Interior, there is a \$104 million reduction less than the 2013 enacted level and \$85 million less than the President's request.

So when we think about the cumulative impact of it, it is just extraordinary. And I will place this data in the RECORD as well.

I yield back the balance of my time.

[From the Global Edition of the New York Times, July 6-7, 2013]

WHEN DEBT IS A SOUND INVESTMENT
(By Robert H. Frank)

I recently spent a week in Berlin, where the entire city seemed under construction. In every direction, cranes and other heavy equipment dominated the landscape. Although many projects are in the private sec-

tor, innumerable others—including bridge and highway repairs, new subway stations, and other infrastructure work are financed by taxpayers.

But wait. Hasn't Germany been one of the most outspoken advocates of fiscal austerity after the financial crisis? Yes, and that's not a contradiction. Fiscally responsible businesses routinely borrow to invest, and, until recently, so did most governments.

Lately, however, fears about growing government debt have caused wholesale cuts in U.S. public investment. The Germans, of course, yield to no one in their distaste for indebtedness. But they also understand the distinction between consumption and investment. By borrowing, they have made investments whose future benefits will far outweigh repayment costs. There's nothing foolhardy about that.

The German experience suggests how Americans might move past the stalled debate about economic stimulus policy. In the aftermath of the financial crisis, the policy discussion began with economists in broad agreement that unemployment remained high because total spending was too low. Keynesian stimulus proponents argued that temporary tax cuts and additional government spending would bolster hiring. Austerity advocates countered that additional government spending would merely displace private spending and that Americans already had too much debt in any event. And the debate has languished there.

A preponderance of evidence suggests that Keynes was right. But as the German experience illustrates, progress is possible without settling that question. The Germans are investing in infrastructure, not to provide short-term economic stimulus, but because those investments promise high returns. Yet their undeniable side effect has been to bolster employment substantially in the short run.

Not all German public investments have met expectations. Berlin's new consolidated airport, for example, has experienced several delays and cost overruns, and parts of the city's recently constructed central rail station will be closed this autumn for major repairs. But private investment projects undergo occasional setbacks, too, and no one argues that businesses should stop investing on that account.

The Germans didn't become bogged down in a debate over stimulus policy, and they didn't explicitly portray their infrastructure push as stimulus. But that didn't hamper their strategy's remarkable effectiveness at putting people to work. The unemployment rate in Germany, at 5.3 percent and falling, is now substantially lower than that in the United States, where it ticked up to 7.6 percent in May and held there in June. (By contrast, in March 2007, before the financial crisis, the rate in Germany was 9.2 percent, about five percentage points higher than what it had been in the United States.)

A prudent investment is one whose future returns exceed its costs—including interest costs, if the money is borrowed. Opportunities meeting that standard abound in the infrastructure domain. According to the American Society of Civil Engineers, the United States has a backlog of about \$3.6 trillion in overdue infrastructure maintenance. No one in Congress seriously proposes that the country just abandon crumbling roads and bridges, and everyone agrees that the repair cost will grow sharply the longer we wait.

The case for accelerated infrastructure investment becomes more compelling with the U.S. economy still in the doldrums. That is because many of the needed workers and machines are now idle. If the country waits, it will need to bid them away from other tasks. Also because of the sluggish economy, the

materials required for the work are now relatively inexpensive. If the country waits, they will cost more. And long-term interest rates for the money to pay for the work continue to hover near record lows. They, too, will be higher if the country waits.

Austerity advocates object that more deficit spending now will burden grandchildren with crushing debt. That might be true if the proposal were to build bigger houses and stage more lavish parties with borrowed money—as Americans, in fact, were doing in the first half of the past decade. But the objection makes no sense when applied to long-overdue infrastructure repairs. A failure to undertake that spending will gratuitously burden the country's grandchildren.

In 2009, austerity proponents in the United States argued against stimulus, predicting that the economy would recover quickly and spontaneously. It didn't. Later, they said the country tried stimulus and it didn't work. But in the face of a projected \$2 trillion shortfall in the spending needed for full employment, Congress enacted a stimulus bill totaling only \$787 billion, spread over three years. And much of that injection was offset by cuts in state and local government spending.

Now austerity backers urge—preposterously—that infrastructure repairs be postponed until government budgets are in balance. But would they also tell an indebted family to postpone fixing a leaky roof until it paid off all its debts? Not only would the repair grow more costly with the delay, but the water damage would mount in the interim. Families should pay off debts, yes, but not in ways that actually increase their indebtedness in the longer term.

Austerity advocates, who have been wrong at virtually every turn, are unlikely to change their minds about stimulus policy. But with continued slow growth in the outlook, it's time to re-frame the debate. The best available option, by far, is to rebuild tattered infrastructure at fire-sale prices. If the austerity crowd disagrees, it should explain why in plain English.

HIGHLIGHTS OF 2014 ENERGY & WATER APPROPRIATIONS ACT

2014 mark: \$30.426 billion.

2014 budget request: \$34.483 billion.

2013 enacted (including Sandy reconstruction): \$36.744 billion.

2013 enacted (excluding Sandy reconstruction): \$33.240 billion.

The 2014 Energy & Water Appropriations Act would provide:

\$982.6 million for Renewable Energy, Energy Reliability, and Efficiency (not including a \$157 million rescission to 2013 funding), which is \$971 million less than the 2013 enacted level and \$1.96 billion less than the President's request for the same activities.

\$4.653 billion for the Department of Energy Office of Science, which is \$223 million less than the 2013 enacted level and \$499.8 million less than the President's request.

\$50 million for the Advanced Research Projects Agency—Energy (ARPA—E), which is \$215 million less than the 2013 enacted level and \$329 million less than the President's request.

\$5.5 billion for environmental cleanup activities, which is \$243 million less than the 2013 enacted level and \$133 million less than the President's request.

\$7.675 billion for Weapons Activities (not including a \$142 million rescission), which is \$97.7 million more than the 2013 enacted level and \$193.4 million less than the President's request.

\$2.1 billion for Nuclear Nonproliferation (not including a \$20 million rescission), which is \$334 million less than the 2013 enacted level and \$40 million less than the

President's request. The House bill also includes \$245 million in activities previously appropriated within the weapons account, as requested by the Administration.

\$1.109 billion for Naval Reactors, which is \$29 million more than the 2013 enacted level and \$137.1 million less than the President's request.

\$4.876 billion for the Army Corps of Engineers (not including a \$200 million rescission), which is \$104 million less than the 2013 enacted level and \$50 million more than the President's request.

\$965 million for water resources projects within the Department of Interior, which is \$104 million less than the 2013 enacted level and \$85 million less than the President's request.

SEQUESTRATION IMPACT ON ENERGY & WATER ACCOUNTS

This bill fails to address the sequester, ensuring it will harm our ability to meet energy and water needs next year, on top of the following impacts that are already taking hold.

Forgone hiring by Department of Energy of 300 full-time employees; reduced contractor labor by estimated 1,200 employee-years through furloughs, layoffs, and hiring deferrals; furlough of approximately 60 employee-years affecting approximately 3,600 contractor employees; and layoff or voluntary separation of more than 300 contractor employees.

Severe cuts to renewable energy and efficiency research, including \$16 million from advanced vehicle technologies, \$14 million from solar energy, \$10 million from biofuels, \$5 million from wind, \$3 million from hydropower, \$3 million from weatherization assistance, and \$5 million from electrical grid modernization.

Cuts to Office of Science delaying or cancelling laboratory construction, maintenance, and upgrades; and reducing math, computing, physics, atmospheric, and cytogenics research at labs and universities around the country.

Cuts to Environmental Management resulting in furloughs, terminated activity and forgone work at Hanford Site (WA), Idaho National Laboratory, Oak Ridge Reservation (TN), Savannah River Site (GA), and Waste Isolation Pilot Plant (NM).

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

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

Mr. UPTON. Madam Chair, I rise to commend the Committee on Appropriations for its leadership in resolving the nuclear waste issue. This is certainly a very crucial issue for all Americans.

Last year, I would remind us that the House voted 326-81 in favor of the Shimkus amendment to increase the bill's funding for Yucca Mountain license review. This year, the committee has once again reflected the will of the House not just by funding the license review, but also providing the Department of Energy the authority to transfer funds to the NRC, the Nuclear Regulatory Commission. It's my understanding that this provision gives both DOE and the NRC the flexibility to make sure that the Yucca Mountain licensing case gets optimum resources, where needed, to make real progress in meeting our Nation's need for a safe repository to isolate our spent nuclear fuel and high-level defense waste.

I yield to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. The gentleman from Michigan is correct: the Department of Energy would have the flexibility to transfer funds, as needed, to the Nuclear Regulatory Commission either from funds appropriated in our bill or from funds previously appropriated for this purpose that remain unspent. This language would also allow the Department of Energy to reprogram funds and subsequently transfer them to the NRC for this purpose, if necessary, to ensure that no one could claim that access to adequate funds is a barrier to completing the review of the Yucca Mountain license application.

Mr. UPTON. Well, I thank the gentleman from New Jersey. This approach really does build on last year's momentum to get the job done.

Consumers and taxpayers have paid over \$15 billion—that's "b" as in "big"—to find out whether Yucca Mountain would be a safe repository for civilian spent nuclear fuel and defense nuclear waste. They deserve an answer, yes, they do; and under this bill, they're going to get one.

I commend all the members of the Appropriations Committee for this. And I would urge all Members to vote "yes" on this appropriation bill for FY 2014 so that we can make additional resources available to perform the critical work.

I yield again to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for his comments. I would also like to recognize his leadership on this issue as the chairman of the House Energy and Commerce Committee. He has worked hard with his colleagues to ensure that the will of the people is heard. The administration must apply the law that Congress already enacted and get this job done.

We look forward to working with the gentleman to get this appropriation enacted and to get this license wrapped up at the Nuclear Regulatory Commission.

Mr. UPTON. I just want to say again, I want to compliment you and your staff. This has been a major issue for us for a good number of years, something that needs to get done. I look forward to continuing that strong relationship as we look to the future.

I yield back the balance of my time.

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

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

Mr. BLUMENAUER. Madam Chair, the dispatch with which the committee has moved forward made it not possible for me to offer the amendment that I was going to offer formally, but I just intend to deal with the issue very briefly for the committee and look forward to trying to work with the committee going forward.

Six years ago, in section 2032 of WRDA 2007, Congress directed the

President to issue a report describing the vulnerability of the United States to damage from flooding. In addition to examining the risk to public health and property, Congress instructed the President to undertake an assessment of existing programs to address flooding, the effectiveness of those programs, and recommendations about how to improve them. Unfortunately, despite almost daily reminders that we see about flooding in the news, this report has yet to be written.

The President has requested funding for this study in its annual budget requests for the Corps of Engineers. The fiscal year 2014 budget calls this study a "high priority evaluation of the Nation's vulnerability to inland and coastal flooding and of the effectiveness, efficiency, and accountability of existing programs and strategies." I agree. And the amendment that I would have offered would seek to provide funding for the Corps to finally undertake the study.

The need is clear. Flooding is America's most common natural disaster. From 2002 to 2011, total flood insurance claims averaged more than \$2.9 billion a year. Last month, a new FEMA report indicated that rising sea levels and increasingly severe weather are expected to increase the areas of the United States at risk by 45 percent by the end of this century.

The Federal Government, led by FEMA and the Corps of Engineers, plays a significant role in flood damage reduction and emergency response. Reducing flood damage is one of the core missions of the Corps. It builds levees, floodwalls, shore protection projects, and restores natural floodplains. However, our current understanding of the actions necessary to reduce vulnerability to flooding and, therefore, reduce the amount that we spend to respond to flooding is lacking.

If we could do this report, it would be very helpful. The Corps of Engineers spent \$1.5 billion annually on flood control activities for the last decade, and Congress has provided over \$26 billion in additional supplemental appropriations responding to flooding and other natural disasters over the same period.

Despite massive expenditures on flood control, flood damages have increased at alarming rates. Long-term average flood damages are more than double what they were earlier this century. Obviously, we're not doing everything right.

The cost of this study would only be \$1 million. The Investigations program is being funded at \$90 million. In order to reduce government spending, we need to know how much money we are continuing to throw at projects that may or may not help.

I would hope that we could work with the committee to make sure that we have the best information available before the Corps commits to even more projects. I would hope that we could work to make sure that this comes to

pass. It will make the job of the committee easier and will make a difference for Americans across the country.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

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.

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

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

Mr. GARAMENDI. The rapidity with which this process is moving, we might be dealing with the Transportation rather than the Energy and Water appropriations; therefore, my amendment apparently passed without an opportunity to present it.

We just heard our colleague from Oregon speak to the issue of flooding. I represent 200 miles of the Sacramento River, yet this bill ignores the need for this Congress to protect human life. This bill spends \$7.67 billion on nuclear weapons and cuts the money for levee protection.

Human life is at risk in my district, and yet this bill ignores the reality of flooding. When a flood occurs in my district, it's not in the summertime; it is not warm water. It is very, very cold water and thousands of lives are at risk. Yet the majority cannot seem to find the money necessary to protect human life, but plenty of money for nuclear weapons. Is this the priority, \$7.6 billion for nuclear weapons and not enough money to protect the lives of the citizens of this Nation from real danger, real floods? It's really going to happen, gentlemen and ladies of the majority.

The Corps of Engineers' budget is decimated, and for the last 3 years we have not been able to get one new project even though human life is at risk. Is that the priority? Apparently, human life is not.

Projects in my district: the Hamilton project for the last 3 years has been in the President's budget, yet no New START prohibitions place us in a dangerous situation in my district. Apparently, we need more nuclear weapons but not more levees. Is that the majority's position? \$7.6 billion for nuclear weapons, and not enough for a \$15 million project to protect the citizens of Hamilton City. You should be ashamed that that's your priority.

This particular appropriation bill is an abomination. It is a disgrace. It is a representation of the wrong priorities. But yet that's what you want to do. I suppose if this had not been a railroad and you weren't moving things so fast, I would have had an amendment opportunity to simply say that New START

vital to the life and well-being of citizens in this Nation should be in this bill, but I didn't have a chance to do that because of the railroad you're operating here.

Run it as you will, but at the end of the day there will be human life at stake, at risk, and, quite likely—quite likely—floods in the 200 miles of the Sacramento River and its tributary that I represent.

This is wrongheaded. This is wrong. Your priorities could not be worse. You should be ashamed that this is the priority you put. Levees will not be built. Human life will be at risk. But, presumably, that's what you want.

Ms. KAPTUR. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I wonder, for those that don't come from your part of the country, Congressman GARAMENDI, talk about what it's like to face that possibility of nonrepair of the facilities that you are discussing.

The Acting CHAIR. Members are reminded to direct their comments through the Chair.

Mr. GARAMENDI. I would be happy to address my comments through the Chair.

Madam Chair, the priorities that are in this bill are dead wrong. Natamas in Sacramento, 20-foot potential water in the wintertime, with the water temperature somewhere in the 40 to 50 degree range, perhaps human life can last 10 minutes—maybe—but that's the priority.

Hamilton City, the same situation. Yuba City, Marysville, the same situation. A winter storm in California and a levee break is deadly. This is not New Orleans, where you can stay in the water for a few hours. This is cold water temperature. And yet, Madam Chair, the majority's position is to build more nuclear weapons and not to build levees.

□ 1445

When the flood occurs, and it will, what will happen? Could we not take \$100 million out of the nuclear weapons account and put it into the levees account in the Army Corps of Engineers? Apparently not.

I yield back the balance of my time.

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

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

Mr. CALVERT. Madam Chair, I rise today in support of the Energy and Water appropriations bill on the floor, which I think appropriately reflects the need to spend taxpayer dollars responsibly in light of our current budgetary problems.

Total funding in this bill represents a decrease of \$2.9 billion below the fiscal year 2013 enacted level and \$700 million below the post-sequester level. While funding is reduced, this bill still provides critical resources for important

projects and programs that ensure our Nation continues to have access to affordable, reliable, and clean water and energy.

The bill also provides much-needed funding for our country's flood control projects that are constructed by the Army Corps of Engineers. My own district, California's 42nd District, is home to the Santa Ana River Mainstem project, which is one of the largest Corps projects west of the Mississippi River. I am pleased that the Corps and the Energy and Water Subcommittee continue to recognize the project's importance to providing adequate flood protection to the southern California region.

Additionally, in southern California, we recently lost 2,200 megawatts of power generation with the permanent shutdown of the San Onofre nuclear power plant. A significant generation shutdown of this nature creates tremendous uncertainty for ratepayers through our region.

Of course, energy production challenges are by no means exclusive to southern California. That is exactly why the energy programs funded in this bill are necessary. I am particularly pleased that our subcommittee has funded energy programs by taking an all-of-the-above approach that includes renewable, nuclear, and fossil fuels.

Americans rightfully expect affordable access to clean, affordable, and reliable energy and water. As a member of the Energy and Water Subcommittee, I believe we have done our best to meet those expectations with this bill, and I encourage all of my colleagues to support the bill.

In closing, I just want to thank Subcommittee Chairman FRELINGHUYSEN, as well as Chairman ROGERS, for their leadership and crafting a good, responsible bill.

I yield back the balance of my time.

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

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

Mr. LYNCH. Madam Chair, I would just like to raise an issue here with the amount of money in this bill that we are appropriating for the U.S. Army Corps of Engineers construction account. I have heard several of my colleagues here speak earlier on individual projects in their districts that affect their constituencies, and I am totally in agreement with that on both sides of the aisle.

But I do want to acknowledge the priority that should be recognized in this bill, and that is recognizing the impacts of these large coastal storms. I happen to represent the port of Boston and the community south of Boston along the south shore; a beautiful area that has a great number of towns with great history there. While they were not affected to the degree that New York and New Jersey were during Hurricane Sandy—Superstorm Sandy—a lot of their infrastructure was damaged

to the point of near collapse. So there is a great need for seawall reconstruction. They withstood that impact. They did the job that they were intended to do at the time that they were constructed. But I feel that this bill in its current form continues to undermine the ability of the Army Corps of Engineers to keep pace with the needed maintenance and reconstruction of our infrastructure.

I just want to call to mind the whole initiative here and what our priorities should be. We are, in many cases across the country, the beneficiaries of people who came before us and made the necessary investments in infrastructure. They saw the need, and we today, and up to today, have enjoyed a competitive advantage against some of our international neighbors because our infrastructure is there.

There is a definite increase in the number of these catastrophic storms. It seems like in my area we have 100-year storms every 3 or 4 years now. There is definitely something going on with climate change and the intensity of these storms.

It seems appropriate that we try to recognize the need here. I notice we are putting an awful lot of money into fossil fuel research and not nearly enough money to recognize the impact that climate change has already had on a lot of our coastal areas. We should be reinvesting in that infrastructure so that we are not faced with the total collapse that we saw in New York and New Jersey with Superstorm Sandy.

I just would call on my colleagues across the aisle in a request for bipartisanship and for recognizing the long-term interests of Americans across the country, Democrats and Republicans, and making sure that we use a commonsense approach in this bill. I think that we are off course with respect to the defunding of the construction account for the Army Corps of Engineers, not just for my district—I'm not saying that just for the communities that I represent who do have considerable need because of recent storms—I'm talking about all across the country. I'm talking about Republican districts as well as Democratic districts.

We have a wonderful organization here in the U.S. Army Corps of Engineers. They do fantastic jobs. We get more than our money's worth. We put \$1 into the U.S. Army Corps of Engineers and we get \$5 back or \$7 back, depending on the project. I think it is just wise stewardship to make sure they have the resources necessary to perform the reconstruction in some cases and maintenance in other cases of the seawalls along the east and west coast to make sure that we are indeed prepared for these storms that are inevitably coming.

I have an amendment later on at the appropriate time in this bill where I will be asking for additional money for the construction account of the U.S. Army Corps of Engineers.

I yield back the balance of my time.

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

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

Mr. BOUSTANY. Madam Chair, this is a fiscally responsible bill. It cuts \$2.9 billion below the fiscal year 2013 enacted level and it is \$4.1 billion below the President's request. That is an impressive achievement working in this very difficult fiscal environment that we are in today.

What I really find impressive about the bill and the work that's been done by the subcommittee chairman and the chairman and the Appropriations Committee is the fact that this bill sets some very good priorities. In fact, there is \$2 billion for navigation projects and studies to advance American competitiveness in our ability to export, which is critical for growth in the U.S. economy.

It includes \$1 billion of appropriation from the Harbor Maintenance Trust Fund. This is a record level. This is \$200 million more than what we saw in fiscal year 2013, something that is absolutely critical, because we know that our Federal ports, our harbors, are essential if we are going to be able to ship goods overseas. Getting the dredging funds is absolutely necessary because we lose economic efficiency. In fact, on the Mississippi River, every time we lose a foot of draft it is about \$1 million per ship, per day, in lost economic activity.

If we are going to get this economy growing, create value, create jobs, we have to export. To export, we have to have the waterways that allow us to do that. According to the Army Corps of Engineers, nearly 1,000 Federal ports and harbors have not been adequately maintained due to inadequate budgetary allocations over time.

This bill now takes a strong step forward to correct that. I want to thank Chairman ROGERS for this encouraging step forward for bringing attention to the fact that America's infrastructure—its ports, its locks, its dams, its inland waterways—are old and have not received the appropriate investment and have often been ignored. It has cost us time, it has cost us money, it has cost us economic growth, and it has cost us jobs.

Clearly, if we are expanding these trade agreements, looking at the Pacific with the Trans-Pacific Partnership, looking at a transatlantic agreement, we have to have our ports, our harbors, our waterways working at maximum efficiency if we are going to grow this economy.

Also, I want to compliment the chairman of the subcommittee and full committee as well for including language from my colleague, Congressman RODNEY ALEXANDER. This is language included in the bill requiring the Department of Energy to report on its plans to address the backlog of natural gas export applications, liquefied natural gas export applications, and to en-

courage the timely completion of this approval process.

Given the fact that so many of these applicants have been waiting for well over a year to get a decision from the Department of Energy, it is just unacceptable to have this kind of a backlog at a time when this is going to help us expand trade, help improve our trade deficit, it will help create jobs, it will help us with—actually, interestingly, help stabilize the price of natural gas so we will see more drilling, and help our energy security in the long-run.

So expediting this process, getting the Department of Energy to be held to account on the backlog of these permits is critically important because these companies have invested millions of dollars in this permitting process. To be sitting in limbo is just simply unacceptable.

I am very, very happy that Congressman ALEXANDER's language has been included in this base bill, and I want to thank the chairman for doing this.

I yield back the balance of my time.

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

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

Ms. KAPTUR. Madam Chair, I yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Chair, a few moments ago, I talked about priorities; \$7.6 billion plus for nuclear weapons.

We just heard the gentleman discuss the issue of locks and levees and ports, projects in my district for the ports, for deepening the channels, for rebuilding and expanding. The economic activity in this Nation is not going to be funded.

Do we really need to spend an additional \$7.6 billion-plus on nuclear weapons when we have over 8,000 of them—Russia 7,000, China 250—do we really need to spend the money there, or do we need to spend it on our economic activity, as the gentleman just said?

There is not enough money in the Corps of Engineers' budget to provide for all of the ports, all of the improvements that are needed, so that our ports on the west coast, the east coast, gulf coast can be competitive. Apparently, we have enough money.

Why don't we take some money out of this program and put it where it will be immediately beneficial? It's a matter of priorities. Where your money is is where your heart is. Okay. That's not where my heart is.

You talked about all-of-the-above energy. We ought to talk about all-of-the-above energy. Yet, ARPA-E, where we create the new science, the new technology, the new programs that will provide us with new energy sources, improved energy sources, and the improvement of all energy sources—gutted, gutted; an 87 percent reduction. The Office of Science, where we do real research, where we really can do all-of-the-above, whether it is coal or oil or renewables—gutted; a 73 percent reduction.

Where are our priorities? Where are the priorities of the House of Representatives? Is it to build more nuclear weapons that by the grace of God we will never use—8,000 of them? Or is it to build a levee? Or is it to make sure the researchers at our universities and laboratories have the money that they need to really deal with the problem of the future, which is climate change?

□ 1500

It's about priorities.

Madam Chair, it's about priorities, and through you, of course, I ask my colleagues: What are the priorities? They are listed very clearly in your legislation.

Ms. KAPTUR. I would just like to reclaim a couple of seconds here and place on the record that, as to the Army Corps of Engineers, the gentleman is correct. If we look back to the years 2011 and 2012, the bills terminated or suspended over 300 projects across this country. That is not an insignificant number. That is a very significant number. It's one of the reasons that we weren't able to put in New START, because we've got so many other wounded and casualties standing in line, waiting for assistance across the country, including the communities you represent.

Mr. GARAMENDI. Thank you.

I might just point out that, with sequestration this year, we took \$250 million out of the Corps of Engineers' budget, so we're building on a lower base. This is going to be tragedy and tragic—but, Madam Chair, these are our priorities. Oh, excuse me. These are not my priorities. These are the majority's priorities.

Ms. KAPTUR. I yield back the balance of my time.

Mr. HUIZENG of Michigan. Madam Chair, I move to strike the last word.

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

Mr. HUIZENG of Michigan. Madam Chair, I appreciate the opportunity to come down and speak about a very important issue that I know is important to you as well as to myself.

The Great Lakes are facing a crisis right now. The Great Lakes Navigation System is a critical international waterway that extends from the western part of Lake Superior. In fact, that point in the western part of Lake Superior is further west than St. Louis, Missouri—the Gateway to the West—and it extends all the way along the Saint Lawrence Seaway to the Atlantic Ocean, which is a distance of over 2,400 miles.

The U.S. portion of the system includes 140 harbors, 60 of which are deemed as commercial and 80 as recreational and harbors of refuge, and it includes over 600 miles of maintained navigation channels. The system can handle 200 million tons of cargo that generate and sustain nearly 130,000 good-paying jobs in the eight Great Lakes States, not to mention what

happens to our friends to the north and east and in the Canadian provinces and how important that relationship is with the trade that goes on. While the Army Corps of Engineers' national Operations and Maintenance account has increased by 20 percent from 1995 through 2012, the annual budget for the Corps' maintenance of harbors and navigation channels in the Great Lakes has remained virtually unchanged during that same period.

We all know of the challenges we are facing as a Nation financially—fiscally—but that, Madam Chair, does not seem right or fair to me, and it certainly is not an acknowledgment of the importance of the Great Lakes to our vital economy.

There are 18 million cubic yards of sediment right now clogging the Great Lakes' ports and waterways, which has reduced the amount of cargo shipped by over 500,000 tons over the course of the navigation season. To put this number into context, I own a gravel pit. I have dump trucks that go out and around. A normal-sized, standard dump truck is 10 yards. To put it in context, 18 million yards of sediment would be like 1.8 million dump truck loads of sediment that is out there right now.

In fiscal year '12, the Corps received \$45 million for maintenance dredging and \$95 million for navigation structure maintenance in the Great Lakes, but it's going to cost more than \$200 million to restore ports and waterways to what their designed depths and widths are. In order to make up that shortfall, the State of Michigan recently authorized over \$20 million—State funds only—in emergency dredging funds to ensure that commerce, tourism, and jobs remained available in port cities, big and small.

I commend the State of Michigan. However, the Federal Government has a constitutional requirement to maintain interstate commerce through those ports in and among the States as well as internationally. The funds that come from the Harbor Maintenance Trust Fund are paid for as a user fee of 0.125 percent on the value of cargo shipped. In the previous year, that equated to \$1.7 billion which was paid into the fund, but only \$804 million was used for the dredging and maintenance of our harbors because the trust fund, frankly, has been raided over the years to pay for other projects and unrelated projects sometimes.

I would like to thank my colleague for working towards a solution to this problem by reprioritizing spending, which is really what this is all about. We know that we have to reprioritize and reflect a \$1 billion disbursement from the Harbor Maintenance Trust Fund to the bill and encourage funding in the future.

I know that there is some specific language. Madam Chair, had I been able to have been down here, I would have offered an amendment that would have clarified our making sure that \$30 million that is put in for small ports

and subsistence ports would have been more clear. In the meantime, we must act before the crisis in the Great Lakes grows worse.

So I thank my friend from New Jersey for the work that he has done on this bill. While I would prefer more clarity, I am satisfied with the intent of the committee to help our ports, big and small.

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 want to thank the gentleman from Michigan for being a strong advocate for sufficiently maintaining his waterways and the Nation's waterways. These ports and channels are very important, not only to the Great Lakes' economy, but to our national economy, and I want to commend him for his attention to the needs of his constituents. He is extremely knowledgeable from a professional point of view and certainly as a Member of Congress, who voted to the needs of his constituents.

The committee has heard from many Members, including from those from the Great Lakes, who are concerned that the administration's budget processing has left small, remote, subsistence ports across the Nation unable to continue to conduct business due to inadequate or oftentimes nonexistent maintenance. These are what prompted the committee to include a minimum of \$30 million to be made available to such ports. The Great Lakes' ports will certainly be eligible for this funding. I believe our bill addresses his concerns to the greatest priority possible in light of other priorities which he mentioned in our bill, which are, obviously, balancing the Federal budget and controlling spending.

I want to thank our colleague for bringing the concerns of the Great Lakes' ports to our attention. We will do our level best to work with the gentleman. We honor his request.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

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. Not later than 120 days after 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 (Public Law 110-114; 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.

AMENDMENT OFFERED BY MR. KELLY OF PENNSYLVANIA

Mr. KELLY of Pennsylvania. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, line 21, after the period insert the following: "Further, the Army Corps of Engineers, in coordination with the Director of the United States Fish and Wildlife Service, the National Park Service, and the United States Geological Survey, shall lead a multi-agency effort to slow the spread of Asian Carp in the Ohio River basin and tributaries by providing high-level technical assistance, coordination, best practices, and support to State and local government strategies to slow, and eventually eliminate, the threat posed by Asian Carp. To the maximum extent practicable, the multiagency effort shall apply lessons learned and best practices such as those developed under the Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States, November 2007, and the Asian Carp Control Strategic Framework."

Mr. FRELINGHUYSEN. I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. KELLY of Pennsylvania. Madam Chair, part of the district that I represent is Lake Erie. I also have the Ohio River Watershed. My amendment would have allowed the Army Corps to combat the Asian carp in the Ohio River.

There are over 30 States affected by Asian carp, and this invasive fish is already throughout the Midwest. This is about protecting our regional economy, the fishing industry, and the livelihoods of all of us who rely on the water for our jobs.

This invasive species significantly alters the habitat. It crowds out native fish, and it is also a threat to boaters. I've worked very closely with Senator TOOMEY, with the Pennsylvania Fish and Boat Commission, as well as with legislators who represent that potentially affected area, to both study and develop plans of action to deal with this invasive species. This is what we understand:

Under just one measure, the Great Lakes fisheries generate U.S. economic activity of approximately \$7 billion annually, and our native fish populations, like walleye, perch, and lake herring, would be devastated by the Asian carp establishment, threatening this industry and the livelihoods of all of those who depend on this ecosystem's health.

I want to thank you, Mr. Chairman, for allowing me to bring this forward,

and I hope, in the future, we can take a look at it.

Madam Chair, I ask unanimous consent to withdraw the amendment, and I yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

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

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

Ms. KAPTUR. Madam Chair, I seek to identify my side with the gentleman's remarks on the importance of the Asian carp issue to the freshwater lakes of our country and certainly to Lake Erie. He and I share that. The lake is neither Republican nor Democratic. It is the largest fishery in the entire Great Lakes system, which contains 20 percent of the world's fresh surface water, and Lake Erie actually has more fish than all of the other Great Lakes combined.

Honestly, this Asian carp threat is truly a nightmare for those people and the multibillion-dollar industries—the maritime industry, our fisheries, our tourism centers. I especially appreciate the gentleman's desire to have a multi-agency effort and more dispatch within the executive branch to deal with the possibility of these fish, these very destructive fish, coming in and destroying our perch, our walleye—our native fish. It is a very, very worrisome invasive species to our lakes.

Mr. KELLY of Pennsylvania. Will the gentlelady yield?

Ms. KAPTUR. I yield to the gentleman.

Mr. KELLY of Pennsylvania. I want to thank you very much for your comments. The gentlelady from Minnesota (Ms. MCCOLLUM) is also very aware of this.

I think all of us who represent the Great Lakes area understand the danger that this fish is bringing into our Great Lakes and into the fishing industry. It is unbelievable the amount of damage that's being done, not only to the fishing industry, but also to boaters. For anybody who has seen film, this is a fish that actually comes out of the water and goes after boaters. It gets very easily aggravated. Now, you don't have to have a motor on the boat—you can be paddling the boat—and this fish will come out of the water and hit people. I have seven grandchildren whom I take out with me from time to time. The oldest one is 8 years old. These are small people. This fish is 70 pounds when it reaches its full maturity. It is a voracious eater. It is going to totally take over the Great Lakes, and it will ruin our fishing industry.

So I can't tell you how much I appreciate your comments and your concern. Also, I know this is not a Republican or a Democratic issue. This is an American issue that has to be looked into, and I thank you very much for your comments.

Ms. KAPTUR. In reclaiming my time, I have the desire to work with the gentleman in any way possible.

Literally, the gentleman is right. This fish is like a guided missile except there are millions of them, and until you actually see it happen, you don't believe it. It's like some kind of movie—"The Twilight Zone"—except it's real. It came from the aquaculture industry down in Mississippi, which had an accident, and they brought these fish in to do the cleaning in the fish tanks. Yet, when the walls were breached, they started swimming north in the Mississippi River, and now they are about 30 miles from the Chicago harbor and through the ship canal there. They are about 30 miles from there, but they're coming up into the St. Joseph River in Indiana. They've caught some there. We don't know about the Ohio River, but the Maumee River, which I represent—the largest river that flows into the Great Lakes—is a spawning area for walleye, for example, and this species is really a predator, one that could wipe out our entire multibillion-dollar fishing industry in the Great Lakes.

□ 1515

There is no scientific solution at this point. So I hope the administration is hearing us. I hope the Army Corps and the Department of the Interior and others are hearing us. Our country needs a real solution to prevent the spread of this predator into our freshwater lakes, and it is an unsolved challenge for the Nation.

So I thank the gentleman so much for coming to the floor today. You have my full support. I know the chairman of the full committee, Mr. FRELINGHUYSEN, will work with us in any way possible.

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 106. As of the date of enactment of this Act and each fiscal year hereafter, the Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, such funds as the Secretary and the Director of the Fish and Wildlife Service determine to be necessary to mitigate for fisheries lost due to Corps of Engineers projects, except that in no event may the amount of funds transferred pursuant to this section during any fiscal year exceed the amount identified for such purpose in the report accompanying the appropriations for that fiscal year.

SEC. 107. None of the funds made available in this Act or any other Act making appropriations for Energy and Water Development may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to such jurisdiction.

AMENDMENT NO. 1 OFFERED BY MR. MORAN

Mr. MORAN. Madam Chairwoman, 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 11, beginning on line 8, strike section 107.

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

Mr. MORAN. Madam Chairwoman, I just want to say Asian carp, is a very troubling situation. In fact, we've got the snakeheads in this part of the country that can walk on dry land from river to river and pond to pond. Something's happening, and it's not good. But I'm glad that the issue was raised.

Madam Chairwoman, I do have an amendment with our colleague, JOHN DINGELL. The amendment simply strikes section 107 of this bill. The reason for doing that is that section 107 would prevent the Corps of Engineers from updating regulations and guidance defining what waters and wetlands are subject to the Clean Water Act.

Even though everyone, including the building industry, agrees there's confusion regarding what waters fall under Federal jurisdiction, section 107 would deliberately continue this confusion. In fact, many private commercial interests have gone on record in support of clarifying the term "waters of the United States," but that clarification would be prohibited under section 107 of this bill.

Madam Chairwoman, there have been two Supreme Court cases on this subject: Solid Waste Agency of Northern Cook County in 2001 and Rapanos in 2006. Combined, these two rulings have created confusion and uncertainty regarding the limits of the Federal jurisdiction under the Clean Water Act. In layman's terms, the Court called into question the Federal Government's jurisdiction the further away the water was from where you could float a boat all year long. In both cases, though, a majority of the Court could not agree on where Federal jurisdiction should end. Intermittent streams and rivers that only flow seasonally, are they under Federal jurisdiction? Sixty percent of all stream miles in the lower 48 States fall into the category of intermittent or ephemeral; in other words, they don't exist for some part of the year, yet they receive 40 percent of all individual wastewater discharges.

Even more importantly, more than 117 million Americans get some of their drinking water from these very streams that don't flow year round. Section 107 of this bill, though, would ensure that these sources of drinking water remain at increased risk of pollution. And with rising temperatures, more severe droughts and climate change, the protection of our waters and wetlands are a greater concern than ever. That's why I mentioned the Asian carp and the snakeheads. Extreme things are happening, but the most important thing that's happening

is that climate change is creating a very extreme threat to every American, and we're seeing it in bodies of water across the country.

Before my colleague suggests that we shouldn't worry about climate change, that the States have authority in the absence of Federal authority, I should tell my friends that that argument doesn't hold water in States that use the Federal definition to run their program. Forty-eight States share common water bodies. Without Federal jurisdiction, no State can tell an upstream State what to do unless we have a baseline minimum Federal standard that all States must abide by.

Through a public comment process and appropriate congressional oversight, we can allow the administration to finalize its guidance and eventually move forward on a formal rulemaking process, or Congress could define navigable water ourselves. But why would this Congress do its job when it can complain about the administration not doing its job?

Madam Chairwoman, 2 years ago, the Court and EPA issued a draft guidance to provide additional clarity on this issue. They took public comment on the draft for 90 days and received over 230,000 comments on the guidance, comments that were overwhelmingly favorable. The draft guidance provides a more predictable and consistent procedure for identifying waters and wetlands protected under the Clean Water Act. It focuses on protecting smaller waterways that keep downstream water safe from upstream pollutants and on protecting adjacent wetlands that filter pollution and store waters and help keep communities safe from floods. The guidance also maintains all of the existing exemptions for agricultural discharges and identifies specific types of water bodies to which it does not apply, areas like artificial lakes and ponds and many types of drainage and irrigation ditches.

It does not extend Federal protection to any waters not historically protected under the Clean Water Act, and it's fully consistent with the law and the decisions and instructions of the Supreme Court. So I think we should let the administration go forward, provide greater clarity, and we can only do that by striking section 107.

I yield back the balance of my time.

Mr. GIBBS. Madam Chairwoman, I rise in opposition to the amendment.

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

Mr. GIBBS. Madam Chair, I rise in strong opposition to the gentleman's amendment to strike section 107 of the Energy and Water Development appropriations bill.

Section 107 prohibits the Corps of Engineers from developing, adopting, implementing, administering, or enforcing any change to the Corps and EPA rules and guidance defining the waters of the United States. This provision is aimed at the so-called "guidance" which the Environmental Protection

Agency and the Corps of Engineers have developed to expand the extent of waters covered by the Clean Water Act. This so-called guidance goes far beyond merely clarifying the scope of waters subject to the Clean Water Act programs. This guidance has been sitting around for nearly 3 years and is acting as de facto law.

By the agency's own admission, the guidance would substantially change Federal policy with respect to which waters fall under the jurisdiction of the Clean Water Act and significantly increase the scope of the Federal Government's power to regulate waters and land associated with those waters.

The effect of the guidance will be to reverse the decisions by the United States Supreme Court that recognized limits to the Federal Government's regulatory authority and to undermine the longstanding Federal-State partnership in the regulation of waters. This expansion has resulted in confusion, permitting delays, and added costs and burdens for communities, farmers, small businessmen, industries, and other Americans.

The administration has issued this so-called "guidance" and has refused to go to the rulemaking process, which violates the principles of the Administrative Procedures Act, the APA, and the intent of Congress when they enacted the law. The APA sets the standards for the activities and rulemaking for all Federal regulatory agencies and is designed to ensure those Federal agencies use open, uniform, and fair procedures. The requirements of the APA are not mere formalities.

In unilaterally developing its guidance, the administration has ignored calls from the State agencies and environmental groups, as well as Members of Congress, including almost half the Members of the House of Representatives, to proceed through the normal rulemaking procedures and has avoided consulting with the States, which are the Federal agency partners, in implementing the Clean Water Act.

This amendment condones the administration's willingness to ignore the requirements of the APA and supports the administration's Federal jurisdictional power grab under the Clean Water Act.

I urge Members to oppose this amendment, and I yield back the balance of my time.

Mr. DINGELL. Madam Chairwoman, 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. Madam Chairwoman, if you like confusion, keep the status quo and oppose the amendment.

If you want to get clarity and you want to understand and you want to get investment and progress and if you want to have people understand what the law is, support the amendment.

The proposal that has been put forward by the Corps of Engineers is clarity itself. It does not change the decision wrongly made by the Supreme Court, no matter how much I might dislike that decision. What it does is it allows people to know what the law is as set forth by the Supreme Court. Foreclosing the Corps of Engineers from carrying out its proper responsibilities under the law going back before 1899 is an act of extraordinary unwisdom and stupidity. My colleagues on the other side do not understand the issue. The simple fact of the matter is all this does is to allow the Corps of Engineers to tell the people of the United States what the law is with regard to what is navigable waters that may be affected by pollution, ditching, draining, and doing other things.

So when you vote to strike this section, you are not changing the law; you are allowing the Corps of Engineers to set forth what the rules happen to be, and you're allowing the Supreme Court to bring clarity to the decisionmaking of the United States and seeing to it that people may then go forward and invest and do the other things that are necessary in the light of the decision of the Supreme Court, which again, I repeat, is not changed, not by the amendment which is offered by my friend from Virginia.

I urge my colleagues to support the amendment offered by Mr. MORAN of Virginia because it brings clarity to a confused situation, and it makes plain and apparent what the law is.

So if you want to get progress so that people will know how they're going to invest in doing things that affect their property and the waters of the United States, supporting the amendment is the way to do it; and failing to support the amendment is to ensure that confusion will continue to exist and that businesses, industry, and the communities of the United States that need to act upon the waters to see to it that they are protected and that they are preserved, you're seeing to it by opposing the amendment that that cannot be done.

The Supreme Court was wrong in the decision which they made. I was here on the floor when we agreed that the navigable waters are all of the waters of the United States. The Supreme Court was either too ignorant or too lazy to bother reading that particular debate, but the legislative history of the law is clear. And I repeat, this does not move us back to the old way, and it does not change the unfortunate decision of the Supreme Court. What it does is it ensures that for the first time since this kind of amendment was offered on the floor, that we are able to finally begin to move forward to deal with the law as it affects navigability, the Clean Water Act, and the other things which are so important both to protecting our waters and to ensuring that business and industry may invest with a clear understanding of what the law is.

To oppose this amendment is to ensure that there will be more litigation, which will cause more obfuscation and delay and more difficulty in terms of achieving our purpose of having American citizens be able to enjoy the water in accordance with the law as the Corps of Engineers will set it out so that everyone will know what the law is rather than the Congress stultifying the law and seeing to it that we're incapable of having a clear pronouncement of what the law is as made by the agency which has the responsibility to do so under the law.

□ 1530

I urge you to support the amendment. I urge you to strike section 107, and I urge you to get this country going forward on a very important matter which is being thoroughly obfuscated by a lot of people who know nothing about the matter. I urge adoption of the amendment and the striking of the section.

I yield back the balance of my time.

Madam 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 and explained the intent of the Conference Report on the Clean Water Act. 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 narrow technical sense we sometimes see in some laws."

In 2006, the Supreme Court wrongly 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 review the facts.

But the issue before us today is not 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?

Under the law, our 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.

In light of the Supreme Court's misguided decision, the Army Corps of Engineers is working on updated 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 you believe. This is simply attempting 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 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 likely lead to more costs on that homeowner or businessperson in legal and court fees. The language in this bill would certainly lead to more court battles and create a wonderful mess that would lead to lawyers making plenty of money.

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.

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

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

Mr. SIMPSON. Madam Chair, Mr. MORAN and I have had this discussion six or seven times on this very amendment over the past few years; and, once again, I rise to oppose it. Contrary to what the gentleman from Michigan just said, I do understand the issue; and, frankly, understanding it is why I am opposed to it.

In 2006, the Supreme Court determined that the EPA and the Corps of Engineers did not have the authority to regulate nonnavigable waters under the Clean Water Act. Now, you might disagree with that Supreme Court decision. Tough luck. They made the decision, and we follow the decisions of the Supreme Court.

In accordance with this decision, the term "navigable waters" has long been the phrase used to limit Federal intrusion with regard to the Clean Water Act's authority. Nonnavigable waters are currently regulated by the States. Everybody who stands up and talks assumes that if it is a nonnavigable water that nobody is regulating it. In fact, the States are regulating those things.

However, last year the Corps of Engineers and the EPA issued guidance that would expand the jurisdiction of the Clean Water Act to nonnavigable, intrastate waters, effectively resulting in a massive expansion of the Federal Government's authority to increase the number of waters subject to the water quality standards—including irrigation canals, ponds, drainage ditches, and other things.

Deciding how water is used should be the responsibility of State and local officials who are familiar with the people and local issues. If all intrastate waters are regulated by the Federal Government, the language could be broadly interpreted to include everything within a State, including groundwater.

As a result, the reach of the Federal jurisdiction would be so broad that it could significantly restrict landowners' ability to make decisions about their own property and local government's ability to plan for their own development.

The language in the bill protects the authority of the States to prevent the Army Corps from expanding its regulations to include intrastate bodies of water under the Clean Water Act for any reason other than drinking water standards.

Clarity is needed on this issue, and the gentleman from Michigan mentioned clarity. But I will tell you, clarity simply for clarity's sake is not an answer. Death is a clarity. It's not necessarily the outcome you want, though.

So doing this just so you have clarity in it is not the right direction to go. Congress does need to provide that clarity, but not the agencies through the regulatory process. The Supreme Court has already determined that the Army Corps does not have the authority to do what it is proposing, and I would urge my colleagues to oppose the amendment offered by my good friend from Virginia (Mr. MORAN).

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

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

Mr. CULBERSON. Madam Chair, I hope to provide some clarity to this by quoting directly from the guidance that the agency has given us. Now, it's important to remember that this is guidance, not a rule. The Obama administration, President Obama has repeatedly and proudly said that if Congress won't act, he will. Last week he said he was going to stand up and, through executive order, do all that he can to try to bring carbon emissions under the jurisdiction of the Federal Government and try to restrict CO₂ by executive order.

Here the Obama administration is doing what the law says it can't do, and that is expand the jurisdiction of the EPA and the Army Corps by guidance, not by using a rule. The law says they have to issue a rule, get public input, have hearings. Here they simply got a bunch of their lawyers together and issued guidance to their agencies around the country. And to quote directly from the guidance, the Obama administration directs:

The agencies to interpret waters in the region to be the watershed boundary defined by the geographic area that drains to the nearest downstream traditional navigable water or interstate water through a single point of entry.

The geographic boundary, every stream, every rivulet, no matter how vertical it is, the Supreme Court and the statute said the EPA is limited to regulating navigable waters. The way this reads, literally, the EPA and the Army Corps now, through this guidance, have the authority to regulate every single stream of water that drains in the geographic area, in the watershed boundary, that drains to the nearest traditional navigable water.

That is an incredible expansion of Federal power. As the gentleman from Idaho quite correctly said, this was

done outside of the normal rulemaking process because the Obama administration knew that the public would overwhelmingly disapprove of this, that the Congress would disapprove of this, that this goes beyond what the Supreme Court intended, that this goes beyond what the law allows, so they did it through the back door using lawyers and bureaucrats to write a 33-page document that you literally have to go to the back end of to learn that they are attempting to exercise jurisdiction over every stream of water in the geographic area that drains to the nearest navigable waterway.

That's why Chairman FRELINGHUYSEN and Chairman ROGERS included this language to cut off funding for the implementation of this rule, because we've discovered that the Obama administration will do whatever they want, regardless of the Constitution. They ignore subpoenas. They ignore congressional hearings. They ignore letters from Congress. They ignore everything except when you cut off the money. That's the only way to make the Obama administration follow the law.

Vote against this amendment to ensure that the Obama administration follows the law and that we protect private property rights and keep the EPA and the Army Corps of Engineers off of people's private property across America. I urge Members to oppose the gentleman's amendment.

I yield back the balance of my time. Ms. KAPTUR. Madam Chair, I move to strike the last word.

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

Ms. KAPTUR. Madam Chair, I support the gentleman's amendment. I have been listening to the debate and thinking we're a great Nation because we figured out how to build a nation. We had 13 Colonies. And then, miraculously, somehow, through the Northwest Ordinance and other means, we added more States and we figured out where their boundaries were. Sadly, Michigan and Ohio had to fight a little war on a piece of territory between us, but we even got that figured out. Then, golly, you know, we sort of expanded. Even Alaska became a State. As we became more adult as a Nation, we figured out where the watersheds were. We even have maps for watersheds in our country. We've always been a country that is a can-do Nation, not a can't-do Nation.

So I believe the amendment takes America in an important direction by allowing the Corps the needed flexibility to deal with real confusion that has reigned in the wake of two Supreme Court decisions and, frankly, climate change. As water distribution changes around our country, we are moving into a different era, if anybody cares to open their eyes and look at what is happening across our country.

Without this amendment, the bill would result in increased implementation costs to Federal and State re-

source agencies, as well as to the regulated community, increased delays in the implementation of important public works projects, and protracted litigation on the disparity between existing Federal regulations and the two court decisions.

Further, the current provision does not apply to just this year; it applies to any subsequent energy and water development act, ensuring the uncertainty continues indefinitely.

How is that good for anything? Why is can't do better than can do?

Let's provide clarity. Let's provide some certainty to the market. We should be allowing the Corps to take actions that address the Supreme Court's rulings, bringing clarity and certainty to the regulatory process, not prolonging the confusion, further delay, further uncertainty. How does that help anything, regardless of what region of the country you live in? I urge my colleagues to support this amendment.

I yield back the balance of my time. Mr. VALADAO. Madam Chair, I move to strike the last word.

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

Mr. VALADAO. This amendment puts a lot of my district in jeopardy. My district relies heavily on irrigation and canals and other types of water projects. When you see a government agency, an unelected government agency come in and take jurisdiction without any of us in this body, 435 Members in this body who have a responsibility to represent our constituents and make sure that their voices are heard, when you take that power away and you give it to a bureaucracy in the dark of night where there's not an opportunity to speak their minds and have their voices heard, you set up a pretty bad precedent.

When you look at a constituency that feeds the country like we do in California on my part of the valley, we do feed a good portion of the country. We grow 350 different crops. We produce a lot of beef, poultry, and pork. All of these different products go to feed the Nation.

When you look at an idea like this which a lot of my constituents or most of my constituents all oppose, we're setting up for a really bad idea. So this should be presented and it should be talked about amongst the 435, not one agency, not one President pushing an idea. So, obviously, I rise in opposition to this amendment.

I yield back the balance of my time. Mr. KINGSTON. Madam Chair, I move to strike the last word.

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

Mr. KINGSTON. Madam Chair, I rise to oppose the amendment offered by my friend from Virginia, and I do so for three reasons, and I believe that the previous speakers on our side have listed these reasons, but I wanted to just

drive these points. There are three of them.

Number one, it does cede a tremendous amount of power to the executive branch. It is clear that this administration prefers to bypass Congress every chance it gets and cede things to an unelected bureaucracy. And in this case, this is a tremendous decision that the bureaucracy would be making instead of the elected representatives in the House and the Senate.

Mr. CULBERSON actually quoted part of it. He said that the agencies will interpret in the regions such proximate other waters to be the watershed boundary defined by the geographic area that drains to the nearest downstream navigational or interstate water through a single point of entry.

So in my district where we have the Savannah River and the St. Mary's River, the Ogeechee River, the Altamaha River and the Ochopee, it would appear that the entire district, which I represent in coastal Georgia, would come under this new permitting process if the bureaucrats and if Mr. MORAN had his way. I'm against that. If that's going to happen, let the legislative branch debate it and then send it to the executive branch.

Number two, if you do so, all you're going to do is have more busybody bureaucrats in our lives interfering with job creation and interfering with progress in general.

You know, my area of the Savannah River was authorized in the 1999 WRDA Act to dredge the river. It took 13 years for four Federal agencies to sign off on the dredging even though we have been dredging the Savannah River ever since Oglethorpe sailed up it in 1733; but it took our government, four Federal agencies, 13 years to give us a record of decision.

During that period of time, China started to build a port that is now bigger than the Port of Savannah. They started from scratch to finish, and here we are supposed to be competing in a world marketplace, but that's the kind of permitting process and delays that the bureaucracies cause us.

I would rather leave these waters under State jurisdiction than the Federal Government.

Number three and finally, it's vague. It's totally vague. Anytime the Federal bureaucrats with their unlimited bank accounts get involved in rulemaking, they can run the clock. They can charge up the permitting, the lawyer fees, do everything they want.

I will ask a question of my friend from Virginia. Can you tell me what "significant nexus to navigable waters" means? Does anybody know what that means? I can promise you, 435 people in this body would have a different definition as to what a "significant nexus to navigable waters" means.

We do not need this executive branch and this administration to have more power. This is the crowd that brought you the IRS and the AP scandals. This

is the crowd that brought you Fast and Furious. Do you really want them to have more power to interpret laws? I think not. I fear they would use that kind of authority to reward their friends and punish their enemies.

For these three reasons, Madam Chair, I oppose the amendment.

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 yeas appeared to have it.

Mr. MORAN. 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 Virginia will be postponed.

□ 1545

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 108. Section 3(a)(6) of the Water Resources Development Act of 1988 (Public Law 100-676; 102 Stat. 4013) is amended by striking "\$775,000,000" each place it appears and inserting "\$2,918,000,000".

SEC. 109. (a) Section 1001(17)(A) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1052) is amended—

(1) by striking "\$125,270,000" and inserting "\$152,510,000";

(2) by striking "\$75,140,000" and inserting "\$92,007,000"; and

(3) by striking "\$50,130,000" and inserting "\$60,503,000".

(b) The amendments made by subsection (a) shall take effect as of November 8, 2007.

SEC. 110. The authorization under the heading "Little Calumet River Basin (Cady Marsh Ditch), Indiana", in section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4115), as modified by section 127 of Public Law 109-103 (119 Stat. 2259), is further modified to authorize completion of the project at a total cost of \$269,988,000 with an estimated Federal cost of \$202,800,000 and an estimated non-Federal cost of \$67,188,000.

SEC. 111. During fiscal year 2014, the limitation relating to total project costs in section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall not apply with respect to any project that receives funds made available by this title.

SEC. 112. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms "fill material" or "discharge of fill material" for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

AMENDMENT NO. 2 OFFERED BY MR. MORAN

Mr. MORAN. Madam Chair, 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 13, beginning on line 1, strike section 112.

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

Mr. MORAN. Madam Chair, my colleague, JOHN DINGELL and I have another amendment that strikes, in this case, section 112 of this bill because section 112 would prevent the Corps of Engineers from updating regulations defining the terms "fill material" or "discharge of fill material" for the purposes of the Clean Water Act.

Presently, the Army Corps issues a section 404 permit if the "fill material" discharged into a water body raises the bottom elevation of that water body or converts an area to dry land.

When Congress first enacted the Clean Water Act, and that's why Mr. DINGELL is so concerned about this, the 404 permit process was supposed to be used for certain construction projects, like bridges and roads, where raising the bottom elevation of a water body or converting an area into dry land was simply unavoidable.

But then, some clever attorneys in the George W. Bush administration found a way to allow mining waste to be dumped into rivers and streams without a rigorous environmental review process. They simply changed the definition of what qualifies as "fill material."

Under a 2002 rule change, the Bush administration broadened that definition to, and I'd put this in quotes, "include rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities."

Now, these guidelines are simply not well-suited for evaluating the environmental effects of discharging hazardous waste, such as mining refuse and similar materials, into a water body or wetland.

When Congress first enacted the Clean Water Act, and for the first 30 years of its passage, the law helped keep America's lakes, rivers and streams safe from mining pollution, protected wildlife and drinking water. But that's no longer the case today.

Perhaps it would come as no surprise to many that, in 2009, the Supreme Court upheld this newer, broader definition of "fill material" that was adopted by the executive branch in 2002. The Court allowed this new definition to be used for a Kensington mining operation near Lower Slate Lake in Alaska.

I want to point out this anecdotal example, although it's a very important one. So the permit allowed the discharge of toxic wastewater from a gold ore processing mill to go, untreated, directly into the lake, despite the fact that the discharge violates EPA standards for the mining industry. Today, all of Lower Slate Lake's fish and aquatic life is gone, dead.

Now, Madam Chair, that's why we raise this amendment to strike section 112, which would permanently preclude the Corps from considering any regulatory changes to the current definition and permit process. I would

note that, to much of the environmental community's frustration, the Corps hasn't issued any regulations to change the definition of "fill material" or "discharge of fill material."

You can go back to that language that came about as a result of that clever change in 2002. You can find no effort by the Corps to change it, and the Corps hasn't expressed any plans to do so. That's disappointing.

But since there is no time limit on the provision in this appropriations bill, it would not only block the current administration but any future administration from considering any changes, even one less sympathetic to the adverse health and environmental consequences of discharging hazardous waste into our drinking water.

Madam Chair, this provision that's in this bill is intended to be a preemptive strike against protecting our drinking water. We should not be putting this kind of legislation onto an appropriations bill, particularly when it has such adverse consequences to the future health of our population. And that's why I would urge my colleagues to join me in removing this section from this appropriations bill. I yield back the balance of my time.

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

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

Mr. KINGSTON. Madam Chair, I stand in opposition to the amendment offered by my friend from Virginia, and I want to start out by clarifying something that was said a minute ago, that this was done by clever Bush administration lawyers. In fact, it was a rule proposed by President Clinton. That would be Democrat President Clinton, a rule proposed by Democrat President Clinton.

Now, there was a public comment period. It wasn't done in the dark of the night, but it was done with public comments, and the rule was changed in 2002, which is true that President Bush would have been the President during that time period. But it was an ongoing and a slow and deliberate process, and it was simply a commonsense need that was something that I think was probusiness, which I understand is offensive to some people.

But it also streamlines the bureaucracy and helps the private sector create jobs. And all it simply did was get the Corps of Engineers and the EPA to have the same definition of fill. That's not a radical concept. That's common sense. And again, if we're going to compete in the world marketplace, we should have common sense, even with Washington bureaucrats.

Now, the definition includes materials that, when placed into the waters of the U.S., have the effect of replacing or changing the bottom elevation of any portion of that water. Therefore, it includes rock, sand, soil, clay, plastics, construction debris, wood chips, and overburden from mining.

These are regulated right now. They're not exempt from this. It simply says that the EPA and the Corps of Engineers would use the same definition. So I stand in opposition to this.

And I do not think that this is the purpose of the gentleman's amendment, but I do worry that, as this administration seems to have an open war going on on coal, is this perhaps part of it? Not necessarily this amendment, but the thinking that two different agencies can now get on a different sheet in terms of what a definition is and, therefore, one agency can be more proactive in slowing up progress and activities of which you don't approve.

There is an estimation that if this was to happen, 375,000 jobs in the mining business could be jeopardized. Now, I understand, this administration doesn't like mining, but for the rest of us who use the products in the United States of America, this is something that is significant and disturbing; 375,000 jobs in what we have called an anemic recovery already.

So I believe that the responsible thing for us to do is to reject this amendment and say that, if this definition does need to be changed, let it not be done by bureaucrats, and let it not be done by lawyers either, but let it be done by the elected representatives, both Democrat and Republican, of the American people, and let 218 of us in the House have a "yes" or a "no" vote, and then 51 in the Senate, and then send it to the White House for signature, rather than have unelected bureaucrats whom no one knows make these very important significant legal decisions for us.

I yield back the balance of my time.

Mr. DINGELL. 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. Madam Chairman, I urge my colleagues to support the amendment offered by my good friend from Virginia. I urge them to strike section 112.

There's no one in this Chamber that owns this world. We borrow it from those who come behind us in the future, and we owe them a duty to see to it that we return it in proper form.

The bill, as drafted, forbids the Federal Government from seeing to it that all manner of defilement is not dumped into the navigable waters of the United States. This is having an appalling consequence, destroying waters, killing fish, polluting the water sources of our communities and cities. But beyond that, it's doing something else.

A race of unscrupulous people are sawing the tops off our mountains in the Appalachians and other places, and they're taking that spoil and dropping it in river valleys and filling them up, the result of which is that the water

flowing through that valley becomes highly acidic, and it produces severe danger, not just to fish and wildlife, but to human beings. These are the waters of the United States that are being defiled.

The amendment would at least afford a moderate level of authority to the Federal Government, which has always been that authority of the Federal Government, to protect one of the greatest treasures this Nation has: its flowing waters.

My colleagues on the other side think that that is a question of jobs. We're going to mine, and we should, but we should do it carefully and wisely and well, with due attention to the future and to our trusteeship of the world that we love.

We do not have the right to defile our waters. We have a duty to protect this land and to see to it that it is returned to future generations of Americans in as good a shape as we have found it, and perhaps, if we can, in a better shape.

What they have done is to change the situation, where now almost anything goes, and the result is a calamity for the future of the United States.

Water is one of the next coming great shortages of this Nation. It's something that is going to be very much missed by our future generations because we have, by adopting this bill without this amendment, defiled those waters, made them unsafe to drink and to recreate in, made them unsafe for all kinds of purposes, including even industrial use of those waters.

I urge my colleagues to support the amendment offered by my good friend from Virginia. I urge you, my dear friends and colleagues, to look to the future of the country whose custodians and trustees we are, to see to it that we return this beautiful Nation of ours to the future generations in the condition in which we found it and which is suitable and fitting to the greatest Nation in the world.

We can have mining, we can have all of the other things we need, but all we have to do, under the law, as it has been, is to do it wisely, carefully, prudently and well, with due regard for the future.

This language in the bill stricken by the amendment offered by my colleague from Virginia would defile those waters and defile the future of this Nation.

I beg you, support the amendment. I beg you, strike the section. I beg you, be good trustees of the future and of the great gifts that God has given this Nation, and to strike section 112 so that we can properly protect one of the great blessings that this Nation has, an abundance of water, which the language of the bill, as now drawn, will defile and destroy.

And people in the Appalachians will curse us for what we have done to them by filling stream valleys with muck and corruption, by defiling the waters and the rivers and the streams and the lakes of the United States.

□ 1600

This is not good custodianship. This is a disregard of the greatest opportunity that we have, and that is to return to our future generations this Nation in the shape in which they will want it to be and we want it to be.

Madam Chairman, I rise in support of the Moran-Dingell amendment that gives this and future administrations the flexibility they need should they decide to address the issue of "fill material."

While the Clean Water Act has been a success, we still have a long way to go to fulfill the promise of the Act. According to the EPA, for the first time in many years, the Nation's waters have actually started to get dirtier. The response to this disturbing news should be a renewal of the Nation's commitment to clean water. Unfortunately, the previous administration charted a different course and worked to dismantle the very tools that make the Clean Water Act work.

Through regulatory changes, the previous administration eliminated a 25-year-old ban on dumping mining and other industrial wastes into streams and wetlands, and adopted policies abandoning the long-standing national "no net loss of wetlands" goal. That administration also proposed weakening the Clean Water Act's program that guides the cleanup of polluted waters.

Congress made it clear that the Clean Water Act covers all of these waters. I know this because I was there. In 1972, I spoke on the floor of the House about Clean Water Act and stated for the legislative history that that the bill covers all the waters of the United States. What we in Congress said when the law was passed remains true today: in order for the goal of clean water to be met, all waters must be protected for water pollution to be eliminated at its sources.

We in the Congress knew in 1972, as we know now, that the purposes of the Act—to restore and maintain the integrity of the country's waters—could not be achieved if any of the nation's vital waters are removed from the law's scope.

As a conservationist, hunter and avid sportsman, I see a pressing need to protect and restore our Nation's waterways and wetlands. These valuable systems support a diverse array of migratory birds, as well as many other species of wildlife. These waters are also an integral part of the landscape that serves mankind. Wetlands help prevent floods and are natural filters, removing pollutants from drinking water.

I was proud to play a part in enacting the Clean Water Act. Prior to that landmark legislation, rivers were catching on fire and fishermen dubbed Lake Erie the Dead Sea. We have come too far to allow a roll-back. I ask my colleagues to support both Moran-Dingell amendments.

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

The Acting CHAIR (Mr. POE of Texas). The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. I rise in strong opposition to the gentleman's amendment to strike section 112 of the Energy and Water appropriations bill. The current regulatory definition of the term "fill material" is consistent with EPA and the Corps' longstanding practice and

ensures that necessary placement of excess rock and soil generated by construction and development projects in waters in the United States are regulated by the Corps under section 404 of the Clean Water Act. This current rule brings certainty and protects the environment.

Both the EPA and the Corps have stated they are considering revising the definition of fill material. If unelected bureaucrats redefine this important definition, it would have a significant impact on the ability of all earth-moving industries, road and highway construction projects, and private and commercial enterprises to obtain vital Clean Water Act section 404 permits.

Changing the definition of fill material could result in the loss of up to 375,000 high-paying mining jobs and further this administration's assault on over 1 million jobs that are dependent on the economic output generated by these operations. Congress should therefore reject any attempts to add a new, inappropriately narrow definition of the term "fill material" that will not only harm existing operations but would also halt many new job-creating projects.

I urge all Members to oppose this amendment, and I yield back the balance of my time.

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

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

Ms. KAPTUR. I rise in support of Congressman MORAN's amendment to strike section 112 and to protect the fresh waters of our Nation for future generations.

I note that many of those who have spoken in opposition to the Moran amendment do not live in parts of the country that actually would be affected by the burial of this material.

Section 112 would prohibit the Corps from amending its regulations to change the definition of fill material and discharge of fill material so that discharges of mine wastes and similar materials into the waters of the United States would be regulated under the more environmentally protective regulations and standards issued under the National Pollutant Discharge Elimination System permit program in section 402 of the Clean Water Act and administered by the States, along with EPA.

I don't know how many Members actually have had to deal with cleaning up messes in their districts. But I didn't know that, once I became a Member of Congress, how significant the work would be and what I would have to do just in my region of the country to clean up the mess from the past. Well, I've learned too much.

Maybe the districts of those who are standing up in opposition to Mr. MORAN's amendment have never had to do this. But let me tell you there are dead freshwater lakes in Ohio that are very close, in fact, to the gentleman

who just spoke in opposition to Mr. MORAN's amendment. There are lakes that have been polluted and no one knows how to clean them up. I have actually had the task of representing a river that is dead with waste that's in the bottom of the river that washed out into adjoining streams in the lake and all the scientists are trying to figure out how to cap it, how to do this, how to do that with the PCBs and everything else. There are Love Canals all across this country. We have to change the way we live for the future generations of this country.

How about trying to clean up beryllium that's moving in streams and washing out and you see rising cancer rates? And why are cancer rates in certain parts of the country more than in other parts of the country? Well, it's the legacy of the past and the messes that aren't cleaned up.

How about unexploded ordnance on the bottoms of streams and rivers and lakes across this country? If you get the Department of Defense charts on what exists in this country that needs to be cleaned up, the defense cleanup costs that are necessary just across this Nation, including in some of our freshwater lakes, is staggering.

If you don't know about the problems, I'm sorry that you don't. But I don't see how adding mine waste to the rest of this mess is going to make the future better than the past.

If you think about the population of the country, we had 146 million people in the country 50, 60 years ago. Today, we have 310 million. By 2050, it's going to be 500 million. But do you know what's not going to increase? The amount of water we have. The amount of fresh water is not an infinite resource. It is absolutely finite. And it's used once and maybe it drops down again in the rain. But nobody is going to give us more water. It's either going to be snowfall or it's going to be rain, and it's going to wash into our streams and rivers. There's not going to be any more. We're going to have five, six, seven times more people than we had in the past.

Why would we risk burying more junk in our rivers, in our streams, and throwing it out in these riverbeds around the country? If you haven't faced the task of trying to clean it up, then you shouldn't even be voting on this bill. The cost of past cleanups is enormous.

I wish I didn't have to deal with it in my region of the country. I came here to make the parks better. I came here to build better housing. I came here to create jobs. And I'm finding I have these billion-dollar cleanup jobs for which we have no money, no money to clean them up. Why would we add to the problem?

Under the current definition, such discharges are evaluated under the Clean Water Act section 404(b)(1) guidelines, which are not well suited for evaluating the environmental effects of discharging hazardous wastes like mining refuse and similar materials into

jurisdictional wetlands and waters. Further, the current provision does not apply to just this year. It applies to any subsequent energy and water development act, precluding potential changes that may be necessary to protect public health or the environment.

If you haven't seen babies that have tumors in their brains because some company buried waste in parks that those children played in, then somebody better wake up around here and change the way that we do business in this country, because we cannot do this. We cannot continue the bad practices of the past. We have to make life better for future generations that will have more pressures on them simply because of the population growth in this country.

I urge my colleagues to support the Moran amendment, and I commend him for offering it on this bill today.

I yield back the balance of my time.

Mrs. CAPITO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I rise today in opposition to the Moran amendment.

Basically, at a May Transportation and Infrastructure Subcommittee hearing on water, I specifically asked the EPA's Acting Assistant Administrator for Water, Nancy Stoner, what specific problems with the current definition of fill material was prompting the agency and the Corps to examine changing their current definition. Administrator Stoner at that time did not identify any problem—this was just recently, in May—with the current definition and instead told me there were no active discussions with the Corps on revising the 2002 definition of fill material.

I do live in an area that this greatly affects. We've got a lot of water in West Virginia, by God's good grace. Given that the EPA official charged with overseeing water problems did not identify any problems with the current definition of fill material in response to a specific question from me, it is difficult for me to see why the EPA and the Corps would attempt to change an established definition.

The current definition of fill material has been in place for over a decade and provides a fair standard for protecting our water while allowing for economic activity. The 2002 definition was the result of a very lengthy rule-making process that began under President Clinton's administration and was finalized under the Bush administration.

A balance between our economy and the environment is absolutely essential. A balance between protecting our environment and creating jobs is essential. The current definition does just that.

The Federal Government must provide regulatory certainty to job creators and not change definitions without adequate justification. If the administrator had responded differently

to the question that I posed to her, I might not be standing here today with this type of opposition. But, in my view, I think that we need to oppose this amendment and keep the current definition of fill material. It's been well researched, well used. It is in effect in the State of West Virginia and is used quite a bit to continue our mining operations and to continue to keep good, solid West Virginians working.

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 noes appeared to have it.

Mr. MORAN. Mr. 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 Virginia will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 113. 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.

Mr. LARSEN of Connecticut. Mr. Chair, I move to strike the last word.

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

Mr. LARSEN of Connecticut. I want to commend the gentlelady from Ohio and the gentleman from New Jersey for the debate, in general, that we've witnessed on this floor. I think we can all agree in so many respects that infrastructure is not a Republican or a Democratic issue. It's an American issue.

I come here this afternoon to reason, which is a funny word here, I guess, in Congress, but in fact is something that I think we need to do more of. I come here disheartened to see this bill come to the floor that is underinvesting in something that is as critical to the Nation as flood protection. Amongst the many infrastructure issues, it's one that imperils many districts, including my own. We have systems that are 75 years old and have not been addressed in a way that they need to be. All around us, whether it's in my district or anywhere across this country, infrastructure problems abound, whether it's roads, whether it's bridges, whether it's airports, whether it's deep harbors, whether it's school systems, or whether it's levees. They are in need of repair. They are in need of our investment as a Nation.

The great irony is that in these difficult economic times what we need is

to put the country back to work. What is required for the country to go back to work is to improve the very infrastructure over which our commerce grows and flows that provides our economy with the kind of boost that it needs that puts our people back to work.

I have heard person after person on the other side get up and cite China, talking about their vast development. How has China moved forward, if not in developing its own infrastructure? Yet here in our country the neglect continues.

Congress cannot continue to sleep while our infrastructure erodes from underneath us. The levees between Hartford and East Hartford have been cited in study after study as needing attention, and the local municipalities have put in their own funding for it, but cannot possibly match what the Federal Government has required. And this is not just in my State and in my district, but all across this country.

A case in point can be made with Hurricane Sandy, where the government spent \$60 billion in disaster relief by funding projects, which was the prudent thing to do. But we know that for every \$1 spent in preserving and making our districts safe by improving the infrastructure, it's \$4 saved in this country.

It's hard for people back in my district, and especially people who gather at Augie and Ray's, a local stand in my district where they serve hot dogs and hamburgers and coffee and breakfast in the morning, to understand why it is that Congress can't get together and reason and understand that by funding the infrastructure, not by cutting back on the Army Corps, not by continuing to cut programs that will provide funding for jobs, but by actually investing in Americans, instead of sitting idly by and watching as other nations, especially our chief competitors, invest in their own infrastructure, improve their own security, while Congress sleeps and watches the slow erosion of what was once the greatest system in the world—and still can be—if we come together and reason and invest in our systems, invest in our people, invest in our security, invest in the protection that will make sure that the American people are safe, secure and, most importantly, back to work.

□ 1615

It's neither Democrat nor Republican. It's fundamentally American.

I yield back the balance of my time.

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

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

Ms. HERRERA BEUTLER. Mr. Chairman, I will not take 5 minutes.

I actually wanted to come down here in support of this bill, the Energy and Water Development appropriations bill. I would like to commend Chairman FRELINGHUYSEN and the entire

subcommittee on developing a strong bill that balances the needs of our Nation with fiscal responsibility.

This bill cuts spending by nearly \$3 billion from FY13 enacted levels while maintaining critical funding for navigation, infrastructure, and our Nation's domestic energy needs.

One issue of particular importance to me and my home in southwest Washington is the maintenance of our waterways and small ports. Sediment buildup has essentially blocked commerce, leaving communities in Wahkiakum County, Chinook, and Ilwaco without their largest and most critical industries.

When one of these channels is blocked for communities in my district, it's no different than if a town's main highway were completely blocked or washed away. We need to treat the maintenance of our Nation's small ports with the same level of urgency.

The underlying bill makes great strides to alleviate these challenges by including \$1 billion from the Harbor Maintenance Trust Fund for Army Corps dredging and no less than \$30 million specifically for small ports and waterways. While this will not completely fulfill all of our Nation's needs, it certainly illustrates the chairman's dedication and our dedication to our ports in towns and counties and States across the country like my home in southwest Washington.

As a member of the Appropriations Committee, I am proud to have played a role in securing this funding. I strongly support the bill and encourage all of my colleagues to do the same.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Chairman, I move to strike the last word.

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

Mr. SWALWELL of California. Mr. Chairman, it has been an honor to be in this Chamber and listen to the debate that's going on.

My colleagues on the other side, their bill seeks to reduce the role that the Environmental Protection Agency would play. I hear words and phrases like "an unelected body that makes decisions in the night for no one to see or hear." But, Mr. Chairman, it is not an unelected body. We have elections in our country, and we had a Presidential election; and elections have consequences. The EPA is an arm of the administration, an arm of a President who was elected with a commanding victory this past November. And to hear that this is an unelected body and work being done in the dead of night for no one else to know about is just not the case.

I urge my colleagues on the other side—I was a prosecutor. We would have a trial. I would pick a jury. We would put on evidence. I would give a closing argument. The jury would deliberate, and then we would all accept the verdict. We had the same thing for over a year. We had Presidential debate

after debate, TV ads that we were all tired of. Now we have a President who was reelected and an agency that the President is charged with administering. And it really does disturb me, Mr. Chairman, to think that these agencies shouldn't have any teeth or enforcement to protect our children and the future.

But I also rise today to express my concern about the impact that this Energy and Water appropriations bill will have on the important work that our national laboratories are doing. We depend on our national laboratories for the basic scientific research that keeps our country safe and keeps us on the cutting edge of technology.

Our national labs are home to some of the greatest minds in the country, and we all benefit greatly when we allow these great researchers the freedom to do what they were trained to do and to explore the scientific questions that they are passionate about.

I am fortunate that I am able to represent Lawrence Livermore Laboratory and Sandia National Laboratories, which are NNSA laboratories and work on maintaining our nuclear stockpile, but also are participating in research that will provide an all-of-the-above energy solution for our future.

Right now, however, this bill reduces what the laboratories call laboratory directed research and development. Laboratory directed research and development, LDRD, allows the scientists at the laboratory to work on their own experiments in addition to the work that they do at the lab. Now, in the private sector, Google really was the first company to innovate with this, they call it 20 percent time. One day out of the week an employee at Google would be able to work 20 percent of the work, 1 day, on their own projects for Google. Some of the programs that we all use, like Gmail or Picasa or Google documents came from Google's 20 percent time.

Well, the laboratory, their 20 percent time is actually, today, 8 percent time. It's LDRD. This is a way to recruit top talent and retain its scientists with a promise of being able to do publishable work in addition to their classified work. But this bill foolishly cuts LDRD time from 8 percent to 4.5 percent. This will result in less independent science research. It will hurt the ability of our classified labs to recruit and retain top talent and will surely deprive the Nation of scientific discoveries.

Additionally, I am concerned about the cuts to the Lawrence Livermore National Laboratory's National Ignition Facility, also known as NIF. Over the long term, NIF is a fundamental part of providing our Nation with energy security. It also, in light of international treaties that prevent us from conducting nuclear tests below or above ground, allows us to use laser science to test and maintain our stockpile while also participating in non-proliferation programs, which makes our stockpile leaner and meaner.

America should be a leader in the area of fusion research. Russia, China, and France have accelerated investments in their efforts to compete in inertial confinement fusion, but they remain behind this premier U.S. endeavor. Ceasing support for NIF would be ceding to those countries or others American leadership in what could be the energy industry of the future. Considering our national security threats and limited domestic energy sources, this is no time to be cutting its capabilities.

Unfortunately, jobs at NIF have already been cut and the capacity has been curtailed because of reductions in fiscal year 2013 and the sequester. The funding levels in this bill would make the situation much worse.

We must ensure that the United States does not fall behind our competitors and continues to build upon the investments already begun. It is crucial that NIF gets the funding it needs to continue this crucial work.

Mr. Chairman, I urge my colleagues to carefully consider the damage that these cuts would do at our national laboratories and consider the value of preserving our country's leadership and our role in maintaining our nuclear stockpile and investments in the future of our country through laboratory directed research and development.

I yield back the balance of my time.
The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

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, \$7,425,000, to remain available until expended, of which \$1,000,000 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, to remain available until September 30, 2015.

For fiscal year 2014, 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, \$812,744,000, to remain available until expended, of which \$28,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$8,401,000 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 the funds were 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.

AMENDMENT OFFERED BY MRS. NOEM

Mrs. NOEM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 4, after the dollar amount, insert “(increased by \$25,000,000)”.

Page 22, line 5, after the dollar amount, insert “(reduced by \$15,000,000)”.

Page 28, line 10, after the dollar amount, insert “(reduced by \$15,000,000)”.

The Acting CHAIR. The gentlewoman from South Dakota is recognized for 5 minutes.

Mrs. NOEM. Mr. Chair, my amendment would ensure that we're placing a higher priority on completing some ongoing rural water projects in the Great Plains region and in the West.

My amendment takes \$15 million from the Department of Energy's administration budget and \$15 million from the solar energy programs. \$25 million of this would go into the Bureau of Reclamation's Rural Water Projects; the remaining \$5 million would be left for deficit reduction.

Mr. Chair, I recognize that we have limited funds to go around. This is why we need to work so hard to make sure that our priorities are addressed. It's why we make sure that we can agree that water should be a priority, that drinking water for people that live in this country should be a priority.

There are places in this country, especially in the rural areas, that people are still waiting for a stable water supply. There are towns that would like to grow, but they don't have enough water or basic infrastructure to find new businesses and bring new families in. They're waiting for the Federal Government to complete projects that have already been authorized, that have already been started, and that those communities have already invested in.

As we go through the appropriations process, I think supplying our rural areas with water should be a top priority. I think it is shocking; it's shocking that some of these authorized projects have been waiting years to see the promised Federal dollars to complete the projects. Many of these local communities have already funded their

share of the projects. Some of the administration's funding proposals for these projects don't even keep up with inflation.

So as representatives, we absolutely need to be responsible with taxpayer dollars. When the Federal Government makes a promise to provide basic infrastructure, they need to follow through. This amendment is just a small step in getting where we need to be.

It is common sense to make sure that something as basic as water supply is available in all areas, urban and rural. I urge my colleagues to vote “yes” on the amendment to ensure that these very essential projects are on their way to completion.

I would like to thank the chairman and the committee for their hard work on this bill. I certainly appreciate the opportunity to speak on this amendment, and I would urge all of my colleagues to support this amendment.

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

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

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

Ms. KAPTUR. Mr. Chairman, I rise in opposition to Representative NOEM's amendment.

I think that there is a worthy objective of providing freshwater to all parts of our country. We talked about that earlier today. The problem is her amendment takes funds from other accounts to try to move some of those dollars to rural America.

Frankly, our fundamental problem is that this bill is \$2.8 billion under what was being expended in this fiscal year of 2013, and it's \$4 billion under the administration request. So what she's essentially doing is taking money from something else in order to move it to rural areas of the country. I represent some of those. They're very worthy. Some of them do receive funds through the Department of Agriculture. Some smaller communities also have associations with the Environmental Protection Agency. But to cut funds, to take money from the Renewable Energy account—\$15 million from there—and from other water-related accounts and to cut departmental administration really is sort of picking off very scarce bones. And I have to oppose the amendment on that basis.

The Renewable Energy accounts, which are America's future—they're a major part of our downpayment on the future—have been cut 60 percent. You are withdrawing additional funds from those accounts to try to move toward needed rural water needs. But, frankly, these accounts have been severely cut, and the gentlelady's amendment harms them more. We simply can't cut more from those accounts.

I support more funding for the rebuilding of America's urban water systems, which are leaking all over this country. In fact, we just had a collapse in my home community. For some reason, a major intersection just imploded

because the water systems underneath weren't properly attended to. This is happening from coast to coast.

So our urban water systems are severely constricted. There are all kinds of problems there. And in parts of rural America, obviously we are still trying to extend lines, trying to clean water, trying not to pollute water anymore in order to make sure that citizens who live there and the livestock that is there has sufficient freshwater resources.

So I identify with what you're trying to do, but not where you are taking the funds from. Those dollars simply can't be cut any further. So I have to oppose the amendment, and I urge my colleagues to join me in opposition to the gentlelady's amendment.

Perhaps we can work in other ways in the future, but the fundamental problem is the bill has been cut \$2.8 billion, and some of that is coming from the dollars that would be available for rural water programs.

So I strongly oppose the amendment, not because it isn't worthy, but simply because she's raiding other accounts that are cut, literally, to the bone.

Mr. Chairman, I yield back the balance of my time and urge my colleagues to vote “no” on the Noem amendment.

□ 1630

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

The Acting CHAIR. The gentleman from North Dakota is recognized for 5 minutes.

Mr. CRAMER. Mr. Chairman, I thank my colleague and neighbor from South Dakota for authoring and offering this amendment, which I support and urge my colleagues to support. It really re-prioritizes the spending and the good work that the Appropriations Committee has already done just a few million dollars. It re-prioritizes it in a way that recognizes the changing of our Nation in recent years because so much of the policy and the appropriations of our Energy Department are based on an old order that recognizes our country as having a scarcity of natural resources for energy development.

That, Mr. Chairman, is no longer the case. We are now a Nation of abundant energy resources, but we are still, especially in the West, a Nation of scarce water resources, water resources that are important to the development of many of our rural communities and our tribes and our farms and ranches, water for drinking, water for industrial growth, water for irrigation. So I think this re-prioritization of a few million dollars is appropriate and recognizes how different our world is.

With that, I urge a “yes” vote on the amendment, and yield back the remainder of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from South Dakota (Mrs. NOEM).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

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, \$53,288,000, 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, \$30,000,000, 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 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, 2015, \$60,000,000, 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.

SEC. 203. Notwithstanding any other provision of law, until the pipeline reliability study required in the Consolidated Appropriations Act, 2012, is completed, and any necessary changes are made to Technical Memorandum No. 8140-CC-2004-1, the Bureau of Reclamation shall not deny approval, funding, or assistance to any project, nor disqualify any material from use, based, in whole or in part, on the corrosion control used, if the corrosion control meets the requirements of a published national or international standard promulgated by the American Water Works Association (“AWWA”), ASTM International, the American National Standards Institute (“ANSI”), NACE International (“NACE”) or the American Society for Testing and Materials (“ASTM”). The Bureau shall allow any project initiated during the study to use any corrosion control meeting the above standards.

TITLE III—DEPARTMENT OF ENERGY ENERGY PROGRAMS RENEWABLE ENERGY, ENERGY RELIABILITY, AND EFFICIENCY

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, and 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, \$982,637,000, to remain available until expended: *Provided*, That of the amount provided under this heading, \$76,926,000 shall be available until September 30, 2015, for program direction.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 5, after the dollar amount, insert “(reduced by \$9,518,000)”.

Page 28, line 10, after the dollar amount, insert “(reduced by \$20,000,000)”.

Page 31, line 16, after the dollar amount, insert “(increased by \$22,586,500)”.

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

Mr. HASTINGS of Washington. Mr. Chairman, nuclear weapons production played a pivotal role in our Nation's defense for decades, helping to end the Second World War and to end the Cold War. Implementing these programs resulted in a large volume of radioactive waste that the Federal Government has a legal responsibility to clean up.

Today, there are indications that nuclear waste is leaking out of the underground tanks at Hanford in my congressional district, with higher levels of contamination now being detected in the surrounding soil.

The amendment that I offer, Mr. Chairman, would restore a portion of the reduction for the Environmental Management program that would so greatly impact the Richland Operations Office and help enable the clean-up to move forward safely, efficiently, and in a timely manner.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I would be happy to yield to the subcommittee chairman.

Mr. FRELINGHUYSEN. I appreciate your longstanding commitment to Hanford, and I support this amendment, which is aimed at strengthening environmental management in the Richland Operations Office. EM is a priority for the subcommittee. I look forward to returning to Hanford, as I have in the past, to get a firsthand look at the latest challenges and progress, and we know there are lots of challenges.

As you know, Representative HASTINGS, the Department of Energy has not yet provided confirmation of probable tank leaks, a Record of Decision on the potential for tank TRU waste, or a plan for the waste treatment plant. This information will be required as Congress completes the appropriations process for the Office of River Protection.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Chairman, thank you for your support for this amendment and for your position on Yucca Mountain in the underlying bill, which is the ultimate solution for Hanford's high-level tank waste.

I would like to remind the chairman, I am meeting with Secretary Moniz later this week, and I will reiterate the need for this information that you have just outlined for WTP.

I also recognize the discrepancy in allocations between the House and Senate bills.

I want to ask the gentleman: How do you anticipate that these differences will be resolved, particularly as they pertain to EM, in the event of a continuing resolution?

I yield to the chairman.

Mr. FRELINGHUYSEN. In the event of a continuing resolution, the Department of Energy has the flexibility in determining funding levels for individual programs and projects, including EM.

Mr. HASTINGS, I am pleased to support your amendment and I wish its success.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Chairman, I hope we don't get to a CR, but thank you very much for that information.

At this time, I would like to yield to my colleague from southwest Washington (Ms. HERRERA BEUTLER), the gentlelady from the Appropriations Committee.

Ms. HERRERA BEUTLER. Hanford, as the gentleman mentioned, was the reactor used for the Manhattan Project and was used to build the U.S. nuclear arsenal during the Cold War.

I recently had an opportunity to tour Hanford with the gentleman and so firmly believe in this amendment because this is a Federal Government responsibility, this wasn't a choice by a local community. The cleanup just is simply beyond the scope of the communities involved. This matters to people in my district and up and down the Columbia River, which is adjacent to your area.

I would urge my colleagues, this isn't somebody's pet project, this isn't somebody's good idea. This is a responsibility. The gentleman said "a legal responsibility"—I would add to that a moral responsibility—of the Federal Government to put this money here and help aid the cleanup at Hanford.

Mr. HASTINGS of Washington. I thank the gentlelady for her remarks.

Again, I urge adoption of this amendment because this is a legal obligation.

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

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

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

Ms. KAPTUR. Mr. Chairman, I would say to Congressman HASTINGS that I rise with sympathy toward the situation you face at Hanford, but must oppose your amendment.

The amendment essentially would cut funding from energy efficiency and renewable energy, specifically the weatherization program, which affects dozens and dozens of communities across this country, many of them very low income, as well as departmental administration, which has already been cut to the bone, to move money to Hanford.

It is true that the communities that contributed to the Manhattan Project cannot be left with the remnants of that war effort. We have a moral obligation to clean up these sites. Without question, the bill is inadequate to meet the commitments to States and local communities faced with cleanup.

However, we cannot take those dollars out of the hides of elderly people who might live in Newark, New Jersey, in the wintertime, or in Portland, Oregon, or places where they can't afford their energy bills, or we can't divert money from administration, which is already cut to such a low level at the Department in order to move dollars to Hanford.

Hanford already receives over \$2 billion a year—\$2 billion. I wish my community received \$2 billion. I wish your communities received \$2 billion a year.

Those dollars come from the River Protection program, over \$1.2 billion, plus an additional \$877 million, well over \$2 billion a year. That's more than most communities represented by Members here can even imagine coming to their region of the country.

The defense waste cleanup in Ohio is extraordinary. We don't get \$2 billion a year. So to say to senior citizens across this country we are going to take it out of your weatherization program so you can't put plastic around your windows in the wintertime and try to retrofit your houses, or we are going to take it out of departmental administration where we risk accounting for the funds properly for all of these programs that the Department has to administer, including the cleanup, some of these contracts that we've had problems with in that Department, I simply can't support the manner in which the gentleman and the gentlelady have identified where they are taking the money from.

So while I agree with their intent, as I've said many times, the allocation for this bill is \$2.8 billion under last year and \$4 billion under the administration's request and is simply insufficient. We can't keep picking the bones off the most needy parts of our country to try to divert additional dollars to efforts at Hanford that are spending well over \$2 billion a year already.

I would ask my colleagues to oppose the amendment. I reluctantly oppose the gentleman's amendment. But in being fair and looking at all the accounts, we simply can't keep picking from the bones of other programs at the Department.

I ask my colleagues to vote against the Hastings amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 5, after the dollar amount, insert "(increased by \$992,620,780)".

Page 26, line 12, after the dollar amount, insert "(increased by \$430,029,400)".

Page 26, line 18, after the dollar amount, insert "(increased by \$233,250,000)".

Page 31, line 16, after the dollar amount, insert "(reduced by \$1,655,900,180)".

Ms. EDDIE BERNICE JOHNSON of Texas (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

Mr. FRELINGHUYSEN. I object.

Would the gentlewoman be able to identify the amendment which she is proposing?

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. FRELINGHUYSEN. I withdraw my objection.

The Acting CHAIR. The objection is withdrawn.

Without objection, the reading is dispensed with, and the gentlewoman from Texas is recognized for 5 minutes.

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I am offering this amendment to restore the significant cuts to the critical science and energy research and development programs that were made in this bill, including an 80 percent cut to ARPA-E and a 50 percent cut to the Office of Energy Efficiency and Renewable Energy. These programs, along with the Department of Energy's Office of Science, are vital to our national security, our economy, and our environment in the decades to come.

It is really worth us thinking about the fact that we have seen how government research can pay off when it comes to energy development. DOE-supported research was key to the development of high-efficiency gas turbines, for coal plants, nuclear reactors developed at Federal labs, and the directional drilling and hydraulic fracturing practices that have led to the shale gas boom today. But we should remember that those achievements require decades of Federal investment, the overwhelming majority of which was focused on fossil and nuclear energy.

I continue to support research to make today's technologies cleaner and more efficient, but I believe that it is

time for a level playing field. I introduce a real competition to our markets. That is where the priorities set by Congress come into play. We have to find the greatest value for our investment of the taxpayer dollar. Today, it is the emerging energy technology sectors that can most benefit from government support.

I have heard it said that this bill has been cut to the bone, and I know that. It is important that DOE's Office of Science is actually the largest supporter of basic research in the physical sciences in the country, and it 30 national scientific user facilities whose applications go well beyond energy innovation.

□ 1645

Our Nation's top researchers from industry, academia, and other Federal agencies use these facilities to examine everything from new materials, which will better meet our military's needs, to new pharmaceuticals, which will better treat disease, to even examining the fundamental building blocks of the universe. I believe that this stewardship of unique scientific research, which includes the Nation's major national user facilities, is another important role that I hope the Department will continue to make one of its highest priorities.

It is no secret that Congress' inability to date to come to an agreement on a sensible budget plan has led to some devastating cuts to many of these important programs, with serious impacts on our Nation's future. To restore these research funds, I certainly would not wish to make these proposed cuts in my amendment which may slow down our ability to meet the Nation's defense environmental cleanup obligations this year. However, I believe that these research programs are the seed corn of our future. Some things we know we have to wait to do, and perhaps we can prolong that cleanup.

Yet, Mr. Chairman, I sincerely plead that we not cut this type of money from the research we have going. Research is our Nation's future. We cannot give up on our Nation's future, so I am hoping that we can support this amendment and allow some of this research to go forward, and I ask for support.

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. This amendment increases funding for science, ARPA-E, and renewable energy, energy reliability and efficiency by a total of \$1.7 billion, using defense environmental cleanup as an offset.

Defense environmental cleanup provides funding to clean up the legacy of the Manhattan Project, as we discussed earlier, which is a huge task that will take years to do. It will be a major ex-

pense and will take significant resources. We heard part of the Washington State story, but there is part of it in other parts of the country as well.

The Federal Government has an inherent responsibility to address this legacy and to ensure that the materials created to build our nuclear weapons stockpile do not endanger the public health and the environment. There are also some other daunting technical challenges in cleaning up this waste, and this amendment would, frankly, completely gut those types of programs. It is doubtful that this level would even sustain the basic operation and maintenance of the facilities, let alone allow for any progress in the cleanup effort. The cleanup effort needs to be sustained.

Our allocation has made, as I said earlier in the afternoon, for very tough choices. We placed the highest priority on activities on which the Federal Government must take the lead. While the applied energy and advanced research programs are down substantially, admittedly, there is a strong interest in advancing these areas of research, and the responsibility for conducting that research can shift, in many ways, to the private sector. Therefore, I strongly oppose the amendment, and I urge other Members to do the same.

Ms. EDDIE BERNICE JOHNSON of Texas. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentlelady.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you for your explanation. I don't disagree with you, but I do feel that we cannot cut our research and think that we will have a prosperous future.

So I would ask you to help me find a spot in which we, perhaps, can use the dollars and postpone some of the cleanup. This is urgent and it is needed, and I would ask you to agree to assist in our restoring some of this research.

Mr. FRELINGHUYSEN. In reclaiming my time, we know that the gentlewoman's heart is in the right place. We know of your heartfelt views. We would be happy to work with you to see what we can do to assist in these other areas, but this environmental cleanup, in some respects, is court-ordered besides there being, obviously, the potential for human health to be adversely affected.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the last word.

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

Mr. HASTINGS of Washington. I, too, rise in strong opposition to this amendment.

I do appreciate the gentlelady's concerns, particularly about science funding. However, Mr. Chairman, increasing funding for optional programs, as valuable as they may be, cannot come at the expense of the Federal Government's meeting its existing legal obligations to clean up the waste created

by our Nation's nuclear defense programs. I might add, Mr. Chairman, that these were programs that won World War II and that largely won the Cold War.

At Hanford, in my district, the Federal Government has 56 million gallons of radioactive nuclear waste stored in 177 underground tanks. Today, it appears likely that some of these tanks are leaking, and higher levels of contamination have now been detected in the areas surrounding one of the most recent leakers. In addition, there is also a large quantity of radioactive waste at Hanford that was never put into tanks. That, too, must be dealt with as well as the nuclear waste at other sites across the country, like at the Savannah River, Oak Ridge, and Idaho.

Again, it is nuclear waste that was created by programs of the Federal Government for defense purposes. Cutting \$1.7 billion from the EM program would essentially halt most nuclear waste cleanup work, and it would put the safety of our cleanup sites at risk and end any chance of the Federal Government's meeting its existing legal cleanup commitments to the States.

Mr. Chairman, let me be more specific about Hanford. I mentioned 56 million gallons of nuclear hazardous waste stored in 177 underground tanks. Those tanks range in size from a half a million gallons to a million gallons. Now, when you go out to the site, of course you can't see the tanks because they're underground. All you see are gauges on top that monitor what activity is going on in those tanks. If you want to quantify how much 56 million gallons is, picture this: if one were to put 56 million gallons here, it would take over 21 House Chambers to fill 56 million gallons of waste. That's how much radioactive waste is at Hanford, which needs to be cleaned up. It's the result of the defense weapons program.

Now, the distinguished subcommittee chairman and I and others have mentioned the legal obligation. In Washington State, that legal obligation is called a tri-party agreement. It has set deadlines for cleaning up Hanford, including the waste that I just mentioned. It's a legal agreement between the Federal EPA, between the Federal Department of Energy, and between the State Department of Ecology. It's a legal agreement with time lines, and if you don't meet the agreements, of course you're going to be sued. Every time there has been a threat to be sued or there has been a disagreement on the time lines, the State has always won.

So why would we want to defund this program and put all of that at risk, which, of course, would cost a whole lot more money in the future?

While I recognize the gentlelady and her passion for science funding—and I, too, understand that as I have a national lab in my district, for example—56 million gallons, or over 21 House Chambers, of nuclear hazardous waste

needs to be cleaned up, and it's the responsibility of the Federal Government. So I oppose the gentlelady's amendment.

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

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

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

Mr. TAKANO. Mr. Chairman, I rise in support of the amendment of my colleague's, the gentlewoman from Texas.

It is vital we support our basic scientific research. As the ranking member of the Science Committee, she carries great weight in these matters, and I yield to the gentlelady.

Ms. EDDIE BERNICE JOHNSON of Texas. I clearly understand the explanation.

This amendment does not strike all of the funds. It strikes about a third. I know the dangers of having all of the waste that needs to be cleaned up, but I also think that it's important not to close the doors on the future of this Nation while we do it. I really think that research has been the element that has brought us here thus far and that it is going to be research and innovation that carry us forward. We cannot close the door on research while we talk about cleaning up waste. We are only asking for a third of that money.

So I want to make another appeal that we not close the door on the future of our Nation by shutting down our research.

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

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

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

Mr. FLEISCHMANN. To my colleagues in this great House, my name is CHUCK FLEISCHMANN. I represent the Third District of Tennessee, which has a great city. That city is Oak Ridge, the birthplace of the Manhattan Project.

My colleagues, Oak Ridge has a great history. We won the Cold War there, and we won World War II there, but this was a time that the Federal Government in the manufacturing of nuclear weapons was not as careful as it could have been. We didn't know. We had to win those wars—and we did—but as a result of that legacy, we have a problem.

DOC HASTINGS, my colleague from Washington, talked about the problem in Hanford—and there are 500 square miles in Hanford that need to be cleaned up—but in my community in Oak Ridge, Tennessee, there are populations of churches, schools, people all around in a highly condensed area. We have there, across the DOE complex, a tremendous legacy that needs to be cleaned up, and I want to talk about that briefly.

We've got nuclear waste that needs to be cleaned up across the complex,

and that's being done. We also have a mercury problem. There is an estimated 2 million pounds of mercury in the soil and in the water. This is a real problem for American citizens. This is a Federal obligation to clean this legacy up. There is no question about that.

Across this great Nation, whether it's in Oak Ridge, at the Savannah River, in Hanford, or in Idaho, we have an obligation to the American people to clean this up. We won World War II and we won the Cold War, but we must do this. This waste is dangerous. It's expensive to clean these things up. It's not a matter of "if"; it's a matter of "when." The longer we take to do this, we expose the people in these communities all across America to the hazards of this nuclear waste.

So, Mr. Chairman, as an advocate for Oak Ridge and as an advocate for environmental cleanup, we must get this done. We have decades' worth of work to go. We have got to do this. As we honor Oak Ridge and other communities with a great national park, which is coming forward and which was voted for in this great House, we can never forget the legacy that's left behind. Environmental cleanup is a must. It is a Federal obligation.

I yield back the balance of my time.

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

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

Mr. PERLMUTTER. I appreciate the comments of my friends from Tennessee and Washington.

In Colorado, in my district, we have two of those plants which are World War II and Cold War legacy plants—Rocky Flats and the Rocky Mountain Arsenal—so I appreciate the comments and the need to clean these sites up. It is long overdue. I agree with you, and I look forward to that.

The problem we have here, on the one hand, are substantial cuts to the Energy Department's budget and, on the other hand, an increase to this line item above and beyond the President's request. As I understand it, the committee recommends to the House \$345 million, which is \$23.5 million over the administration's request.

Although I agree completely with the need to clean up, the majority party is requesting more than is needed at this point, and it is to the detriment of the rest of the budget of the Energy Department. Particularly, the one that I'm concerned about is renewable energy, such as the National Renewable Energy Lab, and I will have an amendment to that point coming up later.

So, to my friends, I agree with you that the cleanup needs to go forward. It should be done at the full amount the President requested and not at the \$23 million more that has been suggested by the committee.

I yield back the balance of my time.

□ 1700

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

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

Ms. KAPTUR. This debate is a perfect example of why this bill's funding is so inadequate.

What is really being debated is whether we are going to trade off the science of the future, which is so essential to America's competitiveness in the global economy, to take care of necessary past cleanup. Who can make that choice? They are both essential. Are we going to sacrifice the future for the past? That's really what this debate is about.

We know that this bill is \$4 billion under the administration's request and over \$2 billion under what we spent in this fiscal year of 2013. So we really have an argument that nobody wins. If we fund the past cleanup, we sacrifice the future. If we sacrifice the future, do we really take care of all the past cleanup? We hardly do what's necessary, even with current funding.

So I think it's a perfect example of where the sequestration process is so counterproductive and moves America backwards. We have very imperfect choices here and actually very dangerous choices that we're being forced to make. I think the majority would be much better suited to come back to us with a budget that allows us to do the job that the Energy and Water Subcommittee is charged with doing.

We simply can't try to solve the problem internal to the resources we've been given. It's an impossibility. So somebody is going to lose; and I guarantee you in the past amendment that just came up, some of the people that were the losers have no lobbies here in Washington. The poorest people in our country, who are getting weatherization assistance in order to stay a little bit warmer in the wintertime, they just lost money. They've got no lobby here. They've got none of those people from these various nuclear sites to come in here and lobby for them. Yet they just lost out in a prior amendment.

They have a right to an existence in this country, but we are seeing inside the strictures of this set of choices that we've been given that somebody is always a loser. Actually, the country is a loser because of sequestration and the fact that our subcommittee has been given a mark so far below what is reasonable and frankly what we could do if we had a budget that allowed us to move the country forward, rather than create a can't-do Nation. We can't do science, we can't do cleanup because of what we were handed by, what, a Budget Committee whose members don't even appear on the floor to argue their positions during this debate?

I feel sorry for our country, and I feel sorry for those who have to come down here and take from one another during this debate and hurt people across this country because our allocation is simply too insufficient to meet the needs of the Nation.

So I want to thank the gentlelady for rising on this very important point of

science of the future versus cleanup of the past, but we simply don't have the funds in this bill to do both and it puts us in a very destructive position for the interests of our Nation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was rejected.

AMENDMENT NO. 7 OFFERED BY MR. TAKANO

Mr. TAKANO. 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 22, line 5, after the dollar amount insert "(increased by \$245,000,000)".

Page 29, line 21, after the dollar amount insert "(reduced by \$245,000,000)".

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

Mr. TAKANO. Mr. Chairman, I rise today to offer an amendment to the fiscal year 2014 Energy and Water appropriations bill to increase funding for the Department of Energy's advanced manufacturing program. My amendment increases funding for the renewable energy, energy reliability, and efficiency account by \$245 million to meet the President's budget request for advanced manufacturing.

If we are to remain competitive in the global marketplace, we must fully invest in, develop, and commercialize the emerging technologies that will create high-quality manufacturing jobs in the United States. These investments are crucial to accelerate the advancement of ideas and allow American manufacturers to continue to innovate and compete. By matching the President's request, the Department of Energy will be able to move forward with plans to develop interagency manufacturing innovation institutes that will develop best practices and help manufacturers meet common challenges. These institutes will enable innovation, create a dependable talent pipeline, and improve the overall business climate.

It requires a diverse array of partners if advanced manufacturing is to accelerate and thrive in the United States. A Federal commitment to these emerging and efficient technologies is the catalyst that will help bring educators, workers, and businesses, as well as local and State partners, to the table. Federal investments in advanced manufacturing will help create more jobs, increase our competitiveness, and allow the United States to continue to be a leader in advancing energy-efficient technologies.

I urge my colleagues to support my amendment, and 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 rise to oppose the gentleman's amendment, and I understand he may be offering some other amendments similarly related later on the floor. Suffice it to say that my remarks here will also pertain to those amendments.

This amendment would unacceptably strike funding for the National Nuclear Security Administration's weapon activity by \$245 million in order to increase funding for renewable energy, energy reliability, and efficiency activities. Ensuring funding to maintain our nuclear stockpile is our highest priority in our Energy and Water development bill. Historically, it always has been and will continue to be. We have put off for too long the investments that are needed to ensure that we maintain our nuclear weapons stockpile in the future.

Because of this historical underfunding, there's been strong bipartisan support for increasing weapons activities. Our bill takes a responsible approach to meeting those needs, reducing funding \$193 million below the request for nonessential activities within the weapons activities account that are not required to maintain the nuclear weapons stockpile, but there are no further savings available. A reduction of this magnitude would severely impact the National Nuclear Security Administration's ability to ensure the continued reliability of our weapons, something which the Secretary of Energy has to do to our Commander in Chief each and every year.

I support the programs championed by my colleague. That's why we worked hard to increase the advanced manufacturing program by \$5 million over fiscal year 2013 within an account that is cut by \$971 million.

I oppose the amendment and urge Members to do likewise, and I yield back the balance of my time.

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

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

Ms. KAPTUR. Let me say to the gentleman from California that I am sympathetic toward his efforts on the renewable energy activities at the Department of Energy as they are critical for America's energy future, and I'm torn as I listen to his arguments.

I just wanted to demonstrate a chart here that shows the relative superiority of the United States in the nuclear weapons field, the largest total inventory in the world, with Russia right behind. We have a significant nuclear capacity, much greater than nations that follow: France, China, the United Kingdom, Pakistan, North Korea. The United States has quite significant nuclear complexes, and we must maintain them, and we must provide security for them.

I think that the President's negotiations with Russia provide us with a very important opportunity to cut the systems and to do so in a responsible way that continues our superiority and

our security, while bringing down the possibilities of reducing these weapons globally.

The gentleman's amendment would actually move funds—\$335 million from our weapons accounts—and move them to energy efficiency and renewable energy, which is a move that I would like to support at a future date—the sooner, the better. I appreciate him offering the amendment.

Though I agree with his intent, as I've said many times before, the allocation for this bill is simply insufficient, and we're robbing one account to try to put funds in another account.

I must very reluctantly oppose the gentleman's amendment. I think he's moving in the right direction, and I think that this helps our Nation move in a more constructive direction for the future. We have a responsibility on the nuclear security front. Hopefully, with ongoing negotiations, we'll be able to make this move in the very near future.

I want to thank him for his leadership in moving the country forward and showing us a new path. Let's hope that with the administration's engagement, we can move to that path sooner rather than later.

I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I move to strike the last word.

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

Mr. ROGERS of Alabama. The NNSA's weapons activities program is the core of the U.S. nuclear modernization efforts. Reductions of this magnitude, the \$245 million being proposed in this amendment, will endanger the nuclear deterrent by delaying or canceling key warhead life-extension programs and facilitate modernization programs. These cuts will also cost taxpayers more in the future because the modernization program that the Obama administration has requested must be done and will only get more expensive with time.

President Obama committed to request robust funding for nuclear modernization to win Senate ratification of his New START treaty program. But unfortunately, to date, he's \$1.6 billion behind in that commitment for FY 12 through FY 14. Without these robust funding levels, our ability to safely reduce the New START levels is in question.

The President's 2010 nuclear posture review says:

These investments are essential to facilitating reductions while sustaining deterrents under the New START and beyond.

With this tight budget, we must provide every dollar we can to nuclear modernization efforts and prevent the draconian further reductions required by this amendment.

NNSA is the only national security spending in this bill. Taking money from NNSA to pay for renewable energy directly undermines our national security to subsidize energy technologies that can't stand on their own in the market.

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

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

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

Mr. TAKANO. 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 California will be postponed.

AMENDMENT OFFERED BY MR. PERRY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 5, after the dollar amount, insert "(increased by \$31,000,000)".

Page 28, line 10, after the dollar amount, insert "(reduced by \$31,000,000)".

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

Mr. PERRY. Mr. Chairman, we've had a continuing debate about American energy independence. One way for America to achieve real energy independence is to utilize our own renewable and clean energy resources.

Currently, there are over 800 dams across the Nation waiting to generate power. The dams are already sitting there, sitting on our Nation's rivers all across the country, waiting to generate power, just waiting. From Sacramento to Savannah and right on the Susquehanna River where I live, the power and the consistency of the water flow on these rivers is truly impressive and, as I said, consistent.

The energy created from this immense water flow is something that America should harness for the use of individual and commercial power. In that vein, this amendment would increase the water power energy program by \$31 million. Again, this applies only to the water power energy program.

The Water Power Program is a vitally important program to reducing our dependence on Middle Eastern oil or fossil fuels for many folks on the other side of aisle and the administration who seem desperately opposed to it.

□ 1715

It will allow us to become a more energy independent Nation and do so in an environmentally sound manner. While you sleep, while you work, while you drive, while you talk to your family and watch TV, the rivers are flowing, the tides are moving in and out; power can be generated without any more than that. It doesn't take us digging anything up, dumping anything in, dredging anything up. It just happens.

The water power program is designed to develop water technologies and address barriers to hydropower, barriers like the permitting process that we

currently undergo in this Nation which takes companies that want to do this 10 years, minimum, 10 to 15 years to receive a permit. Who invests in something that takes that long, that kind of money? The problem is that increasingly no one does. So what's right under our feet, what's going right past us in our homes, our towns, our rivers, is not being utilized, and it's right there. Eight hundred dams currently in this Nation could be generating power at this moment.

Hydropower is available in every region of the country and is America's largest source of clean, renewable electricity. It accounts for 67 percent of domestic renewable generation and 7 percent of total electricity generation. And it creates good-paying jobs. I mean from the bottom to the top, everywhere on the spectrum of job creation, hydropower creates work for people. It's reliable, proven, and domestic technology that can expand in environmentally responsible ways. It can be put to work in rivers, harbors, and coastal areas to capture energy from currents and tides. Harnessing this energy will create a truly renewable and green source of energy.

I would like to thank the chairman and the committee for the work they have done to bring this bill to the floor, and I ask all of my colleagues to support 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 reluctantly rise to oppose the gentleman from Pennsylvania's amendment. First of all, I want to salute him for being a strong advocate for water power. I think those of us on the committee are as well.

His amendment would increase, as we're aware, funding for energy efficiency and renewable energy by \$31 million using the Department's administration account as an offset to restore the water power program to the requested level. Our allocation, as I've said a number of times, made for some really tough choices. Our bill cuts applied energy and advanced research programs to allow more funding for inherently Federal responsibilities.

While I support the program championed by my colleague, we can simply not afford to increase energy reliable activities so significantly by diverting funding from other essential activities within the Department of Energy. One of the issues within the Department of Energy is they've had management issues. They need money to better manage a lot of the activities. They have a new Secretary of Energy. He needs the resources to do it. If we keep tapping from this account, there will be no money to pay for the management and operation and the accountability we expect from the chief executive of this Department. Therefore, I

reluctantly oppose his amendment and urge Members to do likewise.

I yield back the balance of my time. Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

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

Ms. KAPTUR. Mr. Chairman, I rise to oppose the gentleman's well-intentioned amendment and again reiterate that our budget is simply insufficient in our subcommittee to meet all of the needs of the country.

What the gentleman is proposing is to take an additional \$31 million out of the Department's administrative accounts and to shift them to renewable energy systems relating to dams and small dam construction. That is a very worthy objective. However, if you know anything about the Department of Energy, one of the challenges we face in the administrative accounts is getting them to manage their contracts in a way that properly oversees taxpayer dollar expenditures. That Department has had some of the worst cost overruns I have ever seen in my career in Congress, on the nuclear side and on the nonnuclear side. So when the gentleman wants to cut administrative costs, my worry is that we will not have the kind of rigor that the chairman and I have been trying to reinfuse in the Department to better manage the dollars that we allow them to spend. And so I think the gentleman's amendment runs a real risk of creating mismanagement there simply because they don't have the personnel to do the job.

And so I think that your end purpose is a very, very worthy one. And, frankly, we have some small dams in Ohio that would benefit from the gentleman's amendment, but I have to come down on the side of rigor and proper administration by the Department in all of their accounts, and the amount of mismanagement and cost overruns in some of their programs is into the billions.

The administrative accounts overall are only \$187 million to manage a Department that is over \$30 billion worth of expenditures and all kinds of contractors, all kinds of cleanup programs that stand on that thin reed of \$187 million for nationwide contract administration and personnel administration.

So I rise in opposition to the gentleman's amendment. I understand what he's trying to do, but we simply can't risk improper contract management in that Department at this time. I urge opposition to the amendment.

I yield back the balance of my time.

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

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

Mr. PERRY. 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 Pennsylvania will be postponed.

AMENDMENT OFFERED BY MS. CASTOR OF FLORIDA

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 5, after the dollar amount, insert “(increased by \$1,127,954,000)”.

Page 22, line 8, before the period, insert the following:

: *Provided*, That the amount made available under this heading shall be allocated between programs, projects, and activities previously funded under the heading “Energy Efficiency and Renewable Energy” and programs, projects, and activities previously funded under the heading “Electricity Delivery and Energy Reliability” in the same proportion as such funds were allocated between such accounts in fiscal year 2013 by division F of Public Law 113-6

Ms. CASTOR of Florida (during the reading). Mr. Chairman, I ask unanimous consent to waive the reading.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Florida?

Mr. FRELINGHUYSEN. Mr. Chairman, I object to waiving the reading, and I reserve a point of order on the gentlewoman’s amendment.

The Acting CHAIR. Objection is heard. A point of order is reserved.

The Clerk will read.

The Clerk continued to read.

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

Ms. CASTOR of Florida. Mr. Chairman, I rise today to offer an amendment that would restore funding for America’s renewable energy, energy efficiency, and energy conservation initiatives, restore it to the very modest levels of the last year, 2013. These relate to the Department of Energy’s energy efficiency and renewable energy initiatives, the Department’s electricity delivery and energy reliability initiatives as well.

The problem with the Republican bill is it slashes, it eviscerates America’s commitment to renewable energy and energy conservation. They also have something that I characterize, maybe a term of art, rearranging the deck chairs on the Titanic, because they take these various accounts and squeeze them in a vise down into a single account; and when you take it all together, it is a 57 percent reduction in energy efficiency and renewable energy. This is outrageous. It is shortsighted, and it is very poor public policy.

The Republican bill slashes clean energy initiatives that are critical to the all-of-the-above energy strategy that I thought we all agreed on is needed for U.S. energy independence, ranging from solar to wind power and new technologies for more energy-efficient buildings and advanced vehicles.

So I have to say, Mr. Chairman, if I hear any of my Republican colleagues say they are for an all-of-the-above approach on energy policy, this Energy

and Water appropriations bill belies that. It really pulls the curtain back on what the plan really is on the other side of the aisle.

The administration has objected, and I agree with them. They write:

The Republican bill would leave U.S. competitiveness at risk in new markets for clean energy industries such as advanced vehicles, advanced manufacturing, energy efficiency for homes and businesses, and domestic renewable energies such as wind, solar, and biomass.

They do this at a time when they are content to leave huge taxpayer subsidies going to the big oil companies, meanwhile slashing very modest investments in renewable energy, energy efficiency, and energy conservation.

Specifically, the impact of these cuts will reduce by 50 percent the homes weatherized to help our neighbors back home reduce their energy bills. And Ranking Member KAPTUR was absolutely correct: those working class neighbors back home do not have big lobbyists here in Washington, D.C. This bill would also significantly delay research on next generation technologies that save energy in our homes, our schools, our hospitals, and businesses.

The Republican bill will hinder the development of cost-effective new technologies and appliance standards that save Americans money by increasing energy productivity. This bill spells a likely demise and ends solar energy job training for students and military veterans at 261 community colleges. The Republican bill will slow efforts to modernize and secure the electricity delivery grid and respond to energy emergencies.

I ask simply that we return the funding levels to the very modest levels of last year. The amendment also directs that funds be allocated in the same proportion as they were in fiscal year 2013.

These clean energy initiatives are critical to achieving energy independence, boosting our economy, creating jobs, and maintaining global leadership. Ranking Member KAPTUR was absolutely right during this debate. She said we are sacrificing our future and not living up to the standards of this great country because you’re slashing the investments that make this country go: investing in innovation and technology.

I’m afraid that it really highlights the broader issue, and that is the fact that the Republicans refuse to negotiate on the budget. They passed the budget 100 days ago. The Democrats have appointed conferees. I don’t know what the holdup is, why my Republican colleagues are afraid to negotiate on the budget. But in the meantime, here on this amendment, we have an opportunity to stand up for jobs, for clean energy and the future of our great Nation. I ask support of the Castor amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

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

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment proposes a net increase in budget authority in the bill. The amendment is not in order under section 3(d)(3) of House Resolution 5, 113th Congress, which states:

It shall not be in order to consider an amendment to a general appropriation bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or a greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.

The amendment proposes a net increase in the budget authority in the bill in violation of such section. I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The gentlewoman is recognized.

Ms. CASTOR of Florida. I appreciate that there is a point of order brought up, but I think there is a major point of order that faces this House of Representatives, and that’s the fact that the Democrats have appointed conferees to negotiate the budget, and my Republican colleagues appear to be afraid to come together and discuss the budget.

The Acting CHAIR. The gentlewoman will confine her remarks to the point of order.

Ms. CASTOR of Florida. Mr. Chair, at this time, I will insist upon a vote on the point of order.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from New Jersey makes a point of order that the amendment offered by the gentlewoman from Florida violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from New Jersey, the amendment proposes a net increase in the budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

Ms. CASTOR of Florida. Mr. Chairman, I move to appeal the ruling of the Chair.

□ 1730

The Acting CHAIR. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Acting Chair announced that the ayes had it.

So the decision of the Chair stands as the judgment of the Committee.

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:

In the item relating to “Department of Energy—Energy Programs—Renewable Energy,

Energy Reliability, and Efficiency", after the first dollar amount, insert "(reduced by \$9,826,370)".

In the spending reduction account, after the dollar amount, insert "(increased by \$9,826,370)".

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

Mr. BROUN of Georgia. Mr. Chairman, the bill before us today cuts significant amounts from a number of programs which I have traditionally targeted for spending reductions.

Now, I commend my friends, the full committee chairman, HAL ROGERS, and the subcommittee chairman, also a good friend, Mr. FRELINGHUYSEN, for these cuts, and I congratulate them on such.

That being said, we're at a time of a real fiscal emergency. Congress has allowed the sequester to happen, and we can see some of the effects of the sequester in this underlying bill. I opposed the use of the sequester from the get-go because I believe that governmentwide, across-the-board cuts are not a wise way of cutting spending. I believe that it's bad policy.

Instead of furloughing civilian DOD employees and cutting our military, we ought to make targeted cuts where there's room to do so. This amendment, Mr. Chairman, would do just that. It would trim just a small additional 1 percent, or about \$9.8 million, from programs relating to renewable energy and energy efficiency, and put that amount toward spending reduction.

The committee report for the underlying bill notes that funding for these programs prioritizes reducing gas prices and supporting American manufacturing. And absolutely, we must be doing those things. Yet, these funds are focused on technologies which are still emerging, like new vehicle technology, hydrogen and fuel cell technology, and bio-energy.

Mr. Chairman, I'm not arguing that these technologies aren't worth studying. What I'm suggesting is that we—and I'm not suggesting that we completely defund them. I'm suggesting we make a mere 1 percent cut towards the proposed spending level.

What I'm saying is that we make this small additional cut and work towards getting our fiscal house in order before pouring scarce funding into new, unproven technology.

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

Mr. FRELINGHUYSEN. I move to strike the last word, and oppose the gentleman's amendment.

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

Mr. FRELINGHUYSEN. The gentleman from Georgia's amendment would further cut funding for renewable energy and energy reliability and efficiency program by an additional 1 percent from the levels contained in our bill.

The Energy and Water Development bill cuts levels by \$2.9 billion below last

year's level, including \$971 million from renewable energy and energy-efficient activities. In just those accounts alone, that's 50 percent below fiscal year 2013, and 67 percent below the President's request.

To that end, the funding the bill preserves is just as important as the funding it cuts. Our bill focuses the vast majority of remaining funds within this account on programs that can address high gas prices and help American manufacturers compete in the global marketplace. These programs can reduce American manufacturing costs, help companies compete in that market, creating jobs here at home.

Reducing Federal spending is critical. That's why the bill reduces funding for this account to half its current levels. But we also must make strategic investments to address high gas prices and help America compete.

The amendment would eliminate these important programs. I urge Members to oppose it.

I yield back the balance of my time.

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

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

Ms. KAPTUR. I rise in opposition to the Broun amendment, and really find it somewhat incredible that, in the bill that the majority brought forward, the renewable energy accounts have been cut by over half, over 60 percent already. This gentleman proposes an amendment to cut it by an additional 1 percent. And that equals \$9,826,370 to an account that has already just been drubbed.

Now, I want to say something here. Here's a chart that shows America's trade deficit. And energy, imported energy, comprises the largest account. We haven't had a balanced trade deficit since the 1970s, when the job hemorrhage started in this country. And it gets worse every year.

America's future depends on innovation. We can't continue to live like this. Every community you go to in this country, they say, will we have to move somewhere because my child can't find a job?

Or gosh, I just had to get another job and I had my salary cut in half.

It's pretty obvious what's been happening. The major category of trade deficit is energy imports, energy, because we are not self-sufficient in energy production in this country.

Part of the answer lies in new energy systems, systems that even NASA has helped us to begin to invent, yes, in the solar field, yes, in new hydrogen technologies like cryogenic hydrogen, yes, in natural gas.

Thank goodness, the Department invested in fossil fuel technologies. That's where the fracking technologies came from. It came from thinking about the future, not living in the past.

So the gentleman's cutting even further into the bone. We've already cut to the bone, now you're sort of whacking the spine in half and saying, well, let's cut some more there.

Well, either you live in the future or you live in the past. And I, sadly, view the gentleman's amendment as a retreat to the past.

I want to live in an America that's a can-do nation, an America that invents new technologies. And literally, the renewable technologies are going to have to be there when the finite resources of carbon-based fuels aren't there anymore, because they are finite. They're finite globally.

And I stand here also today for every single soldier in our country that's died in the line of duty trying to protect the sea lanes to bring that stuff in here because they're trying to help America hold it together while she isn't energy-independent here at home.

So these investments in the future are vital to the future, if one is capable of thinking forward about what that future might look like.

I've seen a technology, sir, that can take a thin filament invented by the best scientists this country has. They float it in a nitrogen bath and, from point of generation of power to point of use it's 100 percent energy-efficient, unlike the current transmission technologies that we have today, where we lose 25 to 80 percent of our power.

There has to be a majority in here, 218, that are capable of thinking about living in the future and not just the past.

I oppose the gentleman's amendment. I think that he's trying to be a good budgeteer, I guess, but in so doing, he cuts off the nose to spite his face.

America deserves to have an energy future, and it won't happen with amendments like this one.

So I oppose the gentleman's amendment, ask my colleagues to vote "no," and I yield back the balance of my time.

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

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

Ms. KAPTUR. 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 Georgia will be postponed.

AMENDMENT OFFERED BY MR. COHEN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 5, after the dollar amount, insert "(increased by \$50,000,000)".

Page 29, line 21, after the dollar amount, insert "(reduced by \$50,000,000)".

Mr. COHEN (during the reading). I ask unanimous consent that the amendment be considered as read.

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

Mr. LAMBORN. I object.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. COHEN (during the reading). I ask unanimous consent, again, that we consider it as read. I think my friend from Colorado who shares my birth date doesn't understand what is going on. He doesn't want to listen to this. Nobody wants to listen to this.

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

There was no objection.

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

Mr. COHEN. My amendment, which is worthy of being considered and passed, but not necessarily to be heard, would re-appropriate \$50 million from the Weapons Activities account to the Renewable Energy, Energy Reliability, and Efficiency account, kind of a compromise about what we've been hearing. It doesn't take too much from nuclear. It gives some back to solar. It's a compromise where we work together.

In this bill, the Weapons Activities account, which had been funded at \$7.7 billion, that's more than \$190 million over the President's request, and over \$95 million more than the account had in 2013. And to offset this increase, which the committee voted, the committee decided to do so by funding the Renewable Energy, Energy Reliability and Efficiency account at only \$982 million, slashing that account by almost 50 percent in this budget.

While ensuring the security of the United States is certainly very, very important, the consequences of ignoring climate change trends and data is resulting in a serious and ever-growing threat right here on our own soil.

I know that the goal of everybody here in the House is energy independence, and it's a paramount concern to all of us. However, in order to achieve this goal, we must dedicate ourselves and our budget to the serious business of securing that energy future.

Ensuring that our renewable energy research program is adequately funded is one of the most effective and climate-neutral ways to achieve this goal. For example, solar power is the most abundant energy resource available to the planet, and demand for solar power in the United States is at an all-time high.

As solar prices continue to fall, Americans are reassessing their energy resources. Cutting funding to projects that make this clean energy even more affordable is not prudent, and out of line with the priorities of clean-energy minded Americans.

Renewable energy is secure and domestic, and energy-efficient programs not only result in greater resource supplies but savings for families and businesses alike.

According to the Alliance to Save Energy, the President's climate plan to double domestic energy production by utilizing methods like renewable energy could save the average family

household more than \$1,000 every year on energy bills.

Investing in renewable energy will result in safer domestic energy, job creation in the clean energy sector, and lower heating and cooling bills across the country.

For these reasons and others, and in the best interest of our Nation's energy security, I urge my colleagues to vote "yes" on this amendment. I would ask you to spend money on finding research to see ways we can come up with renewable energy and improve the savings, and save about the future, save it and yet not cut too much from the nuclear program, which we already have funded higher than the President requested or last year.

I would ask for a "yes" vote on this amendment, a compromise amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word and speak in opposition to the amendment.

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

Mr. FRELINGHUYSEN. The gentleman's amendment, as he said, would increase funding for this EERE account and by cutting weapons activities in the NNSA administration and using that as an offset.

Our bill not only cuts the renewable energy and energy efficiency accounts, it also cuts fossil energy by \$84 million, 16 percent, nuclear energy by 14 percent.

As I said earlier, Mr. Chairman, our allocation made for some tough choices. We've placed highest priority on activities in which the Federal Government must take the lead. One of those, of course, the most critical mass is assuring funding for national security. It's our highest priority.

While I support the programs that he outlines, we should not divert to programs from national security. Therefore, I oppose his amendment and ask Members to do so as well.

I yield back the balance of my time.

□ 1745

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

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

Mr. LAMBORN. I rise in opposition to this amendment. I object to where this money is being cut. The amendment would take another \$50 million away from already low amounts for modernizing our nuclear stockpile. The President agreed several years ago that he would modernize our nuclear stockpile in order to secure ratification of the New START Treaty. Under that treaty, both Russian and U.S. forces are being reduced; but we have to modernize the force so that we maintain a credible deterrent with the remaining weapons after the reductions take place.

The President is not fully funding that obligation. That's troubling enough. This committee has lowered what the President recommended to an even lower level, and that's even more troubling. If we take this amendment for a further reduction, we're really getting into serious cuts.

The trouble with not modernizing our nuclear capability is that we will no longer have an effective deterrent. These weapons degrade over time. They lose their effectiveness and reliability. If we have allies who can't depend on our nuclear deterrent, what are they going to want to do? They're going to want to go out and start their own nuclear programs. Countries like Korea and Japan are already talking about that, by the way. Unless you want more nuclear proliferation in the world, you want the U.S. to maintain a serious and credible deterrent and have an effective nuclear arsenal.

So this amendment takes us in the wrong direction. It's not good strategically for the United States. It's not a good savings of money, and I would urge strong rejection of this amendment.

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

Ms. KAPTUR. I move to strike the last word.

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

Mrs. KAPTUR. I yield to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. We've had these discussions. We've got enough money in nuclear weapons to destroy the world thousands and thousands and thousands of times. And I understand defense, but I also understand the future. And the future is energy self-reliance. And that comes from the Sun. It's not going to be taken out of the Earth. It's going to come from the solar energy that God has given us to harness and use for mankind.

So the amendment, in my opinion, is a sound amendment and budgetary use. But even more so—and it's getting off the path—the reality is the distinguished gentleman made his remarks and said there's nothing more important than our Defense Department. I submit to you that we're cutting \$1.6 billion from the National Institutes of Health. That's my defense department and your defense department and everybody else's defense department. Because cancer, heart disease, stroke, diabetes, Parkinson's, Alzheimer's, and AIDS, that's the enemy that's going to get each one of us. And we're cutting \$1.6 from NIH, which is our defense department.

Ms. KAPTUR. I yield back the balance of my time.

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

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

Mr. COHEN. Mr. 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 Tennessee will be postponed.

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:

In the item relating to "Department of Energy—Energy Programs—Renewable Energy, Energy Reliability, and Efficiency", after the first dollar amount, insert "(reduced by \$4,751,000)".

In the spending reduction account, after the dollar amount, insert "(increased by \$4,751,000)".

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

Mr. BROUN of Georgia. This amendment would reduce the appropriations that are suggested for the energy programs relating to renewable energy, energy reliability, and efficiency by \$4.751 million and increase the spending reduction account by that same amount. It is meant to eliminate the committee-recommended increase to funding for facilities and infrastructure under this section of the bill.

Mr. Chairman, we must do everything that we can to rein in spending. We're facing an economic emergency as a Nation. My friends, particularly on the other side, seem to not face the fact that we're headed for an economic meltdown if we don't stop this uncontrolled spending that I believe is irresponsible.

My amendment is not a cut to funding, but to simply eliminate a proposed increase, keeping the appropriated amount at the current level we have right now today.

I believe this is a commonsense amendment, I urge my colleagues to support it, and I yield back the balance of my time.

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 rise to oppose the gentleman's amendment. Our bill already cuts the National Renewable Energy Lab, or NREL, within the Department of Energy. We cut it by \$15 million below the President's request. That's a 33 percent reduction. Quite honestly, I don't think the facility could take any further reductions that undermine this budget consolidation, which is something we've sought, something which the Department of Energy has gone ahead with. Therefore, I oppose the amendment, and urge others to do the same.

I yield back the balance of my time.

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

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

Ms. KAPTUR. I rise to oppose the amendment of the gentleman from

Georgia. This is a chart showing U.S. imports of oil since 1973, where America is more vulnerable in every succeeding decade. We know that if gas prices in this country go over \$4 a gallon, we go into deep recession.

We live at the edge every year, and we've seen what happens. So I repeat what I've said in prior debates today: either you live in the past or you attempt to live in the future and build a future.

I think that the gentleman's amendment, though it might be well intentioned, is moving America backwards. We simply have to address the fact that we are not energy independent as a country, and the renewable energy accounts are part of that future. We must embrace it. We must move our Nation away from complete dependence on foreign sources of energy and stand on our own two feet here at home.

I oppose the gentleman's amendment, ask my colleagues to do the same, and I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. 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 Georgia will be postponed.

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:

Amendment No. 1 by Mr. MORAN of Virginia.

Amendment No. 2 by Mr. MORAN of Virginia.

Amendment No. 7 by Mr. TAKANO of California.

Amendment by Mr. PERRY of Pennsylvania.

First amendment by Mr. BROUN of Georgia.

The Chair will reduce to 5 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 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 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 177, noes 236, not voting 21, as follows:

[Roll No. 311]

AYES—177

Andrews	Gutiérrez	O'Rourke
Beatty	Hahn	Pallone
Becerra	Hanabusa	Pascarell
Bera (CA)	Hastings (FL)	Payne
Bishop (NY)	Heck (WA)	Pelosi
Blumenauer	Higgins	Perlmutter
Bonamici	Himes	Peters (CA)
Brady (PA)	Hinojosa	Peters (MI)
Braley (IA)	Holt	Pingree (ME)
Brown (FL)	Honda	Pocan
Brownley (CA)	Huffman	Price (NC)
Bustos	Israel	Quigley
Butterfield	Jackson Lee	Rangel
Capps	Jeffries	Richmond
Capuano	Johnson (GA)	Roybal-Allard
Cárdenas	Johnson, E. B.	Ruiz
Carney	Kaptur	Ruppersberger
Carson (IN)	Keating	Rush
Cartwright	Kelly (IL)	Ryan (OH)
Castor (FL)	Kennedy	Sánchez, Linda T.
Castro (TX)	Kildee	Sanchez, Loretta
Chu	Kilmer	Sarbanes
Cicilline	Kind	Schakowsky
Clarke	Kuster	Schiff
Clay	Langevin	Schneider
Cleaver	Larsen (WA)	Schrader
Clyburn	Larson (CT)	Schwartz
Cohen	Lee (CA)	Scott (VA)
Connolly	Levin	Serrano
Cooper	Lewis	Sewell (AL)
Courtney	Lipinski	Shea-Porter
Crowley	Loeb sack	Sherman
Cummings	Lofgren	Sires
Davis (CA)	Lowenthal	Slaughter
Davis, Danny	Lowey	Smith (WA)
DeFazio	Lujan Grisham (NM)	Speier
DeGette	Luján, Ben Ray (NM)	Swalwell (CA)
Delaney	Lynch	Takano
DeLauro	Maffei	Thompson (CA)
DeBene	Maloney, Carolyn	Thompson (MS)
Deutch	Maloney, Sean	Tierney
Dingell	Markey	Titus
Doggett	Matsui	Tonko
Doyle	McCollum	Tsongas
Duckworth	McDermott	Van Hollen
Edwards	McGovern	Vargas
Ellison	McNerney	Veasey
Engel	Meeks	Vela
Eshoo	Meng	Velázquez
Esty	Michaud	Visclosky
Farr	Miller, George	Walz
Fattah	Moore	Wasserman
Fitzpatrick	Moran	Schultz
Frankel (FL)	Murphy (FL)	Waters
Fudge	Nadler	Watt
Gabbard	Napolitano	Waxman
Galleo	Neal	Welch
Garamendi	Nolan	Wilson (FL)
Grayson		Yarmuth
Green, Al		
Green, Gene		

NOES—236

Aderholt	Chabot	Forbes
Alexander	Chaffetz	Fortenberry
Amash	Coble	Foster
Amodei	Coffman	Fox
Bachmann	Cole	Frelinghuysen
Bachus	Collins (GA)	Gardner
Barletta	Collins (NY)	Garrett
Barr	Conaway	Gerlach
Barrow (GA)	Cook	Gibbs
Barton	Costa	Gibson
Benishek	Cotton	Gingrey (GA)
Bentivolio	Cramer	Gohmert
Bilirakis	Crawford	Goodlatte
Bishop (GA)	Crenshaw	Gowdy
Bishop (UT)	Cuellar	Granger
Black	Culberson	Graves (GA)
Blackburn	Daines	Graves (MO)
Bonner	Davis, Rodney	Griffin (AR)
Boustany	Denham	Griffith (VA)
Brady (TX)	Dent	Grimm
Bridenstine	DeSantis	Guthrie
Brooks (AL)	DesJarlais	Hall
Brooks (IN)	Diaz-Balart	Hanna
Broun (GA)	Duffy	Harper
Buchanan	Duncan (SC)	Harris
Bucshon	Duncan (TN)	Hartzer
Burgess	Ellmers	Hastings (WA)
Calvert	Enyart	Heck (NV)
Camp	Farenthold	Hensarling
Cantor	Fincher	Herrera Beutler
Capito	Fleischmann	Holding
Carter	Fleming	Hudson
Cassidy	Flores	Huelskamp

Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)

Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan

Ryan (WI)
Sanford
Scalise
Schock
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—21

Barber
Bass
Campbell
Conyers
Franks (AZ)
Garcia
Gosar

Grijalva
Horsford
Hoyer
Hunter
Kirkpatrick
McCarthy (NY)
Negrete McLeod

Pastor (AZ)
Polis
Salmon
Schweikert
Shimkus
Sinema
Young (FL)

□ 1821

Messrs. BRADY of Texas, CULBERSON, ENYART, and DAVID SCOTT of Georgia changed their vote from “aye” to “no.”

Ms. TITUS, Mr. ELLISON, Ms. SCHWARTZ, and Mr. SCHRADER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. MORAN

The Acting CHAIR (Ms. ROS-LEHTINEN). 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 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 226, not voting 20, as follows:

[Roll No. 312]

AYES—188

Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Ciilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Grayson
Green, Al

Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Malone
Carolyn
Maloney, Sean
Marchant
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Nolan

O'Rourke
Pallone
Pascarella
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Price (NC)
Quigley
Rangel
Reichert
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Yarmuth

NOES—226

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivoglio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Cantor

Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)

Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris

Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers

Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus

Royce
Runyan
Ryan (WI)
Sanford
Scalise
Schock
Schrader
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—20

Barber
Camp
Campbell
Franks (AZ)
Garcia
Gosar
Horsford

Hoyer
Hunter
Kirkpatrick
McCarthy (NY)
Negrete McLeod
Palazzo
Pastor (AZ)

Polis
Salmon
Schweikert
Shimkus
Sinema
Young (FL)

□ 1829

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PALAZZO. Madam Chair, on rollcall No. 312, I was in conversation with the chairman of the Armed Services Committee discussing matters important to the Mississippi National Guard. Had I been present, I would have voted “no.”

AMENDMENT NO. 7 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 264, not voting 18, as follows:

[Roll No. 313]

AYES—152

Andrews Gabbard Nadler
 Bass Garamendi Napolitano
 Beatty Gibson Neal
 Becerra Grayson Nolan
 Bera (CA) Green, Al O'Rourke
 Bishop (NY) Green, Gene Pallone
 Blumenauer Grijalva Pascarell
 Bonamici Gutiérrez Payne
 Brady (PA) Hahn Pelosi
 Braley (IA) Hanabusa Peters (CA)
 Brown (FL) Hastings (FL) Peters (MI)
 Brownley (CA) Heck (WA) Pingree (ME)
 Butterfield Higgins Pocan
 Capps Himes Price (NC)
 Capuano Hinojosa Quigley
 Cárdenas Holt Rahall
 Carney Honda Rangel
 Carson (IN) Huffman Roybal-Allard
 Cartwright Jackson Lee Rush
 Castor (FL) Jeffries Sánchez, Linda
 Castro (TX) Johnson (GA) T.
 Chu Johnson, E. B. Sarbanes
 Clarke Keating Kelly (IL) Schakowsky
 Cohen Kelly (IL) Schiff
 Conyers Kennedy Schneider
 Cooper Kildee Schrader
 Courtney Kilmer Schwartz
 Crowley Kind Scott, David
 Cummings Kuster Serrano
 Davis (CA) Larsen (WA) Shea-Porter
 Davis, Danny Larson (CT) Sherman
 DeFazio Levin Sires
 DeGette Lewis Lipinski
 Delaney DelBene Loeb sack
 DeLauro DelBene Lowenthal
 Deutch Lowey
 Dingell Lynch Tierney
 Doggett Maloney, Carolyn
 Doyle Markkey
 Duckworth Markkey
 Edwards Matsui
 Ellison McDermott
 Engel McGovern
 Enyart McNerney
 Eshoo Meeks
 Esty Meng
 Farr Mica
 Fattah Michaud
 Foster Miller, George
 Frankel (FL) Moran
 Fudge Murphy (FL)

NOES—264

Aderholt Cole
 Alexander Collins (GA)
 Amash Collins (NY)
 Amodei Conaway
 Bachmann Connolly
 Bachus Cook
 Barletta Costa
 Barr Cotton
 Barrow (GA) Cramer
 Barton Crawford
 Benishek Harper
 Bentivolio Harris
 Bilirakis Hartzler
 Bishop (GA) Daines
 Bishop (UT) Davis, Rodney
 Black Denham
 Blackburn Dent
 Bonner DeSantis
 Boustany DesJarlais
 Brady (TX) Diaz-Balart
 Bridenstine Duffy
 Brooks (AL) Duncan (SC)
 Brooks (IN) Duncan (TN)
 Broun (GA) Ellmers
 Buchanan Farenthold
 Bucshon Fincher
 Burgess Fitzpatrick
 Bustos Fleischmann
 Calvert Fleming
 Camp Flores
 Cantor Forbes
 Capito Fortenberry
 Carter Foxx
 Cassidy Frelinghuysen
 Chabot Gallego
 Chaffetz Gardner
 Cicilline Garrett
 Clay Gerlach
 Cleaver Gibbs
 Clyburn Gingrey (GA)
 Coble Gohmert
 Coffman Goodlatte

Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Heck (NV)
 Hensarling
 Herrera Beutler
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hurt
 Israel
 Issa
 Jenkins
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Joyce
 Kaptur
 Kelly (PA)
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 LaMalfa
 Lamborn
 Lance

Langevin
 Lankford
 Latham
 Latta
 Lee (CA)
 LoBiondo
 Lofgren
 Long
 Lucas
 Luetkemeyer
 Lujan Grisham (NM)
 Luján, Ben Ray (NM)
 Lummis
 Maffei
 Maloney, Sean
 Marchant
 Marino
 Massie
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McCollum
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meadows
 Meehan
 Messer
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moore
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Paulsen
 Pearce
 Perlmutter
 Perry
 Peterson
 Petri
 Pittenger
 Pitts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Radel
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Richmond
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Royce
 Ruiz
 Runyan
 Ruppersberger
 Ryan (OH)
 Ryan (WI)
 Sanchez, Loretta
 Sanford
 Scalise
 Schock
 Scott (VA)
 Scott, Austin
 Sensenbrenner
 Sessions
 Sewell (AL)
 Shuster
 Simpson
 Slaughter
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stewart
 Stivers
 Stockman
 Stutzman
 Swalwell (CA)
 Terry
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Valadao
 Vela
 Visclosky
 Wagner
 Walberg
 Walden
 Walorski
 Wasserman
 Schultz
 Watt
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westmoreland
 Whitfield
 Williams
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IN)

NOT VOTING—18

Barber
 Campbell
 Franks (AZ)
 Garcia
 Gosar
 Horsford
 Hoyer
 Hunter
 Kirkpatrick
 McCarthy (NY)
 Negrete McLeod
 Pastor (AZ)
 Polis
 Salmon
 Schweikert
 Shimkus
 Sinema
 Young (FL)

□ 1836

Mr. CICILLINE 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. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 140, noes 275, not voting 19, as follows:

[Roll No. 314]

AYES—140

Barletta Benishek Bishop (NY)
 Barrow (GA) Bentivolio Bishop (UT)
 Barton Bera (CA) Blumenauer

Bonamici
 Braley (IA)
 Camp
 Capps
 Capuano
 Carson (IN)
 Cartwright
 Castro (TX)
 Chaffetz
 Cicilline
 Connolly
 Cooper
 Cramer
 Cuellar
 Daines
 Davis, Rodney
 DeGette
 Delaney
 DelBene
 Denham
 Dent
 Deutch
 Duckworth
 Engel
 Eshoo
 Fitzpatrick
 Foster
 Gallego
 Garamendi
 Gerlach
 Gibson
 Gohmert
 Green, Gene
 Grijalva
 Hahn
 Hanna
 Harris
 Heck (NV)
 Heck (WA)
 Herrera Beutler
 Himes
 Huffman
 Israel
 Johnson (GA)
 Johnson (OH)
 Jones
 Jordan
 Keating
 Kelly (PA)
 Kennedy
 Kilmer
 Kind
 King (IA)
 Kuster
 Lamborn
 Langevin
 Larsen (WA)
 Lipinski
 LoBiondo
 Lofgren
 Lowenthal
 Luetkemeyer
 Luján, Ben Ray (NM)
 Lynch
 Maffei
 Maloney, Carolyn
 Marino
 Markey
 Massie
 Matsui
 McCaul
 McCollum
 McDermott
 McGovern
 McNerney
 McNerney
 Meehan
 Messer
 Mica
 Michaud
 Miller (MI)
 Miller, George
 Nadler
 Napolitano
 Neal
 Nolan
 Pascarell
 Perry

NOES—275

Aderholt
 Alexander
 Amash
 Amodei
 Andrews
 Bachmann
 Bachus
 Barr
 Bass
 Beatty
 Becerra
 Bilirakis
 Bishop (GA)
 Black
 Blackburn
 Bonner
 Boustany
 Brady (TX)
 Brady (TX)
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Brown (GA)
 Brown (FL)
 Brownley (CA)
 Buchanan
 Bucshon
 Burgess
 Bustos
 Butterfield
 Calvert
 Cantor
 Capito
 Cárdenas
 Carney
 Carter
 Cassidy
 Castor (FL)
 Chabot
 Chu
 Clarke
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman
 Cohen
 Cole
 Collins (GA)
 Collins (NY)
 Conaway
 Conyers
 Cook
 Costa
 Cotton
 Courtney
 Crawford
 Crenshaw
 Crowley
 Culberson
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeLauro
 DeSantis
 DesJarlais
 Diaz-Balart
 Dingell
 Doggett
 Doyle
 Duffy
 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Enyart
 Esty
 Farenthold
 Farr
 Fattah
 Fincher
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Frankel (FL)
 Frelinghuysen
 Fudge
 Gabbard
 Gardner
 Garrett
 Gibbs
 Gingrey (GA)
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Grayson
 Green, Al
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guthrie
 Gutiérrez
 Hall
 Hanabusa
 Harper
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hensarling
 Higgins
 Hinojosa
 Holding
 Holt
 Honda
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hurt
 Issa
 Jackson Lee
 Jeffries
 Jenkins
 Johnson, E. B.
 Johnson, Sam
 Joyce
 Kaptur
 Kelly (IL)
 Kildee
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 LaMalfa
 Lance
 Lankford
 Larson (CT)
 Latham
 Latta
 Lee (CA)
 Levin
 Lewis
 Loeb sack
 Long
 Lowey
 Lucas
 Lujan Grisham (NM)
 Peters (MI)
 Pingree (ME)
 Pitts
 Poe (TX)
 Posey
 Radel
 Reichert
 Rice (SC)
 Roe (TN)
 Rokita
 Roskam
 Rothfus
 Ruppersberger
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott, David
 Sensenbrenner
 Shuster
 Southerland
 Speier
 Stewart
 Terry
 Thompson (CA)
 Tierney
 Tipton
 Tonko
 Tsongas
 Upton
 Van Hollen
 Vargas
 Vela
 Velázquez
 Walz
 Wasserman
 Schultz
 Waxman
 Welch
 Wilson (SC)
 Yarmuth
 Young (AK)

Wasserman	Waxman	Womack
Schultz	Welch	Yarmuth
Waters	Wilson (FL)	Young (AK)
Watt	Wolf	

NOT VOTING—24

Barber	Horsford	Pastor (AZ)
Beatty	Hoyer	Polis
Campbell	Hunter	Salmon
Castor (FL)	Kirkpatrick	Schweikert
Duncan (TN)	McCarthy (NY)	Sessions
Franks (AZ)	McIntyre	Shimkus
Garcia	Negrete McLeod	Sinema
Gosar	Nolan	Young (FL)

□ 1855

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DUNCAN of Tennessee. Madam Chair, on rollcall No. 315 I was unavoidably detained. 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. DAINES) 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. 2609) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 761, NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2013

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 113-147) on the resolution (H. Res. 292) providing for consideration of the bill (H.R. 761) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, which was referred to the House Calendar and ordered to be printed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The SPEAKER pro tempore. Pursuant to House Resolution 288 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. 2609.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly resume the chair.

□ 1900

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 making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

Ms. ROS-LEHTINEN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Georgia (Mr. BROWN) had been disposed of and the bill had been read through page 22, line 9.

AMENDMENT OFFERED BY MR. SWALWELL OF CALIFORNIA

Mr. SWALWELL of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 5, after the dollar amount, insert "(increased by \$1,000,000)".

Page 28, line 10, after the dollar amount, insert "(reduced by \$1,000,000)".

Mr. SWALWELL of California (during the reading). Madam Chair, I ask unanimous consent to waive reading of the amendment.

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

There was no objection.

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

Mr. SWALWELL of California. Madam Chair, I rise in support of my amendment, which would transfer \$1 million to the Department of Energy's Office of Energy Efficiency and Renewable Energy, or EERE, from administrative funds.

I recently organized a letter, joined by almost 80 of my colleagues, calling for robust and sustained funding for this crucial program. EERE's research, development, and deployment programs focus on three major fields: renewable electricity generation; sustainable transportation; and energy-saving homes, buildings, and manufacturing.

This program plays a key role in advancing America's all-of-the-above energy strategy, and we must set priorities and make smart, strategic decisions about Federal funding. This is the only way to ensure that this country is prepared for whatever changes the markets may experience.

And I thank our ranking member for yielding me the time and allowing me to speak about the amendment, and I appreciate her comments about either you look backward or you look forward or you act forward when it comes to how we get our energy supply. She has talked on the floor today and articulated that our country right now faces a trade deficit, and she's right.

Every month, by about \$40 billion, we are importing more goods and services than we are exporting. In many cases, that is because of the crude oil that we have to import month after month after month because we are not meet-

ing our own energy needs. And the United States, at our peak production, optimal peak production, we only have about 3 percent of the world's crude oil. However, our country, our consumers, our people, we consume about 22 percent of the world's crude oil.

There's a supply problem in this country. We need to not drill our way out of this but invent our way out of this, innovate our way out of this, and the EERE program allows us to do that.

Unfortunately, this bill consolidates the Office of Electricity Delivery and Energy Reliability and the Office of Energy Efficiency and Renewable Energy within DOE and funds the combined programs at about \$983 million. The result is a cut to these programs of \$971 million below fiscal year 2013.

I am honored to serve as ranking member on the Science, Space and Technology Subcommittee on Energy because I believe that the Federal Government has a role to play in encouraging energy innovation in this country. This bill does just the opposite by gutting the EERE program. Instead of innovating our way out, rather than drilling our way out, we are doing the opposite. We gut crucial EERE funds.

As Washington bickers, our competitors are pulling out all of the stops to capitalize on the booming clean energy program. By cutting the EERE program so drastically now, we all but ensure that the United States will miss out on scientific discoveries that could change the world and transform our economy.

With scientific research, nothing is guaranteed, and so we need to be willing to take risks. Scientific progress, after all, has never been a straight line. I come from the bay area, which includes Silicon Valley, where risk-taking is critical to the region's economy. Taking risks means sometimes you will not succeed, but scientific progress requires us to continue to take risks and invest in the future. Only by taking risks and charging forward, as our ranking member continues to emphasize, can we ever hope to reach goals which today may seem out of reach.

The United States should be leading the world in the search for better, safer, more affordable energy. Instead, we have a bill before us that makes unacceptable, shortsighted cuts to EERE. While my amendment does not close the gap by any means, it is a signal to our scientists and engineers that we support renewable energy.

An overreliance on a limited range of fuel technologies and finite resources is shortsighted. Our strength lies in our ability to transition to a new, cleaner, more sustainable and more innovative source of energy. We must be competitive and not let ourselves get behind, and I urge my colleagues to support this amendment.

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

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