

Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Nunnelee
 Olver
 Owens
 Palazzo
 Pallone
 Pascarell
 Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Peterson
 Pingree (ME)
 Platts
 Polis
 Price (NC)
 Quigley
 Rahall
 Reed
 Reichert
 Reyes
 Richardson
 Richmond
 Rigell
 Roby

Rogers (AL)
 Rogers (KY)
 Rooney
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Simpson
 Sires
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark

Stivers
 Stutzman
 Sullivan
 Sutton
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weiner
 Welch
 West
 Whitfield
 Wilson (FL)
 Wolf
 Womack
 Woolsey
 Wu
 Yarmuth
 Young (FL)

NOT VOTING—6

Costa
 Giffords

Hinchev
 Matheson

Wittman
 Young (AK)

□ 1030

Mr. DOLD changed his vote from "aye" to "no."

Mrs. LUMMIS changed her vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The Acting CHAIR (Mr. SAM JOHNSON of Texas). We are one nation under God.

The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the Committee now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and all over the world, and their families, and all who serve in our Armed Forces and their families.

Haven't we got a great military.

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

SALUTING THE HON. SAM JOHNSON OF TEXAS

Mr. BOEHNER. Mr. Chairman, my colleagues, you should know that 38 years ago today, SAM JOHNSON stepped off a plane in Texas after being held as a prisoner of war for 7 years in Vietnam.

He's a great American.

AMENDMENT NO. 196 OFFERED BY MR. WALBERG

The Acting CHAIR (Mr. BASS of New Hampshire). Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Michigan (Mr. WALBERG) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 217, noes 209, not voting 7, as follows:

[Roll No. 68]

AYES—217

Adams
 Aderholt
 Akin
 Alexander
 Amash
 Austria
 Bachmann
 Bachus
 Barletta
 Bartlett
 Barton (TX)
 Benishek
 Berg
 Bilbray
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Cardoza
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Costa
 Cravaack
 Crawford
 Crenshaw
 Culberson
 Davis (KY)
 Denham
 DesJarlais
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett

Gibbs
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Guinta
 Guthrie
 Hall
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heller
 Hensarling
 Herger
 Herrera Beutler
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Landry
 Lankford
 Latham
 Latta
 Lewis (CA)
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McMorris
 Rodgers
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney

Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paul
 Paulsen
 Pearce
 Pence
 Petri
 Pitts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shuster
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stutzman
 Terry
 Thompson (PA)
 Thornberry
 Tipton
 Upton
 Walberg
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wolf
 Womack
 Woodall
 Yoder
 Young (FL)
 Young (IN)

Ackerman
 Altire
 Andrews
 Baca
 Baldwin
 Barrow
 Bass (CA)
 Bass (NH)
 Becerra
 Berkley
 Berman
 Biggert
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Buchanan
 Butterfield
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costello
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Dent
 Deutch
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Filner
 Frank (MA)
 Fudge
 Garamendi
 Gerlach
 Gibson
 Gonzalez

Green, Al
 Grijalva
 Grimm
 Gutierrez
 Hanabusa
 Hanna
 Harman
 Hastings (FL)
 Heinrich
 Higgins
 Himes
 Hinchev
 Hinojosa
 Hirono
 Holden
 Holt
 Honda
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 Kissell
 Kucinich
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 LaTourette
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 Loebsack
 Lofgren, Zoe
 Lowey
 Lujan
 Lynch
 Maloney
 Markey
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McKinley
 McNerney
 Meehan
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Olver
 Owens
 Pallone
 Pascarell
 Pastor (AZ)

Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Platts
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reichert
 Reyes
 Richardson
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schock
 Schrader
 Schwartz
 Scott (VA)
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Simpson
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark
 Stivers
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tiberi
 Tierney
 Tonko
 Towns
 Tsongas
 Turner
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weiner
 Welch
 Wilson (FL)
 Woolsey
 Wu
 Yarmuth

NOT VOTING—7

Diaz-Balart
 Giffords
 Green, Gene

Matheson
 Sullivan
 Wittman

Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1037

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

Statement: Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 68, had I been present, I would have voted "no."

AMENDMENT NO. 249 OFFERED BY MR. CANSECO
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CANSECO)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 248, noes 177, not voting 8, as follows:

[Roll No. 69]

AYES—248

Adams	Forbes	Marchant
Aderholt	Fortenberry	Marino
Akin	Fox	McCarthy (CA)
Alexander	Franks (AZ)	McCarthy (NY)
Altmire	Galleghy	McCaul
Amash	Gardner	McClintock
Austria	Garrett	McCotter
Bachmann	Gibbs	McHenry
Bachus	Gibson	McKeon
Barrow	Gingrey (GA)	McKinley
Bartlett	Goodlatte	McMorris
Barton (TX)	Gosar	Rodgers
Bass (NH)	Gowdy	Mica
Benishek	Granger	Miller (FL)
Berg	Graves (GA)	Miller (MI)
Billray	Graves (MO)	Miller, Gary
Bilirakis	Green, Gene	Mulvaney
Bishop (UT)	Griffin (AR)	Murphy (PA)
Black	Griffith (VA)	Myrick
Blackburn	Grimm	Neugebauer
Bonner	Guinta	Noem
Bono Mack	Guthrie	Nugent
Boren	Hall	Nunes
Boustany	Hanna	Nunnelee
Brady (TX)	Harper	Olson
Brooks	Harris	Owens
Broun (GA)	Hartzler	Palazzo
Buchanan	Hastings (WA)	Paul
Bucshon	Hayworth	Paulsen
Buerkle	Heck	Pearce
Burgess	Heinrich	Pence
Burton (IN)	Heller	Peters
Calvert	Hensarling	Peterson
Camp	Herger	Petri
Campbell	Herrera Beutler	Pitts
Canseco	Himes	Platts
Cantor	Holden	Poe (TX)
Capito	Huelskamp	Pompeo
Cardoza	Huizenga (MI)	Posey
Carter	Hultgren	Price (GA)
Cassidy	Hunter	Quayle
Chabot	Hurt	Reed
Chaffetz	Insole	Rehberg
Chandler	Issa	Reichert
Coble	Jenkins	Renacci
Cole	Johnson (IL)	Ribble
Conaway	Johnson (OH)	Rigell
Connolly (VA)	Johnson, Sam	Rivera
Costa	Jones	Roby
Costello	Jordan	Roe (TN)
Cravaack	Kelly	Rogers (AL)
Crawford	King (IA)	Rogers (MI)
Crenshaw	King (NY)	Rohrabacher
Cuellar	Kingston	Rokita
Culberson	Kinzingler (IL)	Rooney
Davis (KY)	Kissell	Ros-Lehtinen
DeFazio	Kline	Roskam
Denham	Labrador	Ross (AR)
Dent	Lamborn	Ross (FL)
DesJarlais	Lance	Royce
Dold	Landry	Runyan
Donnelly (IN)	Lankford	Ryan (WI)
Dreier	Larsen (WA)	Scalise
Duffy	Latham	Schilling
Duncan (SC)	Latta	Schmidt
Duncan (TN)	Lipinski	Schock
Ellmers	LoBiondo	Schweikert
Emerson	Long	Scott (SC)
Farenthold	Lucas	Scott, Austin
Fincher	Luetkemeyer	Sensenbrenner
Fitzpatrick	Lummis	Sessions
Flake	Lungren, Daniel	Shimkus
Fleischmann	E.	Shuler
Fleming	Mack	Shuster
Flores	Manzullo	Smith (NE)

Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry

Tiberi
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland

Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 239, noes 186, not voting 8, as follows:

[Roll No. 70]

AYES—239

NOES—177

Ackerman
Andrews
Baca
Baldwin
Barletta
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Finler
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gonzalez

Green, Al
Grijalva
Gutierrez
Hanabusa
Harman
Hastings (FL)
Higgins
Hinchev
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
Kind
Kucinich
Langevin
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lujan
Lynch
Maloney
Markley
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter

Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (KY)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth

Adams	Franks (AZ)	McMorris
Akin	Galleghy	Rodgers
Alexander	Gardner	Meehan
Altmire	Garrett	Mica
Amash	Gibbs	Michaud
Austria	Gibson	Miller (FL)
Bachmann	Gingrey (GA)	Miller (MI)
Barrow	Barletta	Gohmert
Bartlett	Goodlatte	Mulvaney
Barton (TX)	Gosar	Murphy (PA)
Bass (NH)	Gowdy	Myrick
Benishek	Granger	Neugebauer
Berg	Graves (GA)	Noem
Bilbray	Graves (MO)	Nugent
Bilirakis	Green, Gene	Griffin (AR)
Bishop (UT)	Griffin (AR)	Griffith (VA)
Black	Griffith (VA)	Grimm
Blackburn	Grimm	Owens
Bonner	Guinta	Olson
Bono Mack	Guthrie	Palazzo
Boren	Hall	Hall
Boustany	Hanna	Paulsen
Brady (TX)	Harper	Pearce
Brooks	Harris	Pence
Broun (GA)	Hartzler	Hartzler
Buchanan	Hastings (WA)	Hastings (WA)
Bucshon	Hayworth	Petrie
Buerkle	Heck	Pitts
Burgess	Heinrich	Platts
Burton (IN)	Heller	Poe (TX)
Calvert	Hensarling	Pompeo
Camp	Herger	Pompeo
Campbell	Herrera Beutler	Posy
Canseco	Himes	Herrera Beutler
Cantor	Holden	Price (GA)
Capito	Huelskamp	Quayle
Cardoza	Huizenga (MI)	Reed
Carter	Hultgren	Rehberg
Cassidy	Hunter	Rehberg
Chabot	Hurt	Renacci
Chaffetz	Insole	Ribble
Chandler	Issa	Rigell
Coble	Jenkins	Rivera
Cole	Johnson (IL)	Robby
Conaway	Johnson (OH)	Roe (TN)
Connolly (VA)	Johnson, Sam	Rogers (AL)
Costa	Jones	Rogers (KY)
Costello	Jordan	Rogers (MI)
Cravaack	Kelly	Rohrabacher
Crawford	King (IA)	Rokita
Crenshaw	King (NY)	Rooney
Cuellar	Kingston	Ros-Lehtinen
Culberson	Kinzingler (IL)	Roskam
Davis (KY)	Kissell	Ross (AR)
DeFazio	Kline	Ross (FL)
Denham	Labrador	Royce
Dent	Lamborn	Runyan
DesJarlais	Lance	Ryan (WI)
Dold	Landry	Scalise
Donnelly (IN)	Lankford	Schilling
Dreier	Larsen (WA)	Schmidt
Duffy	Latham	Schmitt
Duncan (SC)	Latta	Schock
Duncan (TN)	Lipinski	Schweikert
Ellmers	LoBiondo	Scott (SC)
Emerson	Long	Scott, Austin
Farenthold	Lucas	Sensenbrenner
Fincher	Luetkemeyer	Sessions
Fitzpatrick	Lummis	Shimkus
Flake	Lungren, Daniel	Shuler
Fleischmann	E.	Shuster
Fleming	Mack	Smith (NE)
Flores	Manzullo	Smith (NJ)
		Smith (TX)
		Southerland
		Stearns
		Stivers
		Stutzman
		Terry
		Thompson (PA)
		Thornberry
		Tiberi

NOT VOTING—8

Biggart
Coffman (CO)
Giffords

Gohmert
Keating
Matheson

McIntyre
Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1041

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. COFFMAN of Colorado. Mr. Chair, on rollcall No. 69, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 381 OFFERED BY MR. REED

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. REED)

Tipton Webster
Turner West
Upton Westmoreland
Walberg Whitfield
Walden Wilson (SC)
Walsh (IL) Womack

NOES—186

Ackerman Gonzalez
Andrews Green, Al
Baca Green, Gene
Bachus Grijalva
Baldwin Gutierrez
Bass (CA) Hanabusa
Becerra Harman
Berkley Hastings (FL)
Berman Heinrich
Biggert Higgins
Bishop (GA) Himes
Bishop (NY) Hinchey
Bishop (UT) Hinojosa
Blumenauer Hirono
Boswell Holden
Brady (PA) Holt
Braley (IA) Honda
Brown (FL) Hoyer
Butterfield Inslee
Capps Israel
Capuano Jackson (IL)
Carnahan Jackson Lee
Carney (TX)
Carson (IN) Johnson (GA)
Castor (FL) Johnson, E. B.
Chu Kaptur
Cicilline Keating
Clarke (MI) Kildee
Clarke (NY) Kind
Clay Kinzinger (IL)
Cleave Kucinich
Clyburn Labrador
Cohen Langevin
Connolly (VA) Larsen (WA)
Conyers Larson (CT)
Costello Lee (CA)
Courtney Levin
Critz Lewis (GA)
Crowley Lipinski
Cuellar Loeb sack
Cummings Lofgren, Zoe
Davis (CA) Lowey
Davis (IL) Lujan
DeFazio Lynch
DeGette Maloney
DeLauro Markey
Deutch Matsui
Dicks McCarthy (NY)
Dingell McCollum
Doggett McDermott
Doyle McGovern
Edwards Mc Nerney
Ellison Meeks
Engel Miller (NC)
Eshoo Miller, George
Farr Moore
Fattah Moran
Filner Murphy (CT)
Frank (MA) Nadler
Frelinghuysen Napolitano
Fudge Neal
Garamendi Oliver
Gerlach Pallone

NOT VOTING—8

Aderholt Matheson Wittman
Giffords Scott, Austin Young (AK)
Marchant Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1044

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 565 OFFERED BY MR. BASS OF NEW HAMPSHIRE

The Acting CHAIR (Mr. PRICE of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Hampshire (Mr. BASS) on which further proceedings were post-

poned and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 104, noes 322, answered “present” 2, not voting 5, as follows:

[Roll No. 71]

AYES—104

Aderholt Guinta Pearce
Austria Hall Pence
Barletta Hanna Peters
Bartlett Hayworth Petri
Bass (NH) Heinrich Pitts
Benishek Poe (TX)
Broun (GA) Hoyer Pompeo
Buchson Huelskamp Quigley
Buerkle Hunter
Camp Israel
Coble Renacci
Coffman (CO) Issa
Courtney Jenkins
Cravaack Johnson (IL)
Crenshaw Jordan
Critz Keating
Davis (KY) Kelly
Denham King (NY)
Dent Kinzinger (IL)
Dold Kline
Donnelly (IN) Lamborn
Duffy Lance
Eilmlers Langevin
Emerson Larson (CT)
Fincher Latham
Fitzpatrick Luetkemeyer
Fleischmann Lummis
Flores Marino
Franks (AZ) McKinley
Michaud Miller (MI)
Garrett Murphy (CT)
Gibbs Murphy (PA)
Gibson Noem
Granger Paul
Grimm

NOES—322

Ackerman Burton (IN) Davis (CA)
Adams Butlerfield Davis (IL)
Akin Calvert DeFazio
Alexander Campbell DeGette
Altmire Canseco DeLauro
Andrews Cantor DesJarlais
Baca Capito Deutch
Bachmann Capps Diaz-Balart
Bachus Capuano Dicks
Baldwin Cardoza Dingell
Barrow Barrow Carnahan Doyle
Barton (TX) Carter
Bass (CA) Carson (IN)
Becerra Carter
Berg Cassidy
Berkley Castor (FL)
Berman Chabot
Biggert Chaffetz
Bilbray Chandler
Bilirakis Chu
Bishop (GA) Clarke (MI)
Bishop (NY) Clarke (NY)
Bishop (UT) Clay
Black Cleaver
Blackburn Clyburn
Blumenauer Cohen
Bonner Cole
Bono Mack Conaway
Boswell Connolly (VA)
Boustany Conyers
Brady (PA) Cooper
Brady (TX) Costa
Braley (IA) Costello
Brooks Crawford
Brown (FL) Crowley
Buchanan Cuellar
Burgess Culberson
Cummings

Gowdy Markey
Graves (GA) Matheson
Graves (MO) Matsui
Green, Al McCarthy (CA)
Griffin (AR) McCarthy (NY)
Griffith (VA) McCaul
Grijalva McClintock
Guthrie McCollum
Gutierrez McCotter
Hanabusa McDermott
Harman McGovern
Harper McHenry
Harris McIntyre
Hartzler McKeon
Hastings (FL) McMorris
Hastings (WA) Rodgers
Heck Mc Nerney
Heller Meehan
Hensarling Meeks
Herger Mica
Herrera Beutler Miller (FL)
Higgins Miller (NC)
Himes Miller, Gary
Hinchey Miller, George
Hinojosa Moore
Hirono Moran
Holt Mulvaney
Honda Myrick
Hultgren Nadler
Hurt Napolitano
Inslee Neal
Jackson (IL) Neugebauer
Jackson Lee Nugent
(TX) Nunes
Johnson (GA) Nunnelee
Johnson (OH) Olson
Johnson, E. B. Oliver
Johnson, Sam Owens
Jones Palazzo
Kaptur Pallone
Kildee Pascrell
Kind Pastor (AZ)
King (IA) Paulsen
Kingston Payne
Kissell Pelosi
Kucinich Perlmutter
Labrador Peterson
Langevin Pingree (ME)
Lankford Platts
Larsen (WA) Polis
LaTourette Posey
Latta Price (GA)
Lee (CA) Price (NC)
Levin Quayle
Lewis (CA) Rohrabacher
Lewis (GA) Rokita
Lipinski Rooney
LoBiondo Ros-Lehtinen
Loeb sack Roskam
Lofgren, Zoe Ross (AR)

ANSWERED “PRESENT”—2

Amash Cicilline

NOT VOTING—5

Gardner Green, Gene Wittman
Giffords Shuster

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1047

Messrs. GARAMENDI and VAN HOLLEN changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 71, had I been present, I would have voted “yes.”

AMENDMENT NO. 457 OFFERED BY MR. FLAKE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 115, noes 316, not voting 2, as follows:

[Roll No. 72]

AYES—115

Adams	Graves (GA)	Myrick
Akin	Graves (MO)	Neugebauer
Amash	Griffith (VA)	Nugent
Bachmann	Harris	Nunes
Bartlett	Hartzler	Palazzo
Benishke	Hayworth	Paul
Bilbray	Heller	Pence
Bishop (UT)	Hensarling	Petri
Black	Herger	Pompeo
Blackburn	Huelskamp	Posey
Bono Mack	Huizenga (MI)	Price (GA)
Brady (TX)	Hunter	Quayle
Broun (GA)	Hurt	Renacci
Burton (IN)	Issa	Ribble
Campbell	Jenkins	Roby
Cantor	Johnson (IL)	Rohrabacher
Capito	Johnson, Sam	Rokita
Chabot	Jordan	Roskam
Chaffetz	King (IA)	Royce
Coble	Kingston	Ryan (WI)
Coffman (CO)	Lamborn	Scalise
Cole	Lance	Schmidt
Culberson	Landry	Schweikert
Denham	Lankford	Scott (SC)
DesJarlais	Long	Scott, Austin
Dreier	Lucas	Sensenbrenner
Duffy	Lummis	Sessions
Duncan (SC)	Lungren, Daniel	Smith (NE)
Duncan (TN)	E.	Stutzman
Ellmers	Mack	Sullivan
Fincher	Manzullo	Walsh (IL)
Flake	Marchant	Webster
Fleischmann	McCarthy (CA)	Westmoreland
Fleming	McClintock	Wilson (SC)
Foxx	McHenry	Woodall
Franks (AZ)	Mica	Yoder
Garrett	Miller (FL)	Young (AK)
Gingrey (GA)	Miller, Gary	Young (IN)
Gowdy	Mulvaney	

NOES—316

Ackerman	Braley (IA)	Cohen
Aderholt	Brooks	Conaway
Alexander	Brown (FL)	Connolly (VA)
Altmire	Buchanan	Conyers
Andrews	Bucshon	Cooper
Austria	Buerkle	Costa
Baca	Burgess	Costello
Bachus	Butterfield	Courtney
Baldwin	Calvert	Cravaack
Barletta	Camp	Crawford
Barrow	Canseco	Crenshaw
Barton (TX)	Capps	Critz
Bass (CA)	Capuano	Crowley
Bass (NH)	Cardoza	Cuellar
Becerra	Carnahan	Cummings
Berg	Carney	Davis (CA)
Berkley	Carson (IN)	Davis (IL)
Berman	Carter	Davis (KY)
Biggert	Cassidy	DeFazio
Bilirakis	Castor (FL)	DeGette
Bishop (GA)	Chandler	DeLauro
Bishop (NY)	Chu	Dent
Blumenauer	Ciilline	Deutch
Bonner	Clarke (MI)	Diaz-Balart
Boren	Clarke (NY)	Dicks
Boswell	Clay	Dingell
Boustany	Cleaver	Doggett
Brady (PA)	Clyburn	Dold

Donnelly (IN)	Larson (CT)	Rogers (AL)
Doyle	Latham	Rogers (KY)
Edwards	LaTourette	Rogers (MI)
Ellison	Latta	Rooney
Emerson	Lee (CA)	Ros-Lehtinen
Engel	Levin	Ross (AR)
Eshoo	Lewis (CA)	Ross (FL)
Farenthold	Lewis (GA)	Rothman (NJ)
Farr	Lipinski	Roybal-Allard
Fattah	LoBiondo	Runyan
Filner	Loebsack	Ruppel
Fitzpatrick	Loftgren, Zoe	Rush
Flores	Lowey	Ryan (OH)
Forbes	Luetkemeyer	Sánchez, Linda
Fortenberry	Luján	T.
Frank (MA)	Lynch	Sanchez,
Frelinghuysen	Maloney	Loretta
Fudge	Marino	Sarbanes
Gallely	Markey	Schakowsky
Garamendi	Matheson	Schiff
Gardner	Matsui	Schilling
Gerlach	McCarthy (NY)	Schock
Gibbs	McCaul	Schrader
Gibson	McCullum	Schwartz
Gohmert	McCotter	Scott (VA)
Gonzalez	McDermott	Scott, David
Goodlatte	McGovern	Serrano
Gosar	McIntyre	Sewell
Granger	McKeon	Sherman
Green, Al	McKinley	Shimkus
Green, Gene	McMorris	Shuler
Griffin (AR)	Rodgers	Shuster
Grijalva	McNerney	Simpson
Grimm	Meehan	Sires
Guinta	Meeke	Slaughter
Guthrie	Michaud	Smith (NJ)
Gutierrez	Miller (MI)	Smith (TX)
Hall	Miller (NC)	Smith (WA)
Hanabusa	Miller, George	Southerland
Hanna	Moore	Speier
Harman	Moran	Stark
Harper	Murphy (CT)	Stearns
Hastings (FL)	Murphy (PA)	Stivers
Hastings (WA)	Nadler	Sutton
Heck	Napolitano	Terry
Heinrich	Noem	Thompson (CA)
Herrera Beutler	Noem	Thompson (MS)
Higgins	Nunnelee	Thompson (PA)
Himes	Olson	Thornberry
Hinche	Oliver	Tiberi
Hinojosa	Owens	Tierney
Hirono	Pallone	Tipton
Holden	Pascarell	Tonko
Holt	Pastor (AZ)	Towns
Honda	Paulsen	Tsongas
Hoyer	Payne	Turner
Hultgren	Pearce	Upton
Inslee	Pelosi	Van Hollen
Israel	Perlmutter	Velázquez
Jackson (IL)	Peters	Visclosky
Jackson Lee	Peterson	Walberg
(TX)	Pingree (ME)	Walden
Johnson (GA)	Pitts	Walz (MN)
Johnson (OH)	Platts	Wasserman
Johnson, E. B.	Poe (TX)	Schultz
Jones	Polis	Waters
Kaptur	Price (NC)	Watt
Keating	Quigley	Waxman
Kelly	Rahall	Weiner
Kildee	Rangel	Welch
Kind	Reed	West
King (NY)	Rehberg	Whitfield
Kinzinger (IL)	Reichert	Wilson (FL)
Kissell	Reyes	Wolf
Kline	Richardson	Womack
Kucinich	Richmond	Woolsey
Labrador	Rigell	Wu
Langevin	Rivera	Yarmuth
Larsen (WA)	Roe (TN)	Young (FL)

NOT VOTING—2

Giffords Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1050

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

AMENDMENT NO. 276 OFFERED BY MRS.

MCMORRIS RODGERS

The Acting CHAIR (Mr. BASS of New Hampshire). The unfinished business is the demand for a recorded vote on the

amendment offered by the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 249, noes 179, not voting 5, as follows:

[Roll No. 73]

AYES—249

Adams	Foxx	Marino
Aderholt	Frank (MA)	Matheson
Akin	Franks (AZ)	McCarthy (CA)
Alexander	Frelinghuysen	McCaul
Amash	Gallely	McClintock
Austria	Gardner	McCotter
Bachmann	Garrett	McHenry
Bachus	Gerlach	McKeon
Barletta	Gerlach	McKinley
Barrow	Gibbs	McMorris
Bartlett	Gibson	Rodgers
Barton (TX)	Gingrey (GA)	Meehan
Bass (NH)	Gohmert	Mica
Benishke	Goodlatte	Miller (FL)
Berg	Gosar	Miller (MI)
Biggert	Gowdy	Miller, Gary
Bilbray	Granger	Mulvaney
Bilirakis	Graves (GA)	Murphy (PA)
Bishop (UT)	Graves (MO)	Myrick
Black	Griffin (AR)	Neugebauer
Blackburn	Grimm	Noem
Bonner	Guinta	Nugent
Bono Mack	Guthrie	Nunes
Boren	Hanna	Nunnelee
Boswell	Harper	Olson
Boustany	Harris	Palazzo
Brady (TX)	Hartzler	Paul
Brooks	Hastings (WA)	Paulsen
Broun (GA)	Hayworth	Payne
Bucshon	Heck	Pearce
Buerkle	Heller	Pence
Burgess	Hensarling	Peters
Burton (IN)	Herger	Peterson
Calvert	Herrera Beutler	Petri
Campbell	Himes	Pitts
Canseco	Huelskamp	Platts
Cantor	Huizenga (MI)	Pompeo
Carter	Hultgren	Posey
Capito	Hunter	Price (GA)
Cassidy	Hurt	Quayle
Chabot	Issa	Reed
Chaffetz	Jenkins	Rehberg
Chandler	Johnson (IL)	Reichert
Coble	Johnson (OH)	Renacci
Coffman (CO)	Johnson, Sam	Ribble
Cole	Jones	Rigell
Conaway	Jordan	Rivera
Cooper	Kelly	Roby
Cravaack	King (IA)	Roe (TN)
Crawford	King (NY)	Rogers (AL)
Crenshaw	Kingston	Rogers (KY)
Davis (KY)	Kinzinger (IL)	Rogers (MI)
DeFazio	Kline	Rohrabacher
Denham	Labrador	Rokita
Dent	Lamborn	Rooney
DesJarlais	Lance	Ros-Lehtinen
Diaz-Balart	Landry	Roskam
Dold	Lankford	Ross (FL)
Dreier	Latham	Royce
Duffy	LaTourette	Runyan
Duncan (SC)	Latta	Ryan (WI)
Duncan (TN)	Lewis (CA)	Scalise
Ellmers	Lipinski	Schilling
Emerson	LoBiondo	Schmidt
Fincher	Loebsack	Schock
Fitzpatrick	Long	Schweikert
Flake	Lucas	Scott (SC)
Fleischmann	Luetkemeyer	Scott, Austin
Fleming	Lummis	Sensenbrenner
Flores	Lungren, Daniel	Sessions
Forbes	E.	Shimkus
Fortenberry	Mack	Shuler
	Manzullo	Simpson
	Marchant	

Smith (NE) Thornberry
 Smith (NJ) Tiberi
 Smith (TX) Tipton
 Southerland Turner
 Speier Upton
 Stearns Walberg
 Stivers Walden
 Stutzman Walsh (IL)
 Sullivan Webster
 Terry West
 Thompson (PA) Westmoreland

Whitfield
 Wilson (SC)
 Wolf
 Womack
 Woodall
 Wu
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

vote on the amendment offered by the gentleman from Alaska (Mr. YOUNG) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pearce
 Pelosi
 Perlmutter
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Polis
 Pompeo
 Posey
 Price (NC)
 Rangel
 Reichert
 Reyes
 Richardson
 Richmond
 Rigell
 Rivera
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard

Runyan
 Ruppertsberger
 Rush
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schmidt
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Speaker
 Stark
 Stearns
 Stivers
 Sutton

Terry
 Thompson (CA)
 Thompson (MS)
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Vislosky
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Weiner
 Welch
 West
 Whitfield
 Wilson (FL)
 Wolf
 Woodall
 Woolsey
 Wu
 Yarmuth
 Yoder
 Young (AK)
 Young (FL)

NOES—179

Ackerman
 Altmire
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Becerra
 Berkley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Buchanan
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Costa
 Costello
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeGette
 DeLauro
 Deutch
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Filner
 Fudge
 Garamendi

Gonzalez
 Green, Al
 Griffith (VA)
 Grijalva
 Gutierrez
 Hanabusa
 Harman
 Hastings (FL)
 Heinrich
 Higgins
 Hinchey
 Hinojosa
 Hirono
 Holden
 Holt
 Honda
 Hoyer
 Inslie
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 Kissell
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lewis (GA)
 Lofgren, Zoe
 Lowey
 Lujan
 Lynch
 Maloney
 Markey
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McInerney
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Oliver
 Owens

Pallone
 Pascrell
 Pastor (AZ)
 Pelosi
 Perlmutter
 Pingree (ME)
 Poe (TX)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reyes
 Richardson
 Richmond
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shuster
 Sires
 Slaughter
 Smith (WA)
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Vislosky
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weiner
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth

NOT VOTING—5

Culberson
 Giffords

Green, Gene
 Hall

Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1054

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 73, had I been present, I would have voted “no.”

AMENDMENT NO. 532 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR. The unfinished business is the demand for a recorded

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 313, noes 117, not voting 3, as follows:

[Roll No. 74]

AYES—313

Ackerman
 Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Andrews
 Dent
 DesJarlais
 Baca
 Bachus
 Baldwin
 Bartlett
 Barton (TX)
 Bass (CA)
 Bass (NH)
 Becerra
 Berg
 Berkeley
 Ellison
 Bilbray
 Bishop (GA)
 Bishop (UT)
 Black
 Blackburn
 Blumenauer
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Buchanan
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chaffetz
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coble
 Cohen
 Cole
 Conaway
 Conyers
 Costello
 Courtney
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings

Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Denham
 Jones
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Keating
 Kelly
 Kildee
 King (IA)
 Kingston
 Kissell
 Kline
 Kucinich
 Labrador
 Lance
 Landry
 Langevin
 Eshoo
 Fattah
 Filner
 Fincher
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Frank (MA)
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Lujan
 Lungren, Daniel
 E.
 Lynch
 Mack
 Maloney
 Manzullo
 Markey
 Matsui
 McCarthy (CA)
 McCollum
 McCotter
 McDermott
 McGovern
 McKeon
 McKinley
 McMorris
 Rodgers
 McInerney
 Meeks
 Mica
 Michaud
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Pallone
 Pascrell

NOES—117

Amash
 Bachmann
 Barletta
 Barrow
 Benishek
 Biggert
 Bilirakis
 Bishop (NY)
 Brady (TX)
 Brooks
 Broun (GA)
 Bucshon
 Buerkle
 Campbell
 Canseco
 Cantor
 Chabot
 Coffman (CO)
 Connolly (VA)
 Cooper
 Cravaack
 Davis (KY)
 Doggett
 Duffy
 Duncan (SC)
 Ellmers
 Emerson
 Farenthold
 Farr
 Fitzpatrick
 Flake
 Foxx
 Franks (AZ)
 Gardner
 Garrett
 Gibbs
 Gibson
 Gingrey (GA)
 Goodlatte

Gowdy
 Graves (GA)
 Graves (MO)
 Hall
 Hanna
 Harper
 Hayworth
 Heller
 Hensarling
 Holden
 Huizenga (MI)
 Hultgren
 Hunter
 Israel
 Kind
 King (NY)
 Kinzinger (IL)
 Lamborn
 Lankford
 Lee (CA)
 Long
 Luetkemeyer
 Lummis
 Marchant
 Marino
 Matheson
 McCarthy (NY)
 McCaul
 McClintock
 McHenry
 McIntyre
 Meehan
 Miller (FL)
 Mulvaney
 Myrick
 Nunnelee
 Olson
 Oliver
 Owens

Palazzo
 Pence
 Peters
 Poe (TX)
 Price (GA)
 Quayle
 Quigley
 Rahall
 Reed
 Rehberg
 Renacci
 Ribble
 Roby
 Rokita
 Rooney
 Roskam
 Royce
 Ryan (OH)
 Ryan (WI)
 Schilling
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Smith (WA)
 Stutzman
 Sullivan
 Thompson (PA)
 Thornberry
 Turner
 Upton
 Walberg
 Walsh (IL)
 Westmoreland
 Wilson (SC)
 Womack
 Young (IN)

NOT VOTING—3

Giffords
 Jordan
 Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1057

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCINTYRE. Mr. Chair, during rollcall vote No. 74 on H.R. 1, I mistakenly recorded my vote as “no” when I should have voted “yes.”

I ask unanimous consent that my statement appear in the RECORD following rollcall vote No. 74.

AMENDMENT NO. 410 OFFERED BY MR. PRICE OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 176, noes 250, not voting 7, as follows:

[Roll No. 75]

AYES—176

Adams	Garrett	Neugebauer
Aderholt	Gibbs	Noem
Akin	Gingrey (GA)	Nugent
Alexander	Gohmert	Nunes
Amash	Goodlatte	Nunnelee
Austria	Gosar	Olson
Bachmann	Gowdy	Palazzo
Bachus	Granger	Paul
Bartlett	Graves (GA)	Paulsen
Barton (TX)	Griffin (AR)	Pearce
Benishek	Griffith (VA)	Pence
Berg	Guinta	Pitts
Billbray	Guthrie	Platts
Bilirakis	Hall	Poe (TX)
Bishop (UT)	Harper	Pompeo
Black	Harris	Posey
Blackburn	Hartzler	Price (GA)
Bonner	Hastings (WA)	Quayle
Bono Mack	Hayworth	Renacci
Boustany	Heller	Ribble
Brady (TX)	Hensarling	Rigell
Brooks	Herger	Roby
Broun (GA)	Huelskamp	Roe (TN)
Buchanan	Huizenga (MI)	Rogers (AL)
Buerkle	Hunter	Rogers (KY)
Burgess	Hurt	Rohrabacher
Burton (IN)	Issa	Rokita
Calvert	Jenkins	Rooney
Campbell	Johnson, Sam	Ross (FL)
Canseco	Jones	Royce
Cantor	Jordan	Scalise
Carter	King (IA)	Schmidt
Cassidy	Kingston	Scott (SC)
Chabot	Lamborn	Gibson
Chaffetz	Landry	Gonzalez
Coble	Lankford	Graves (MO)
Coffman (CO)	Latta	Green, Al
Cole	Lewis (CA)	Green, Gene
Conaway	Long	Grijalva
Crawford	Lucas	Grimm
Crenshaw	Luetkemeyer	Gutierrez
Culberson	Lummis	Hanabusa
Davis (KY)	Lungren, Daniel	Hanna
Denham	E.	Hastings (FL)
DesJarlais	Mack	Heck
Dreier	Manzullo	Heinrich
Duncan (SC)	Marchant	Herrera Beutler
Duncan (TN)	Marino	Herrera Beutler
Ellmers	McCarthy (CA)	Walsh (IL)
Fincher	McCaul	Webster
Flake	McClintock	West
Fleischmann	McHenry	Westmoreland
Fleming	McKeon	Wilson (SC)
Flores	McMorris	Wolf
Forbes	Rodgers	Womack
Foxx	Mica	Woodall
Franks (AZ)	Miller (FL)	Yoder
Frelinghuysen	Miller, Gary	Young (AK)
Galleghy	Mulvaney	Young (FL)
Gardner	Myrick	Young (IN)

NOES—250

Ackerman	Barletta	Berkley
Altmore	Barrow	Berman
Andrews	Bass (CA)	Biggert
Baca	Bass (NH)	Bishop (GA)
Baldwin	Becerra	Bishop (NY)

Blumenauer	Higgins	Peterson
Boren	Himes	Petri
Boswell	Hinchey	Pingree (ME)
Brady (PA)	Hinojosa	Polis
Braley (IA)	Hirono	Price (NC)
Brown (FL)	Holden	Quigley
Bucshon	Holt	Rahall
Butterfield	Honda	Rangel
Camp	Hoyer	Reed
Capito	Hultgren	Rehberg
Capps	Inslee	Reichert
Capuano	Israel	Reyes
Cardoza	Jackson (IL)	Richardson
Carnahan	Jackson Lee	Richmond
Carney	(TX)	Rivera
Carson (IN)	Johnson (GA)	Rogers (MI)
Castor (FL)	Johnson (IL)	Ros-Lehtinen
Chandler	Johnson (OH)	Roskam
Chu	Johnson, E. B.	Ross (AR)
Ciilline	Kaptur	Rothman (NJ)
Clarke (MI)	Keating	Roybal-Allard
Clarke (NY)	Kelly	Ryunan
Clay	Kildee	Ruppersberger
Cleaver	Kind	Rush
Clyburn	King (NY)	Ryan (OH)
Cohen	Kinzinger (IL)	Ryan (WI)
Connolly (VA)	Kissell	Sánchez, Linda
Conyers	Kline	T.
Cooper	Kucinich	Sanchez, Loretta
Costa	Labrador	Sarbanes
Costello	Lance	Schakowsky
Courtney	Langevin	Schiff
Cravaack	Larsen (WA)	Schilling
Duffy	Larsen (CT)	Schock
Cuellar	Latham	Schrader
Cummings	LaTourette	Schwartz
Davis (CA)	Lee (CA)	Scott (VA)
Davis (IL)	Levin	Scott, David
DeFazio	Lewis (GA)	Sensenbrenner
DeGette	Lipinski	Serrano
DeLauro	LoBiondo	Sewell
Dent	Loebsock	Sherman
Deutch	Lofgren, Zoe	Shuler
Diaz-Balart	Lowey	Simpson
Dicks	Luján	Sires
Dingell	Maloney	Slaughter
Doggett	Markey	Smith (NJ)
Dold	Matheson	Smith (WA)
Donnelly (IN)	Matsui	Speier
Doyle	McCarthy (NY)	Stark
Duffy	McCollum	Stivers
Edwards	McCotter	Sutton
Ellison	McDermott	Thompson (CA)
Emerson	McGovern	Thompson (MS)
Engel	McIntyre	Tiberi
Eshoo	McKinley	Tierney
Farenthold	Farr	Tonko
Farr	McNerney	Towns
Fattah	Meehan	Tsongas
Filner	Meeks	Turner
Fitzpatrick	Michaud	Van Hollen
Fortenberry	Miller (MI)	Velázquez
Frank (MA)	Miller (NC)	Visclosky
Fudge	Miller, George	Walberg
Garamendi	Moore	Walden
Gerlach	Moran	Walz (MN)
Gibson	Murphy (CT)	Wasserman
Gonzalez	Murphy (PA)	Schultz
Nadler	Napolitano	Waters
Green, Al	Neal	Watt
Green, Gene	Oliver	Waxman
Grijalva	Owens	Weiner
Grimm	Pallone	Welch
Gutierrez	Pascrell	Whitfield
Hanabusa	Pastor (AZ)	Wilson (FL)
Hanna	Payne	Woolsey
Hastings (FL)	Pelosi	Wu
Heck	Perlmutter	Yarmuth
Heinrich	Peters	
Herrera Beutler		

NOT VOTING—7

Crowley	Schweikert	Wittman
Giffords	Shuster	
Harman	Sullivan	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1100

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

AMENDMENT NO. 100 OFFERED BY MR. WEINER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 268, noes 163, not voting 2, as follows:

[Roll No. 76]

AYES—268

Adams	Duncan (TN)	Lankford
Aderholt	Ellmers	Larsen (WA)
Akin	Emerson	Latham
Alexander	Fincher	Latta
Altmore	Fitzpatrick	Lipinski
Amash	Flake	LoBiondo
Andrews	Fleischmann	Long
Austria	Fleming	Luetkemeyer
Baca	Flores	Lummis
Bachmann	Forbes	Lungren, Daniel
Bachus	Foxx	E.
Barletta	Franks (AZ)	Mack
Barrow	Frelinghuysen	Manzullo
Bartlett	Galleghy	Marchant
Barton (TX)	Gardner	Marino
Bass (NH)	Garrett	Matheson
Benishek	Gerlach	McCarthy (CA)
Berg	Gibbs	McCarthy (NY)
Biggert	Gibson	McCaul
Billbray	Gingrey (GA)	McClintock
Bilirakis	Gohmert	McCotter
Bishop (NY)	Goodlatte	McHenry
Bishop (UT)	Gosar	McIntyre
Black	Gowdy	McKeon
Blackburn	Graves (GA)	McKinley
Bonner	Graves (MO)	McMorris
Bono Mack	Green, Gene	Rodgers
Boren	Griffin (AR)	Meehan
Boustany	Griffith (VA)	Mica
Brady (TX)	Grimm	Miller (FL)
Brooks	Guinta	Miller (MI)
Broun (GA)	Guthrie	Miller, Gary
Buchanan	Hanna	Mulvaney
Bucshon	Harper	Murphy (PA)
Buerkle	Harris	Myrick
Burgess	Hartzler	Neugebauer
Burton (IN)	Hastings (WA)	Noem
Calvert	Hayworth	Nugent
Camp	Heck	Nunes
Campbell	Heller	Nunnelee
Canseco	Hensarling	Olson
Cantor	Herger	Owens
Capito	Herrera Beutler	Palazzo
Cardoza	Himes	Pascrell
Carney	Holden	Paul
Carter	Huelskamp	Paulsen
Cassidy	Huizenga (MI)	Pearce
Chabot	Hultgren	Pence
Chaffetz	Hunter	Peters
Chandler	Hurt	Peterson
Coble	Israel	Petri
Coffman (CO)	Issa	Pitts
Conaway	Jenkins	Platts
Cooper	Johnson (IL)	Poe (TX)
Costa	Johnson (OH)	Pompeo
Costello	Johnson, Sam	Posey
Cravaack	Jones	Price (GA)
Crawford	Jordan	Quayle
Crenshaw	Kelly	Rahall
Crenshaw	Kind	Reed
Culberson	King (IA)	Rehberg
Denham	King (NY)	Reichert
Dent	Kinzinger (IL)	Renacci
DesJarlais	Kissell	Ribble
Dingell	Kline	Rigell
Dold	Labrador	Rivera
Dreier	Lamborn	Roby
Duffy	Lance	Roe (TN)
Duncan (SC)	Landry	Rogers (AL)

Rogers (KY) Scott, Austin
 Rogers (MI) Sensenbrenner
 Rohrabacher Sessions
 Rokita Sewell
 Rooney Shimkus
 Ros-Lehtinen Shuler
 Roskam Shuster
 Ross (AR) Simpson
 Ross (FL) Smith (NE)
 Rothman (NJ) Smith (NJ)
 Royce Smith (TX)
 Ryan Southernland
 Ryan (WI) Stearns
 Sanchez, Loretta Stivers
 Scalise Stutzman
 Schilling Sullivan
 Schmidt Terry
 Schock Thompson (PA)
 Schrader Tiberi
 Schwartz Tipton
 Schweikert Turner
 Scott (SC) Upton

Visclosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Webster
 Weiner
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Womack
 Woodall
 Yarmuth
 Terry
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

gentleman from Texas (Mr. CANSECO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 274, noes 155, not voting 4, as follows:

NOES—163

Ackerman Fudge
 Baldwin Garamendi
 Bass (CA) Gonzalez
 Becerra Granger
 Berkley Green, Al
 Berman Grijalva
 Bishop (GA) Gutierrez
 Blumenauer Hall
 Boswell Hanabusa
 Brady (PA) Harman
 Braley (IA) Hastings (FL)
 Brown (FL) Heinrich
 Butterfield Higgins
 Capps Hinchey
 Capuano Hinojosa
 Carnahan Hirono
 Carson (IN) Holt
 Castor (FL) Honda
 Chu Hoyer
 Cicilline Inslee
 Clarke (MI) Jackson (IL)
 Clarke (NY) Jackson Lee
 Clay (TX)
 Cleaver Johnson (GA)
 Clyburn Johnson, E. B.
 Cohen Kaptur
 Cole Keating
 Connolly (VA) Kildee
 Conyers Kingston
 Courtney Kucinich
 Critz Langevin
 Crowley Larson (CT)
 Cummings LaTourette
 Davis (CA) Lee (CA)
 Davis (IL) Levin
 Davis (KY) Lewis (CA)
 DeFazio Lewis (GA)
 DeGette Loeb sack
 DeLauro Lofgren, Zoe
 Deutch Lowey
 Diaz-Balart Lucas
 Dicks Lujan
 Doggett Lynch
 Donnelly (IN) Maloney
 Doyle Markey
 Edwards Matsui
 Ellison McCollum
 Engel McDermott
 Eshoo McGovern
 Farenthold McNerney
 Farr Meeks
 Fattah Michaud
 Filner Miller (NC)
 Fortenberry Miller, George
 Frank (MA) Moore

Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Olver
 Pallone
 Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rangel
 Reyes
 Richardson
 Richmond
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sarbanes
 Schakowsky
 Schiff
 Scott (VA)
 Scott, David
 Serrano
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velazquez
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Wolf
 Woolsey
 Wu

NOT VOTING—2

Giffords Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1104

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 248 OFFERED BY MR. CANSECO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

[Roll No. 77]
 AYES—274

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Austria
 Bachmann
 Bachus
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Biggert
 Bilbray
 Bilirakis
 Bishop (NY)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Cardoza
 Carney
 Carter
 Cassidy
 Cassir (FL)
 Chabot
 Chaffetz
 Chandler
 Coble
 Coffman (CO)
 Cole
 Conaway
 Connolly (VA)
 Cooper
 Costa
 Costello
 Cravaack
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Davis (KY)
 DeFazio
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dingell
 Dold
 Donnelly (IN)
 Dreier
 Duffy
 Duncan (SC)

Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heller
 Hensarling
 Paul
 Himes
 Holden
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Inslee
 Israel
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Keating
 Kelly
 Kind
 King (IA)
 King (NY)
 Kingston
 Kissell
 Kline
 Labrador
 Lamborn
 Lance
 Landry

Roskam
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuler

Shuster
 Simpson
 Smith (NE)
 Smith (TX)
 Southernland
 Speier
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Visclosky

NOES—155

Ackerman
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Becerra
 Berkley
 Berman
 Bishop (GA)
 Bishop (UT)
 Blumenauer
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Carnahan
 Carson (IN)
 Chu
 Cicilline
 Clarke (MI)
 Clay
 Cleaver
 Clyburn
 Cohen
 Conyers
 Courtney
 Critz
 Crowley
 Cummings
 Davis (CA)
 Davis (IL)
 DeGette
 DeLauro
 Deutch
 Dicks
 Doggett
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Filner
 Frank (MA)
 Fudge
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva

Gutierrez
 Hanabusa
 Harman
 Hastings (FL)
 Heinrich
 Higgs
 Hinchey
 Hinojosa
 Hirono
 Holt
 Honda
 Hoyer
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Kildee
 Kinzinger (IL)
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lewis (GA)
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lujan
 Lynch
 Maloney
 Markey
 Matsui
 McCollum
 McDermott
 McGovern
 McNerney
 Meehan
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Olver
 Pallone
 Pastor (AZ)

Paulsen
 Payne
 Pelosi
 Perlmutter
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rangel
 Reichert
 Reyes
 Richardson
 Richmond
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Lowey
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Stark
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velazquez
 Waters
 Watt
 Waxman
 Weiner
 Welch
 Wilson (FL)
 Woolsey
 Wu
 Yoder
 Young (FL)

NOT VOTING—4

Giffords
 Herger

Smith (NJ)
 Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1107

Mr. DIAZ-BALART changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. HELLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. HELLER) on which further proceedings were

postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 190, noes 241, not voting 2, as follows:

[Roll No. 78]

AYES—190

Adams	Graves (GA)	Paul
Aderholt	Graves (MO)	Pearce
Akin	Griffith (VA)	Pence
Amash	Guinta	Peters
Austria	Hall	Petri
Bachmann	Hanna	Pitts
Barletta	Harris	Platts
Bartlett	Hartzler	Poe (TX)
Barton (TX)	Hastings (WA)	Pompeo
Benishek	Hayworth	Posey
Bilbray	Heck	Price (GA)
Bilirakis	Heller	Quayle
Bishop (UT)	Hensarling	Rahall
Black	Herger	Reed
Blackburn	Holden	Rehberg
Boswell	Huelskamp	Ribble
Brooks	Huizenga (MI)	Rigell
Broun (GA)	Hunter	Rivera
Buchanan	Hurt	Roby
Bucshon	Jenkins	Roe (TN)
Buerkle	Johnson (IL)	Rogers (KY)
Burgess	Johnson (OH)	Rogers (MI)
Burton (IN)	Johnson, Sam	Rohrabacher
Camp	Jones	Rokita
Campbell	Jordan	Rooney
Canseco	Kelly	Ros-Lehtinen
Cantor	King (IA)	Ross (FL)
Carter	Kingston	Royce
Chabot	Kissell	Runyan
Chaffetz	Labrador	Ryan (WI)
Coble	Lamborn	Scalise
Coffman (CO)	Lance	Schmidt
Conaway	Landry	Schrader
Costello	Lankford	Schweikert
Culberson	Latham	Scott (SC)
DeFazio	Latta	Scott, Austin
Dent	LoBiondo	Sensenbrenner
DesJarlais	Long	Sessions
Diaz-Balart	Luetkemeyer	Shimkus
Duffy	Lynch	Shuster
Duncan (SC)	Mack	Simpson
Duncan (TN)	Manzullo	Smith (NE)
Ellmers	Marino	Smith (TX)
Farenthold	McCarthy (CA)	Southerland
Fincher	McCaul	Stearns
Fitzpatrick	McClintock	Stutzman
Flake	McCotter	Sullivan
Fleischmann	McHenry	Terry
Fleming	McIntyre	Thornberry
Flores	McMorris	Tiberi
Forbes	Rodgers	Tipton
Fox	Meehan	Upton
Franks (AZ)	Mica	Walberg
Gardner	Miller (FL)	Walden
Garrett	Miller (MI)	Walsh (IL)
Gerlach	Mulvaney	Webster
Gibbs	Murphy (PA)	Westmoreland
Gibson	Myrick	Wilson (SC)
Gingrey (GA)	Neugebauer	Woodall
Gohmert	Nugent	Yoder
Goodlatte	Nunes	Nunnelee
Gosar	Gosar	Olson
Gowdy	Gowdy	Palazzo
Granger	Granger	

NOES—241

Ackerman	Becerra	Boren
Alexander	Berg	Boustany
Altmire	Berkley	Brady (PA)
Andrews	Berman	Brady (TX)
Baca	Biggart	Braley (IA)
Bachus	Bishop (GA)	Brown (FL)
Baldwin	Bishop (NY)	Butterfield
Barrow	Blumenauer	Calvert
Bass (CA)	Bonner	Capito
Bass (NH)	Bono Mack	Capps

Capuano	Himes	Pelosi
Cardoza	Hinchey	Perlmutter
Carnahan	Hinojosa	Peterson
Carney	Hirono	Pingree (ME)
Carson (IN)	Holt	Polis
Cassidy	Honda	Price (NC)
Castor (FL)	Hoyer	Quigley
Chandler	Hultgren	Rangel
Chu	Inslee	Reichert
Cicilline	Israel	Renacci
Clarke (MI)	Issa	Reyes
Clarke (NY)	Jackson (IL)	Richardson
Clay	Jackson Lee	Richmond
Cleaver	(TX)	Rogers (AL)
Clyburn	Johnson (GA)	Roskam
Cohen	Johnson, E. B.	Ross (AR)
Cole	Kaptur	Rothman (NJ)
Connolly (VA)	Keating	Roybal-Allard
Conyers	Kildee	Ruppersberger
Cooper	Kind	Rush
Costa	King (NY)	Ryan (OH)
Courtney	Kinzinger (IL)	Sanchez, Linda
Cravaack	Kline	T.
Crawford	Kucinich	Sanchez, Loretta
Crenshaw	Langevin	Sarbanes
Critz	Larsen (WA)	Schakowsky
Crowley	Larson (CT)	Schiff
Cuellar	LaTourette	Schilling
Cummings	Lee (CA)	Schock
Davis (CA)	Levin	Schwartz
Davis (IL)	Lewis (CA)	Scott (VA)
Davis (KY)	Lewis (GA)	Scott, David
DeGette	Lipinski	Serrano
DeLauro	Loeb	Sewell
Denham	Loebsack	Sherman
Deutch	Lofgren, Zoe	Shuler
Dicks	Lowe	Stivers
Dingell	Lucas	Sutton
Doggett	Lujan	Thompson (CA)
Dold	Lummis	Thompson (MS)
Donnelly (IN)	Lungren, Daniel	Thompson (PA)
Doyle	E.	Tierney
Dreier	Maloney	Tonko
Edwards	Marchant	Towns
Ellison	Markey	Tsongas
Emerson	Matheson	Turner
Engel	Matsui	Van Hollen
Eshoo	McCarthy (NY)	Velázquez
Farr	McCollum	Visclosky
Fattah	McDermott	Walz (MN)
Filner	McGovern	Wasserman
Fortenberry	McKeon	Schultz
Frank (MA)	McKinley	Waters
Frelinghuysen	McNerney	Watt
Fudge	Meeke	Waxman
Gallegly	Michaud	Weiner
Gallely	Miller (NC)	Welch
Garamendi	Miller, Gary	West
Gonzalez	Miller, George	Whitfield
Green, Al	Moore	Wilson (FL)
Green, Gene	Moran	Wolf
Griffin (AR)	Murphy (CT)	Womack
Grijalva	Nadler	Woolsey
Grimm	Napolitano	Wu
Guthrie	Neal	Yarmuth
Gutierrez	Noem	
Hanabusa	Olver	
Harman	Owens	
Harper	Pallone	
Hastings (FL)	Pascrell	
Heinrich	Pastor (AZ)	
Herrera Beutler	Paulsen	
Higgins	Payne	

NOT VOTING—2

Giffords Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1111

Mrs. ROBY and Mr. NUNNELEE changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 43 OFFERED BY MR. SESSIONS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 176, noes 250, not voting 7, as follows:

[Roll No. 79]

AYES—176

Adams	Gibbs	Nugent
Aderholt	Gingrey (GA)	Nunes
Akin	Goodlatte	Nunnelee
Alexander	Gosar	Olson
Amash	Gowdy	Paul
Austria	Granger	Paulsen
Bachmann	Graves (GA)	Pearce
Bartlett	Graves (MO)	Pence
Barton (TX)	Griffin (AR)	Petri
Benishek	Griffith (VA)	Pitts
Bilbray	Guinta	Poe (TX)
Bilirakis	Guthrie	Pompeo
Bishop (UT)	Harper	Posey
Black	Harris	Price (GA)
Blackburn	Hastings (WA)	Quayle
Bonner	Hayworth	Reichert
Bono Mack	Heck	Renacci
Boustany	Heller	Ribble
Brady (TX)	Hensarling	Rivera
Brooks	Herrera Beutler	Roby
Broun (GA)	Huelskamp	Roe (TN)
Buchanan	Huizenga (MI)	Rogers (AL)
Bucshon	Hultgren	Rogers (KY)
Buerkle	Hunter	Rohrabacher
Burgess	Hurt	Rokita
Burton (IN)	Issa	Rooney
Calvert	Jenkins	Ros-Lehtinen
Campbell	Johnson (OH)	Roskam
Canseco	Johnson, Sam	Ross (FL)
Cantor	Jones	Royce
Carter	Jordan	Ryan (WI)
Cassidy	King (IA)	Scalise
Chabot	Kingston	Schmidt
Chaffetz	Kline	Schweikert
Coffman (CO)	Labrador	Scott (SC)
Conaway	Lamborn	Scott, Austin
Cravaack	Landry	Sensenbrenner
Crawford	Lankford	Sessions
Crenshaw	Latta	Simpson
Culberson	Long	Luetkemeyer
Davis (KY)	Lummis	Smith (NE)
Denham	Lungren, Daniel	Smith (TX)
DesJarlais	E.	Southerland
Dreier	Mack	Stearns
Duffy	Marino	Stutzman
Duncan (SC)	McCarthy (CA)	Terry
Duncan (TN)	McCaul	Thompson (PA)
Ellmers	McClintock	Thornberry
Emerson	McHenry	Tipton
Farenthold	McKeon	Walden
Fincher	McMorris	Walsh (IL)
Flake	Rodgers	Webster
Fleischmann	Mica	West
Fleming	Miller (FL)	Westmoreland
Flores	Miller, Gary	Wilson (SC)
Fox	Mulvaney	Womack
Fox (AZ)	Gallegly	Woodall
Gardner	Myrick	Yoder
Garrett	Neugebauer	Young (IN)
	Noem	

NOES—250

Ackerman	Blumenauer	Chu
Altmire	Boren	Cicilline
Andrews	Boswell	Clarke (MI)
Baca	Brady (PA)	Clarke (NY)
Bachus	Braley (IA)	Clay
Baldwin	Brown (FL)	Cleaver
Barletta	Butterfield	Clyburn
Barrow	Camp	Coble
Bass (CA)	Capito	Cohen
Bass (NH)	Capps	Cole
Becerra	Capuano	Connolly (VA)
Berg	Cardoza	Conyers
Berkley	Carnahan	Cooper
Berman	Carney	Costa
Biggart	Carson (IN)	Costello
Bishop (GA)	Castor (FL)	Courtney
Bishop (NY)	Chandler	Critz

Crowley	Kinzinger (IL)	Richardson
Cuellar	Kissell	Richmond
Cummings	Kucinich	Rigell
Davis (CA)	Lance	Rogers (MI)
Davis (IL)	Langevin	Ross (AR)
DeFazio	Larsen (WA)	Rothman (NJ)
DeGette	Larson (CT)	Roybal-Allard
Dent	Latham	Runyan
Deutch	LaTourette	Ruppersberger
Diaz-Balart	Lee (CA)	Rush
Dicks	Levin	Ryan (OH)
Dingell	Lewis (GA)	Sánchez, Linda
Doggett	Lipinski	T.
Dold	LoBiondo	Sanchez, Loretta
Donnelly (IN)	Loeb	Sarbanes
Doyle	Loeb	Schakowsky
Edwards	Lofgren, Zoe	Schiff
Ellison	Lowe	Schilling
Engel	Lucas	Schock
Eshoo	Lujan	Schrader
Farr	Lynch	Schwartz
Fattah	Maloney	Scott (VA)
Filner	Manzullo	Scott, David
Fitzpatrick	Marchant	Sewell
Forbes	Markey	Sherman
Fortenberry	Matheson	Shimkus
Frank (MA)	Matsui	Shuler
Frelinghuysen	McCarthy (NY)	Shuster
Fudge	McCollum	Sires
Garamendi	McCotter	Slaughter
Gerlach	McDermott	Smith (NJ)
Gibson	McGovern	Smith (WA)
Gohmert	McIntyre	Smith (WA)
Gonzalez	McKinley	Speier
Green, Al	McNerney	Stark
Green, Gene	Meehan	Stivers
Grijalva	Meeke	Sullivan
Grimm	Michaud	Sutton
Gutierrez	Miller (MI)	Thompson (CA)
Hanabusa	Miller (NC)	Thompson (MS)
Hanna	Miller, George	Tiberi
Harman	Moore	Tierney
Hartzler	Moran	Tonko
Hastings (FL)	Murphy (CT)	Towns
Heinrich	Murphy (PA)	Tsongas
Higgins	Nadler	Turner
Himes	Napolitano	Upton
Hinchee	Neal	Van Hollen
Hinojosa	Olver	Velázquez
Hirono	Owens	Visclosky
Holden	Palazzo	Walberg
Holt	Pallone	Walz (MN)
Honda	Pascrell	Wasserman
Hoyer	Pastor (AZ)	Schultz
Inlee	Payne	Waters
Israel	Pelosi	Watt
Jackson (IL)	Perlmutter	Waxman
Jackson Lee	Peters	Weiner
(TX)	Peterson	Welch
Johnson (GA)	Pingree (ME)	Whitfield
Johnson (IL)	Platts	Wilson (FL)
Johnson, E. B.	Polis	Wolf
Kaptur	Price (NC)	Woolsey
Keating	Quigley	Wu
Kelly	Rahall	Yarmuth
Kildee	Rangel	Young (AK)
Kind	Reed	Young (FL)
King (NY)	Rehberg	
	Reyes	

NOT VOTING—7

DeLauro	Herger	Wittman
Giffords	Lewis (CA)	
Hall	Serrano	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1114

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. For the purpose of entering into a colloquy, I yield to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Thank you, Mr. Chairman.

Mr. Chairman, the goal of this colloquy is to clarify language associated with funds provided for the Expedi-

tionary Fighting Vehicle, or EFV, in the Research, Development, Test and Evaluation, Navy section of the bill. It is my understanding that the accompanying table states that \$145 million of the funds provided for the EFV termination liability may be released only for use in system development and demonstration activities upon certification by the Secretary.

Mr. Chairman, is that the language included in the report accompanying this bill?

Mr. YOUNG of Florida. Mr. Chairman, the gentleman is correct. The language which is included in the explanatory tables provides \$145 million for termination liability, or for continued system development and demonstration if certified by the Secretary.

Mr. AKIN. Mr. Chairman, my concern is that the Department of Defense may interpret this language as direction from Congress to terminate EFV in this year, regardless of any recommendations made by Congress during debate on the fiscal year 2012 budget.

No matter how this issue is resolved by Congress in fiscal year 2012, orderly conclusion of the fiscal year 2011 SDD activities that are already under contract and well underway is essential for the Nation to get a usable product for its \$3 billion investment. My reading of this language is that it provides sufficient flexibility for the Department to continue through SDD, and we encourage the Department to do just that.

Mr. Chairman, is it the intent of the committee to provide sufficient flexibility for the Department to continue SDD activities related to the EFV?

Mr. YOUNG of Florida. I would say to the gentleman, Mr. Chairman, that it is the intent of the committee to provide that flexibility. In fact, it is my hope that the Department exercises this flexibility to finish SDD activities and get something usable for the \$3 billion investment that we have already made.

Here is a unique opportunity for a win-win situation. The Marines want to cancel the program, and they would normally pay a \$145 million termination fee. Here is an opportunity, and we believe the contractor is agreeable, to forego the payment of the \$145 million to them, but use that money to continue the program so that we at least get something for the \$3 billion that we have already appropriated.

If I might expand on the colloquy, one of the problems that we have in our defense budgeting is that we too often start a program, spend a lot of money on it, and then decide to terminate it and get little or nothing for what we already did. So I believe it is important for the Department to have this flexibility as they negotiate the remaining activities for the fiscal year.

It is my hope the Department would be able to reach an agreement which would provide for an orderly conclusion of the fiscal year 2011 SDD activities

and ensure the Marine Corps is able to harvest the advances in technology and beneficial equipment from the program, should the program not be continued.

Mr. AKIN. Chairman YOUNG, I would appreciate a commitment from you to work together on the issue, the Appropriations Committee and the Armed Services Committee, as we consider the fiscal 2012 defense budget. The Congress must ensure that marines have the equipment they need to successfully accomplish the missions they are asked to perform, and that includes amphibious assault.

□ 1120

I appreciate your willingness to work on this. I think that what we're doing is we've got \$3 billion already invested. As you say, it doesn't make sense to waste that investment, especially when you're talking about a very small amount of money to finish up. It leaves the flexibility to take a really good look at how do we accomplish that critical mission of moving marines from the ocean to the shore.

So I appreciate your working on this colloquy and agreeing to where we're going.

Mr. YOUNG of Florida. The gentleman knows that he and I are on the same page on this issue. We want to get something for the money we've already spent, and we think this is a way out.

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

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

Mr. DICKS. Mr. Chairman, as I understand it, if we can add \$34 million to the funding, we can get all the testing completed and not have to pay termination costs under the contract. So it seems to me you can make a case that this is the most cost-effective thing to do. That's at least what I understood.

Is that the gentleman's understanding, or should we get the Marine Corps up here to try to explain this, or somebody?

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. YOUNG of Florida. My understanding is the \$34 million would be to complete the research and the development of the program and to develop the new innovations to this particular vehicle.

Mr. DICKS. I think that's a wise course. I look forward to working with the gentleman on this.

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

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

Mr. REICHERT. Mr. Chairman, I want to engage in a colloquy with my colleague from Florida, the chairman of the House Defense Appropriations Committee. I stand today to support wounded warrior rehabilitation programs that support our brave military

men and women who have sacrificed parts of their body for our freedom; men and woman who have sacrificed so much that today we can stand here on this floor and offer our remarks. These programs provide life-saving, life-changing rehabilitation services to thousands of injured servicemen and -women.

We must keep our promise to our troops and veterans, consistent with the Pledge to America, which allows exceptions related to government funding so that we can honor our commitment to those who have served. We all know in this Chamber that we can never repay what our military men and women have sacrificed for us and for our freedom, witnessed today by Mr. JOHNSON's presence at the chair and our recognition of the troops who have served. These programs are a small way to support those who have sacrificed so much to keep us safe and free.

Mr. Chairman and Ranking Member DICKS, as you begin the difficult task of reviewing the fiscal year 2012 budget, I ask that you consider the needs and the well-being of our injured servicemen and -women. I hope that we can work together to ensure that these types of rehabilitation programs for wounded warriors are given fair consideration during that process.

Mr. Chairman, I now yield to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Chairman, I would also like to highlight the success of the wounded warrior rehabilitation program, specifically those which use community-based partnerships to provide injured U.S. military personnel with the opportunity to engage in sports activities as part of their rehabilitation at DOD medical centers in their home communities. These programs illustrate the power of sports activities to help wounded warriors return to a healthy and active lifestyle. Today, thousands of injured servicemembers from the Iraq and Afghanistan conflicts have benefited from these programs, and some even participated in the Department's first Wounded Warrior Games competition held last May.

Wounded warrior rehabilitation programs are located at major DOD medical treatment facilities, military installations, veterans facilities, and the communities around the country where our injured servicemembers live. Wounded warriors, as we all know, ladies and gentlemen, are heroes for serving our country and important role models to so many people in our communities. We greatly appreciate their service, their sacrifice, and their leadership.

Mr. REICHERT. Mr. Chairman, I now yield to the ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I appreciate the opportunity to speak on this issue. Wounded

warrior rehabilitation programs that have worked with national and community organizations have provided substantial support for injured members of our Armed Forces to participate in physical activity as an important aspect of their rehabilitation. Research shows that daily physical activity enhances wounded warriors' confidence, achievements, and quality of life. These programs are essential, and I would like to work with my colleague in the upcoming year to ensure that those programs will continue.

Mr. REICHERT. Mr. Chairman, I now yield to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I want to congratulate and thank the gentleman from Washington for bringing this matter before the House today. It is something that Mr. DICKS and I have worked with ever since these wars began—something that we cannot overlook, something that is extremely, extremely serious—a major debt that we owe to the men and women who serve our country as warfighters. And so I would say again to the gentleman from Washington (Mr. REICHERT), thank you very much for bringing this matter before the House today.

Mr. REICHERT. Thank you, Mr. Chairman, and I thank the ranking member. I look forward to working with you and Mr. LANGEVIN in making sure that our wounded veterans returning home are rehabilitated, are counseled, and receive the medical care and encouragement they need to lead a fruitful life.

Mr. DICKS. Will the gentleman yield?

Mr. REICHERT. I yield to the gentleman from Washington.

Mr. DICKS. I really think we've got to solve this problem. This is very unfair, this one program. This is a national program in every sense of the word, and we have either got to get it authorized or do whatever we have to do to make this possible. I look forward to working with you to achieve that.

Mr. REICHERT. Reclaiming my time, I thank the gentleman, and I look forward to working with you. I really appreciate your enthusiasm and passion. I know all of us in this body would support this issue once we can get it solved.

I yield back the balance of my time.

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

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

Mrs. EMERSON. Mr. Chairman, I wish to enter into a colloquy with the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, I rise today to enter into a colloquy with my friend and distinguished chairwoman of the Appropriations Subcommittee on Financial Services and General Government. I would like to thank you, Madam Chairman, as well

as Chairman ROGERS and your respective staffs, for all your hard work. I appreciate your willingness to work with me and my staff on this issue.

I planned on offering my amendment, No. 264, that would have prevented any funding in this act to be used for vacant Federal properties. However it's drafted, this language would have had serious unintended consequences. We see those sorts of things happen around here a lot.

I would like to take this opportunity to clarify the intent behind my amendment and how it highlights an increasingly larger problem. According to a Senate report on questionable spending, roughly \$25 billion is spent annually to maintain vacant or unused Federal properties. My goal is to close off that spigot of Federal waste. Unfortunately, my amendment as drafted would have inadvertently prevented basic security or the ability to respond to an emergency situation such as a broken pipe or others.

That being said, even with the current funds, we have numerous vacant Federal buildings crumbling all across our Nation. The Veterans Administration alone spends \$170 million a year, often on buildings that they would rather sell, were Congress not standing in the way. In fact, a good example is those at the Charlie Norwood VA Center in Augusta, Georgia, that I represent.

If we intend to tackle other difficult problems, we cannot continue to punt on the simple ones. It is outrageous that hundreds of billions of dollars have been wasted on unused buildings sitting for over a decade waiting for renovation funding. We need to sell what isn't absolutely necessary and in the meantime stop burning dollars on the maintenance of buildings going to waste.

□ 1130

The problem with these buildings is symbolic of the Federal Government as a whole; so large and bloated that some are lost in limbo, decaying and sapping valuable resources. We have redundant agencies and regulations lost in the bloat, just like these buildings. Again, if we hope to make headway on the critical budget issues that we face as a Nation, we must begin with these smaller commonsense changes.

I hope that my colleagues will allow me to work on this issue with them during this process and the upcoming 2012 appropriations cycle. And I just request from the chairman, I hope that you will work with me. We've got many vacant unused Federal properties all over this country that we need to stop funding. We need to sell these and reduce the debt by the funds that we do.

So I'd like to ask the chairman of the subcommittee if she'll be eager to work with me on this issue.

Mrs. EMERSON. The gentleman raises an absolutely critical issue that there are examples of all over the country. We are more than willing to work with you on a continuing basis.

You may be happy to note that we have cut \$1.7 billion from the public buildings fund in this continuing resolution. But we've got a lot more work to do. And as we prepare the FY 2012 spending bill, I think that we'll find more examples. It's very critical to save every penny we can.

I just want to thank you so much for your dedication to finding all the waste that we have in the Federal budget.

Mr. BROUN of Georgia. Thank you, chairman. I appreciate your willingness to work with me.

AMENDMENT NO. 189 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ None of the funds made available by division A of this Act may be used to research, develop, test, evaluate, or procure any of the following:

- (1) Expeditionary Fighting Vehicle.
- (2) V-22 Osprey aircraft.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order on the gentlelady's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, this amendment would eliminate the V-22 Osprey aircraft and the expeditionary fighting vehicle. For years, the Pentagon has been throwing billions at weapons systems that don't work and don't keep us safe; weapons systems that are obsolete in the post-Cold War era; weapons systems that are not giving us bang for the buck.

The V-22 Osprey is essentially a lemon. It makes defense contractors rich but doesn't make our military strong. It has a notoriously bad safety record, having killed 30 of our own people in training exercises, and a deadly V-22 crash in Afghanistan last year was claimed as a victory by the Taliban. Billions over budget for a weapons system that's killing our own people—not a good deal for the taxpayer, to say the least.

The GAO has noted that this plane has trouble flying over 8,000 feet or in extreme heat. It also has problems carrying troops, transporting cargo, and operating in high-threat environments.

A combat plane that can't operate in high-threat environments? Is there anything the Osprey can do? Actually, can it deliver mail? The President's deficit commission recently recommended we stop writing blank checks for the Osprey. So did another top official who more than 20 years ago said: "Given the risk we face from a military standpoint, the V-22 is at the bottom of the list, and for that reason, I decided to terminate it."

That's not a prominent Democrat speaking, Mr. Chairman; that's a former Secretary of Defense named Dick Cheney.

The Marine Corps' expeditionary fighting vehicle would provide almost as much savings, between \$8 and \$9 billion over the next decade. The President's proposed budget pulls the plug on this system, which is more than 14 years behind schedule and has also experienced major cost overruns.

According to the Task Force on a Unified Security Budget, the EFV breaks down on average every 8 hours and has trouble steering in water. Shouldn't we be worried about an amphibious vehicle that doesn't steer well in water? Would you spend billions of dollars on a family car that breaks down every 8 hours and doesn't steer well?

And besides, even if the EFV ran like a dream, when was the last time we needed to launch an attack by sea? Once again, we're developing weapons for enemies that no longer exist.

With spending cut fever having hit Capitol Hill, you would think these wasteful systems would be among the very first on the chopping block. But naturally my colleagues on the other side of the aisle would rather scale back the very things keeping people safe and strong—police on the streets, investments in innovation and infrastructure, NIH research, education assistance from Head Start to Pell Grants, and much, much more.

I say we go in a different direction. If we're serious about restoring fiscal discipline, both the V-22 Osprey and the EFV must go.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I withdraw the reservation on the point of order.

The Acting CHAIR. The reservation is withdrawn.

Mr. DICKS. I move to strike the requisite number of words.

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

Mr. DICKS. We have already had a straight up-or-down vote on the Osprey and resoundingly supported it here in the committee.

On the expeditionary fighting vehicle, there's a decision been made by the Secretary of the Navy to end this program. What we're trying to do is to do it in a way that finishes the research with an additional \$34 million and avoids termination liability.

I urge a "no" on this amendment.

I yield to the gentleman from Florida, the chairman.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to the amendment. We just had a very good colloquy on the issue of the EFV and we think we have a solution here that is good for the taxpayer, is good for the Marine Corps, and is good for the Marines. Here's an opportunity to get something for the \$3 billion that we've already spent on this program. So I must be opposed to that.

On the V-22, we've already voted on that once during the earlier procedures

on this bill. The V-22 did have some developmental problems years ago. The V-22 is a most effective weapon being used in Afghanistan. Because of the high mountains, because of the high altitudes, because of the weather, the V-22 is the vehicle of choice to move our war fighters from where they are to where they have to be.

I would hope that the vote would be the same on this amendment as it was earlier on the V-22, and that's to defeat it. Here is an airplane—the Marines use this V-22 in Afghanistan on a regular basis because it has the capability that the CH-46 does not have. It has the ability for altitude, it has the ability for speed, and it is an outstanding aircraft today.

Mr. VAN HOLLEN. Mr. Chair, although I support Secretary Gates' call to terminate the Expeditionary Force Vehicle (EFV), I must unfortunately oppose the Woolsey amendment because it also seeks to cancel the Osprey program, whose termination I do not support.

The EFV is clearly not a wise use of American tax dollars. It is 14 years behind schedule and estimated to cost 168 percent more than originally estimated. Because of these realities, along with the evolving nature of naval warfare, Secretary Gates, the Secretary of the Navy and the Commandant of the Marine Corps have all recommended that it be terminated—and it was not included in President Obama's FY 12 Budget. By contrast, after overcoming a number of operational and cost concerns, the Osprey has become a top priority for the Marine Corps and does enjoy command support.

If I could split this amendment into two separate votes, I would do so. Since I cannot, I will oppose it and continue to pursue a deliberate, program by program approach to finding needed savings in our defense budget.

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

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

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

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

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

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

Mr. ADERHOLT. I would like to turn to my colleague, Chairman MICA of the Transportation Committee, with an amendment that he has.

Mr. MICA. Mr. Chairman and Mr. ADERHOLT, first of all, I want to thank you for recognizing me and also giving me this opportunity to speak on my amendment which in consultation with you, Mr. Chairman, I will withdraw and not offer.

That is amendment, I believe it's numbered 543 as printed. Mr. ADERHOLT, first I want to thank you for your pledge to continue to work

with your subcommittee and our full committee in your rigorous oversight of how the Transportation Security Administration is spending our scarce resources.

□ 1140

Unfortunately, the TSA bureaucracy has mushroomed since 9/11 from a workforce of 16,500 to 62,000 employees today.

The purpose of my amendment is my concern about the growth and administrative overhead—a huge number of personnel. TSA has more employees than the Department of State, the Department of Education and Labor, and the Department of Housing and Urban Development combined.

Now listen to this: TSA headquarters, which is within a few miles of where we're standing, has 3,776—latest count—administrative bureaucrats employed, and 27 percent are supervisors of them. The average pay of these 3,700-plus bureaucrats here is \$105,000.

Having helped create TSA in the aftermath of 9/11, I can tell you we never intended to support this kind of bureaucracy.

Now listen to this: if you think the bureaucracy in Washington is bad, there are 9,233 non-screener employees at the airports across the country. There are only 400 airports in the program. That's 20 bureaucrats per airport on average. This agency is totally out of control. In addition, in the 2012 budget, they have asked for 3,300 more positions.

In its nearly 10 years since creation, Mr. Chairman, TSA still lacks the institutional capacity to become a performance-driven organization.

On January 28, TSA shut down the most successful screening program we had. We set up two models, both with Federal supervision and one using private contractors. Every positive initiative we have ever gotten from TSA came from those programs, and they shut it down. In addition, one week later, they granted collective bargaining rights to TSA workers.

It is time that we dramatically reform TSA and cut its massive administrative bureaucracy. I will work with you. My cuts are not as surgical as maybe they need to be, but we will work with you to improve its mission. My goal is for less bureaucracy and to redirect TSA to its important security mission.

Finally, the failure of TSA puts this Nation at risk—read the GAO reports—with the total failure of the SPOT program, the behavior recognition program. Get the classified briefings on the failure of the advanced technology. They went out and bought \$500 million worth of equipment, and spent another \$500 million to install it. The failure is dramatic. You can read that as Members of Congress.

The failure of the pat-down program. Everyone is getting patted down. Do you think that's helpful? I implore Members to get a classified briefing

and see, again, the results of that failure.

The failure to have even a pilot identification. Six years ago, I asked for a pilot identification that's durable, not something that looks like it came out of a crackerjack box, with the pilot's photograph on it and a biometric measure. After spending millions of dollars, TSA gave a card, but the only pilots on it were Wilbur and Orville Wright. The biometric measure that they put in is a total failure. Any credit card you have in your wallet has a better capability than what they have produced.

It is failure after failure, and they put us at risk. I thank you for offering to work with me to make the necessary changes.

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

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

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

Mr. ROGERS of Kentucky. I yield to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Thank you, Mr. Chairman.

Let me say, Mr. MICA, that I completely understand your interest in pushing TSA to meet its mission in a most cost-effective manner.

Because of these concerns, we have placed a number of provisions within the CR, provisions which constrain TSA spending to include a firm cap on the number of airport screeners TSA may hire in FY11. Additionally, we have included a strong oversight provision requiring them to report on their efforts to incorporate more advanced integrated technology into the checkpoints.

Let me add that our subcommittee fully intends to review all of TSA's security and management practices as we prepare for the FY12 Homeland bill. I plan to carry forward and expand within the FY12 bill the oversight that we began with the CR. I would like to work closely with you and your committee in an effort, as we move forward, to try to address these concerns that you shared with us this morning.

Let me just say that we certainly in this country want to strike a balance between having security in this Nation and making sure that we have appropriate oversight.

I appreciate you calling attention to these issues that you mentioned this morning. I can assure you our committee will work with you in trying to work toward doing a better job in oversight for TSA and in making sure we do have the security we need for this country.

Mr. ROGERS of Kentucky. Reclaiming my time, when we first stood up TSA, I chaired that subcommittee. We put a limit on the number of employees that TSA could have.

They first wanted, I think it was, 30,000 people. We said no. Then they went up to 35,000; then they went to 40,000; then they went to 43,000. I said

time out. So we put a limit of 44,000 on the number of TSA employees that were allowed. That cap stayed in place until 2006, which is when the other party gained control of this body. The cap came off.

Mr. MICA, I don't know the total number. I think it's in the 60s.

Mr. MICA. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Florida.

Mr. MICA. The number is 62,000, of which we have 3,770 administrative personnel in Washington, DC, and another over 9,000 administrative personnel in non-screening positions across the country.

Mr. ROGERS of Kentucky. We've heard your statement. We're up to 62,000 now and it's way too much.

Let me ask the chairman: Is there a cap now reinstated in this bill for TSA employees?

I yield to the gentleman from Alabama.

Mr. ADERHOLT. We have a cap of 46,000 in this bill.

Mr. ROGERS of Kentucky. They can't go above 46,000?

Mr. ADERHOLT. That is correct.

Mr. ROGERS of Kentucky. There are 62,000.

So there will be some reductions; am I correct?

Mr. ADERHOLT. We are looking at absolutely doing that, yes, sir.

Mr. ROGERS of Kentucky. All right. Thank you.

Mr. Chairman, I want to congratulate Chairman MICA and Chairman ADERHOLT, who are working together to rein in this organization, which has almost gone beyond belief, so that we can get some discipline and some savings in this organization.

I don't know about you, but at the airports I go through, there are way too many TSA employees just standing around, making conversation with each other. That's okay, but we are overstaffed at TSA. This bill gets us back to being within some degree of reason.

Mr. ADERHOLT. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Alabama.

Mr. ADERHOLT. Let me just clarify that the number of screeners is capped at 46,000 right now.

Let me assure you that we will continue to monitor that to make sure that your concerns from when you were chairman of this subcommittee—and of course the chairman of the Transportation Committee's concerns—will be addressed. I appreciate both of your input this morning, and we look forward to working with you both.

Mr. ROGERS of Kentucky. Thank you.

I yield back the balance of my time.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

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

Mr. BURTON of Indiana. Really quickly, I support everything my colleagues just said, but I want to deviate

a little bit and talk about something real quickly that needs to be discussed.

Mr. Chairman, we have sent two or three letters to the President—Congressman POE, Congressman ROYCE and I and others—regarding our southern border. We just had two ICE agents attacked. One was killed. Seventy, eighty miles into Arizona, there are signs telling the American people: Don't go south of here because of the danger.

□ 1150

This is in America. We have drug dealers sitting in spy sites in the United States monitoring the border from the U.S. side to make sure that they can bring their drugs across and bring people across in their vans and other ways. It is a real problem.

Now, we sent 17,000 people down to the gulf when the oil spill took place. We haven't sent over 1,400 National Guard people down and not even near the border in many cases, and we've got a terrible problem. Farmers and people are scared to death to go along the 1,980-mile border between us and Mexico, and the President has ignored letter after letter that would deal with this problem.

And I would just say to the administration, if they were listening, let's get on with protecting that southern border. It's a war zone, and people are afraid, scared to death down there, and they're being killed and bullets are coming across the border. So I'd just like to say that I'd like to take this opportunity to encourage the administration to really get on with protecting our southern border.

Mr. DICKS. Will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Washington.

Mr. DICKS. I agree with the gentleman. I've been down there on that southern border. I would just point out, though, that yesterday we killed the National Drug Intelligence Center, which is used by the Justice Department to try and target the people coming across, I mean, this was a Justice Department program, but your side killed it.

Mr. BURTON of Indiana. Reclaiming my time, sending National Guard troops down there en masse to protect that border until it's completely secure, along with the border patrol agents, will do the job. The cut yesterday would not affect this kind of an approach to solving the problem.

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

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

Mr. LOBIONDO. Mr. Speaker, I rise to engage the chairman of the subcommittee, Mr. LATHAM, in a colloquy.

As the gentleman knows, I believe the implementation of the next generation of air traffic control is a very necessary and critical step in bringing our aviation system into the 21st century. The Nation's aviation transportation

network is currently based on an outdated, outmoded, decades-old, land-based radar system. Our cell phones have better capability than our air traffic control system. The next generation of air traffic control reflects an approach to move forward while making our aviation system much safer, much more efficient, and much more cost-effective by moving it to a satellite-based system that will benefit all Americans.

Once fully implemented, the next generation system will reduce flight delays, saving Americans billions of dollars in lost productivity. Aircraft will be able to operate more efficiently, resulting in less fuel consumption. Congestion at some of our Nation's busiest airports will be significantly reduced, freeing up much needed airspace to accommodate growth in the aviation sector.

And I'm particularly proud that most of the work that is being done to validate the FAA's next generation of air traffic control is being done at the Federal Aviation Administration's Technical Center in my district in New Jersey that will help develop this and implement it.

That is why I rise today, and while I strongly support the House's effort to reduce wasteful government spending, I am also very concerned about programs that could be affected unintentionally, and this measure includes a slight reduction in the FAA's facilities and equipment account, an account which could provide some of the funding for the work associated with NextGen. Can the gentleman assure me that this reduction will not negatively impact the critical work that is taking place on the next generation of air traffic control.

Mr. LATHAM. Will the gentleman yield?

Mr. LOBIONDO. I yield to the gentleman from Iowa.

Mr. LATHAM. I appreciate the gentleman yielding.

I, too, share his commitment to NextGen, and I believe that this program is essential to achieving the much-needed improvements in our aviation system. The committee has consulted with the FAA. We believe that these modest savings will be beneficial to the taxpayers while providing the FAA with the funds necessary to continue to do the important work in bringing NextGen to fruition.

Mr. LOBIONDO. Thank you, Mr. LATHAM, for sharing that information and for your commitment to the next generation of air traffic control, and I look forward to continuing to work with you and the committee and this body to see that accomplished.

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

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

Mr. WOLF. I had an amendment, which has now been ruled out of order, to create an Afghanistan-Pakistan

study group. The war in Afghanistan has been going on for 10 years. The first person killed in Afghanistan was from my congressional district, Michael Spann. I was the author of the Iraq Study Group, where we got Baker and Hamilton in a bipartisan way to come together to look at the war. I have asked the administration to do something, and quite frankly, when I read Woodward's book, "Obama's War," it was depressing because it almost looks like they're approaching this on basically political ways, political means.

The war has now been going on for 10 years, and quite frankly, I think not only has the administration failed, but Congress has failed. So what I hope to do is to, at an appropriate time, offer an amendment to create an Afghanistan-Pakistan study group, modeled after the Iraq Study Group, and put on people like Sam Nunn; former chairman of the House Armed Services Committee DUNCAN HUNTER; Ryan Crocker, who was our former ambassador to Iraq and who supports the concept; General Jack Keane, who was author of the surge; General Charles Krulak, who was the Commandant of the Marine Corps; General Zinni, who was Commandant of the Marine Corps; and Ike Skelton, former chairman of the House Armed Services Committee, to see are we fighting this war the right way, are we doing the right thing.

And I believe we need fresh eyes on the target, and when you look at and read "Obama's War" by Woodward, you can see there are no fresh eyes on the target, and we owe it, we owe it to the men and women that are fighting in Afghanistan and dealing with this issue to make sure that we are doing everything possible—and I don't know what the answer is—everything possible to make sure that we're doing what we should do as a Nation.

And with that, I hope when there's an opportunity I can offer this amendment—because I don't think the administration is going to do this by Executive order—that we can adopt because we owe it to our fighting men.

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

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

Mrs. HARTZLER. I rise to enter into a colloquy with the gentleman from Florida.

I stand today to support our brave military men and women and their families who sacrifice in the service of freedom. Mr. Chairman, can you assure me that this bill will not in any way harm or put to risk our troops?

Mr. YOUNG of Florida. Will the gentleman yield?

Mrs. HARTZLER. I yield to the gentleman.

Mr. YOUNG of Florida. I thank the gentlelady for raising the question. It's something we should discuss more and more, and in fact, we have an obligation to our troops and our warfighters and our veterans.

I would say that Mr. DICKS and I worked long and hard to come up with the savings that we were instructed to come up with, and I can guarantee the gentlelady, we did not create anything that would have an adverse effect on our warfighters. It would not have an adverse effect on our Nation's readiness, would not have an adverse effect on their training and their preparation for war.

So I say to the gentlelady, I share her very strong commitment, and I thank her for her strong commitment, and our subcommittee has the same strong commitment. So I can assure her.

Mrs. HARTZLER. Thank you, Mr. Chairman. As you know, in our Constitution one of the few things that we're supposed to do here is to provide for the common defense, and I know I'm committed to doing that, and I know you're committed to doing that, and yet we have this continuing resolution, and so that certainly makes me feel more confident that in our efforts that our troops are being watched out for and their families.

So I thank you for that commitment, and will you continue to promise to work with me through this coming year to move forward to ensure that our troops and their families are supplied with all that they need?

Mr. YOUNG of Florida. I can, and I would like to say that we look forward to working with you during this Congress as we do what it is that you want us to do.

Mrs. HARTZLER. Thank you very much for your commitment. I look forward to it.

□ 1200

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

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

Mr. CULBERSON. Mr. Chair, in an effort to help my constituents understand, the country understand, and even almost understand the scale of the problem we face, it's important I think to think of the expenses, the obligations of the Federal Government in terms of our own budget, that if we in our own lives take our income, you've got to calculate your income and your expenses. And the things you have got to pay first are the mortgage; you have got to pay the light bill. You have to make sure that, above all, the expenses of your home are paid first. And in the same way, the Federal Government must pay the expenses of the mandatory programs, like Medicare, Medicaid, Social Security, the interest on the national debt, our obligation to our veterans. Those programs must be paid first.

We bring in about \$2.2 trillion in revenue every year from all sources. When you take into account what the Federal Government must pay to our veterans, to the mandatory spending programs, those programs cost about \$2.3 trillion. Therefore, the way to think

about the scale of the problem we face is to analyze it in terms of, when do we, as a Nation, run out of cash and have to start borrowing? When is national credit card day? And in analyzing that, I discovered that we actually don't have a national credit card day.

At the stroke of midnight on the first day of the fiscal year, the United States Government has already borrowed \$105 million. Now, tax freedom day occurs in May, far too late in the year when we begin to work for ourselves and no longer are working to pay taxes. But as a Nation, we begin to borrow money. We have already borrowed \$105 million at the stroke of midnight that must be paid off by our kids. And the scale of the problem, therefore, is far larger than the appropriations bill we face here today.

We, in this new majority, were elected by the Nation to begin to deal with the terrible burden of the debt, the terrible burden of these unfunded liabilities that our children and our grandchildren are going to pay. For the first time in history, our predecessors in this Congress, our predecessors in the White House, and this President have loaded our children up with an unparalleled, unprecedented level of debt that we today in this debate on this appropriations bill are beginning to deal with. The \$100 billion cuts that we are making here today will allow us to stop borrowing for about 5 days. We'll get out to, say, Friday before we have to start borrowing money.

The scale of the problem is so huge that if we think of it in terms of when, as a Nation, we have to start borrowing money, when is national credit card moment, then we, I think, can help explain to the public the urgency of getting spending under control, of cutting back everywhere we can, of focusing the Nation on its core functions under the Constitution.

We, in this new majority, are committed to restoring the constitutional limits on our Federal Government, restoring the 10th Amendment, restoring individual liberty wherever we can. And in so doing, as Thomas Jefferson liked to say, if you apply the Constitution, the knot will untie itself. No matter what the problem is, Mr. Jefferson liked to point out, that if we simply apply the Constitution, the knot will untie itself.

What lies ahead of us if we do not deal with this problem, not only of the spending year to year, but we've got to really dramatically deal with the fraud, the waste, and the abuse in our social welfare problems to begin to deal with them realistically—both parties, Republicans and Democrats—and controlling the explosive growth of the entitlement programs.

In looking at the history of the Roman Empire, Mr. Chair, we see that at the end of the Roman Empire one writer of the period went so far as to suggest that those who lived off the Treasury in the Roman Empire were

more numerous than those paying into it. At the end of the empire, under Diocletian and Constantine, when it really began to decline, the Roman Empire taxed its citizens more heavily, conscripted their labor, and regulated their lives and their occupations in every detail. The Roman Empire became a coercive, omnipresent, all-powerful organization that subdued individual interests and levied all resources towards one overarching goal, the survival of the state.

We, as a Nation, have got to deal with the scale of the spending, the debt, these unfunded liabilities that are being passed on to our kids or, if we're not careful, the United States will follow the Roman Empire in devaluing our currency, in the level of debt at a scale that can't be repaid. And you saw it towards the end of the Roman Empire where taxation became so heavy that it consumed all the resources of the state.

In conclusion, Mr. Chair, I would point out that at the end of the Roman Empire, the one writer of the period pointed out that it was actually very common for Romans who were taxed so heavily, who were crushed and so overwhelmed with bureaucracy, that they actually welcomed the invaders who were taking over the Roman Empire.

It's a decisive moment in American history, Mr. Chair. We in the new majority, this constitutional conservative majority, are bringing these amendments. I thank Mr. ROGERS for bringing this bill to the floor, the largest cuts we've ever seen in annual spending. We as a nation are at a turning point, and I am convinced that we finally are beginning to deal with this problem and we'll get spending under control.

I yield back the balance of my time.

AMENDMENT NO. 208 OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ . None of the funds made available by this Act may be used to carry out chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

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

Mr. COLE. Mr. Chairman, this is a simple amendment, and it's on an issue we voted on as recently as 3 weeks ago. Very simply put, my amendment prohibits the use of funds under this act to administer or carry out any of the activities for the Presidential Election Campaign Fund or to transfer public dollars to political conventions under chapter 96 of the Internal Revenue Code.

Just 3 weeks ago, this House passed H.R. 359, which eliminated taxpayer financing for Presidential election campaigns and political party conventions. This bill passed by a vote of 239-160

under a modified open rule. If signed into law, it will save \$617 million over 10 years.

Mr. Chairman, today's amendment is a down payment on that goal. CBO scored this amendment as saving \$38 million in budgetary authority and \$40 million in outlays for fiscal year 2011. We all know on this floor we need to cut spending. Mr. Chairman, we can start today by canceling political welfare for politicians and political party conventions. This is an easy amendment that I urge all Members to support.

I yield back the balance of my time.

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

The Acting CHAIR (Mr. FORTENBERRY). The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I rise in opposition to this amendment.

It's interesting that the gentleman calls it political welfare for elected officials. We should remember why this was created and when it was created. This was created after Watergate, and it was created as an understanding that we needed to move more and more to a situation where folks with a lot of money would not go around controlling our elections. The gentleman calls it political welfare for Presidential candidates, but, in fact, without this, it is totally in the hands of people making donations; whereas, here, it is the average American citizen who gets a chance to donate to this campaign.

We know that a lot of the amendments that will come up today are directed not necessarily at issues but, I believe, and many of us believe, are directed at who is the resident of the White House right now. We have an election coming up in 2012, and I think some would rather have an open-ended private contribution situation where a lot of very wealthy people in this country control the giving to elections. I really think that this is an amendment that sounds like a savings, but it isn't. It is part of many amendments we will see today to strike at this particular President and at the White House and at the expenses that have to do with the President of the United States.

So I would hope that folks understand first of all why this was created, why it's been important, why Presidential candidates accept this kind of funding, but, most importantly, why it allows the American taxpayer the ability—the ability—to decide if he or she wants to participate in having something to do with how the election gets funded.

□ 1210

No one is forced to do this. This is just an opportunity for the average American to participate. So I really hope that, in a bipartisan fashion, people turn this down and reject this amendment.

I yield back.

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

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

Mrs. EMERSON. I rise in support of the Cole amendment because I think political candidates should rely on private donations rather than tax dollars for their political campaigns.

And I might mention to my very dear friend, Mr. SERRANO, that I think that the President of the United States today showed the best example of people all around the country of every financial means contributing to his campaign. Friends of my children did \$5 a month or offered \$10. I mean, that was the most incredible show of involvement that I've seen in my life. And so to say that it would be against this precedent, I think, is just not fair.

I also think that this amendment adds to the good work done by Mr. COLE and our leader's office, with the YouCut bill, H.R. 359. And according to the CBO, this amendment will actually save \$38 million. And \$38 million is \$38 million. And quite frankly, we're looking to save as many tax dollars as possible.

So, Mr. Chair, I would strongly support this amendment.

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

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

Mr. SERRANO. 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 Oklahoma will be postponed.

AMENDMENT NO. 514 OFFERED BY MR. PRICE OF NORTH CAROLINA

Mr. PRICE of North Carolina. 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:

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

SEC. ____ . None of the funds made available in this Act may be used to enforce the requirements in—

- (1) section 34(a)(1)(A) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)(A));
- (2) section 34(a)(1)(B) of such Act;
- (3) section 34(c)(1) of such Act;
- (4) section 34(c)(2) of such Act; and
- (5) section 34(c)(4)(A) of such Act.

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

Mr. PRICE of North Carolina. Mr. Chairman, as Members are aware, H.R. 1 provided no funding in 2011 for firefighter hiring grants, also known as SAFER grants, a reduction of \$420 million. Fortunately, yesterday the House resoundingly overturned that ill-advised move and adopted an amendment by Mr. PASCRELL to restore the funding.

But my colleagues should be aware that funding is only part of the prob-

lem with this bill when it comes to the SAFER program. The underlying bill also neglects to maintain provisions enacted in fiscal years 2009 and 2010 that allowed fire departments to use these grants to rehire laid-off firefighters and to prevent others from being laid off in the first place.

The law traditionally permits SAFER grants only to hire new staff. That provision makes sense when our economy is booming and local governments are in a position to hire new workers. But when the recovery is still fragile and local budgets are actually contracting and workers are being laid off, FEMA needs the flexibility to use these grants to keep firefighters from being cut off in the first place.

After all, the purpose of the SAFER program is to help maintain a safe level of fire staffing across the country. According to the firefighter organizations, over 5,000 firefighter jobs have been lost since 2008, and another 5,200 are currently at risk. Right now, the safety of our communities is being jeopardized by potential and actual layoffs of public safety personnel, not mainly because of a reluctance to hire new personnel.

This amendment also continues provisions from 2009 and 2010 that waived certain budgetary requirements local fire departments have to fulfill in order to receive a grant. These include not allowing our fire department's overall budget to drop below a certain level, not reducing staff over a number of years, even if budgets continue to suffer, and providing local matching funds. Again, these provisions are fine when local coffers are healthy, but we all know how strapped our cities and counties are right now, and these requirements, quite simply, are impossible for many of them to meet.

So, Mr. Chairman, if we don't pass this amendment and waive these provisions, the fire organizations tell me that very few departments will be able to apply for funds. The burden of these requirements is simply too much right now. The result will be more firefighter layoffs, fewer rehires, and a less prepared country.

Mr. Chairman, in weighing this amendment I encourage colleagues to consider the intent of the SAFER program: ensuring we have a safe level of staffing of our Nation's preeminent first responders, firefighters, and ensuring that our communities have workable options for keeping their firefighting staffs at full strength.

We've already overwhelmingly supported funding for firefighter jobs by adding funding back to the SAFER program. If we really support these jobs, we should vote to allow these funds to be used flexibly, in the best way possible to keep the firefighters on staff.

I yield back.

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. ADERHOLT. Yesterday, the House of Representatives voted to add \$510 million to assistance to firefighter grants by devastating the Department of Homeland Security's developing science and technology programs.

It's only prudent that we use this money in a very responsible manner, by forcing the local communities to comply with the original intent of the SAFER programs, by sharing in the cost of hiring their personnel, by creating new jobs, and by committing to retain newly hired firefighters.

In today's lean economy, we cannot use precious taxpayer money to subsidize a local responsibility.

At this time I would like to yield to the past chairman of this subcommittee on Homeland Security and the new chairman of the Committee on Appropriations, Chairman ROGERS.

Mr. ROGERS of Kentucky. I thank the chairman for yielding, and thank him for the great work he's doing chairing this subcommittee in the House.

As Chairman ALDERHOLT has said, SAFER was originally authorized for the purpose of increasing the number of new firefighters in local communities, a hand up, not a handout.

SAFER was not intended to rehire or retain firefighters, and certainly was not intended to serve as an operating subsidy for what is unquestionably a municipal local responsibility.

The Federal Fire Prevention and Control Act contains very specific requirements that local communities have to meet in order to obtain funds. However, the Democrats waived many of these requirements in fiscal 2009 and then again in 2010.

When initially proposed by the Democrats in 2009, then Chairman PRICE, my friend, acknowledged that these waivers were just a short-term, temporary effort that would expire at the end of fiscal 2010. Yet, here we are today, debating the continuation of a subsidy that our country simply cannot afford.

Under these costly waivers, there are no controls, no salary limits, no local commitments. These proposed waivers totally undermine the original purpose and intent of the SAFER program by forcing the taxpayers to subsidize the everyday operating expenses of local first responders, taking over, in essence, the funding of the local firemen.

Given our Nation's dire fiscal situation, we must take a stand that it is not the Federal Government's job to bail out every municipal budget or to serve as the fire marshal for every city and town across the country.

I want to thank the subcommittee chairman for yielding. And I strongly urge my colleagues to support fiscal discipline and vote "no" on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PRICE).

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

Mr. ADERHOLT. 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 North Carolina will be postponed.

□ 1220

AMENDMENT NO. 404 OFFERED BY MR. WALDEN

Mr. WALDEN. Mr. 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:

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

SEC. _____. None of the funds made available by this Act may be used to implement the Report and Order of the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices (FCC 10-201, adopted by the Commission on December 21, 2010).

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

Mr. WALDEN. Mr. Chairman, I am offering this amendment on behalf of my Energy and Commerce Committee colleague, Mr. STEARNS, as well as Mr. TERRY and Chairman UPTON, and my appropriations colleagues, Mrs. EMERSON, Mr. DIAZ-BALART, and Mr. GRAVES of Georgia.

We all want an open and thriving Internet, and that Internet exists today. Consumers can access anything they want with the click of a mouse, thanks to our historical hands-off approach. Changing direction now will only harm innovation and the economy.

I am bringing up this funds limitation today to prevent the Federal Communications Commission from spending funds to implement its network neutrality rules regarding the Internet. It is a stopgap measure while we work toward passing a more permanent solution, a Resolution of Disapproval, H.J. Res. 37, which would nullify the rules themselves. And I would encourage everyone who cares about keeping the government out of the business of running the Internet to cosponsor that resolution.

Before we even get into the harm the network neutrality rules would cause, it is important to realize the FCC's underlying theory of authority would allow the Commission to regulate any interstate communication service on barely more than a whim and without any additional input from the Congress. In essence, the FCC argues it can regulate anything if, in its opinion, doing so would encourage broadband deployment.

I am relieved, however, that the FCC declined under its newfound authority to regulate coffee shops and bookstores, airlines, and other entities. Now, this of course means that the

FCC believes that if it had not so declined, it would have subjected WiFi and coffee shops and bookstores to government management.

If left unchallenged, this claim of authority would allow the FCC to regulate any matter it discussed in the national broadband plan. Recall that the FCC concluded that consumers' concerns over privacy are deterring broadband. So does that mean the FCC can regulate Internet privacy?

The national broadband plan also addresses health IT and distance learning, smart grids, smart homes, smart transportation. Can the FCC regulate all these matters, too, in the name of promoting broadband? Under the FCC's rationale, its authority is only bounded by its imagination.

The Internet started as a Defense agency project to connect computers at research facilities. It did not become the explosive driver of communications and economic growth it is today until it was opened up to free enterprise to participate in. And the American entrepreneurs and innovators did what they did best: They grew jobs and they created new technology.

As early as the 1970s, the FCC took a hands-off approach to data services. FCC Chairman William Kennard reaffirmed this approach during the Clinton administration. In rebuffing requests to regulate cable Internet access service, Chairman Kennard explained in a 1990 speech, and I quote, "The fertile fields of innovation across the communications sector and around the country are blooming because, from the get-go, we have taken a deregulatory competitive approach to our communications structure, especially the Internet."

There is no crisis warranting departure from this approach. Most everything that the order discusses is either an unsubstantiated allegation or speculation of future harm. The FCC even confesses in its order that it has done no market analysis. It only selectively applied the rules to broadband providers, shielding Web companies.

If the mere threat of Internet discrimination is such a concern, and if the FCC has done no analysis to demonstrate why one company has more market power than another, why would discrimination by companies like Google or Skype be any more acceptable than discrimination by companies like AT&T or Comcast?

Instead of promoting competition, such picking of winners and losers will stifle the investment needed to perpetuate the Internet's phenomenal growth, hurting the economy.

Section 230 of the Communications Act makes it the policy of the United States to "preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation."

Statutory statements of policy are not grants of regulatory authority, but they can help delineate the contours of

that authority. In light of Congress' statutory pronouncement that Internet regulation is disfavored, the FCC's theory of regulation by "bank shot" stretches too far.

At bottom, this is little more than an end run around the D.C. circuit court's April 2010 ruling in the Comcast case that the FCC failed to show it had ancillary authority to regulate network management. Therefore, I urge your support of this amendment, as well as your support of H.J. Res. 37, our resolution of disapproval.

I yield back the balance of my time.

Mr. SERRANO. Mr. Chair, I move to strike the last word.

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

Mr. SERRANO. I rise in opposition to this amendment.

It shouldn't surprise me by now, but it's amazing how folks will continue to get up during the day, during the year, during the next 2 years in support of the big guys against the little guy. And so the FCC ruled, and ruled in a way that protects and keeps the Internet open for all of us, and we should remember that.

It issued an order providing for a version of net neutrality that allows the FCC to regulate how Internet service providers manage access to content, requires certain transparency from the providers about their policies, and requires reasonable management of traffic on their networks. Now, all of a sudden there is such a reaction to simply setting some rules.

While we all use the Internet, there are still many parts of this new service behavior that have not been looked at and where it allows some folks to just overrun other people. And if there was ever a decision made by the FCC that's in favor of the consumer, this is one of them. So, of course, we will try to scale it back.

But there are other issues here. I am a member of the Appropriations Committee, and, as such, I think it's the greatest committee and the most important committee in the history of man- and womankind. But I know that there are times that even we should not take up an issue that belongs to people who are much more qualified and have the time to sit down and look at it carefully. And when I say "qualified," I know that scares a lot of people. We're all qualified, but there are some people who pay a lot of attention to this issue on a daily basis. And we have the folks from the Commerce and Energy Committee who have done a lot of work, and my first feeling here is that this should be left to the authorizing committees to continue to work on. In fact, they have been holding hearings and doing that kind of work.

One of the great virtues of the Internet: its openness. The ability of so many people to connect with so many other people without interference from companies providing the service. The FCC has been the guardian of that

openness and needs authority to continue to do so.

The Internet has become more and more important in our lives, and we need to allow the FCC to play an appropriate role in making sure that it continues to remain accessible to everyone as a level playing field.

The FCC's ability to address other Internet policy concerns such as privacy and accommodation for people with disabilities is also at stake.

Now, for Members who are on the floor who may be new to Congress, let me just alert you to something. You are going to see amendments today and during this Congress telling the FCC not to get involved. Then you are going to see some issues come back that haven't been around for a few years about certain personalities on radio and TV, and you are going to see the same folks who are telling the FCC to stay out of it telling them to get into it and control what those folks say on radio and TV. And that's going to create a big debate once again. So we have to be careful what we wish for. Do we want less involvement? More involvement? We should be consistent.

Lastly, I really believe that this should be left to the authorizers to continue to work on, a ruling by the FCC to be respected at this point, and I urge a "no" vote on this amendment.

□ 1230

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

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

Mrs. EMERSON. I rise in support of this amendment. As the chair of the subcommittee that has oversight over FCC from the appropriations standpoint, I feel very strongly that in spite of what my friend on the other side of the aisle said with regard to the authorizers doing their work because they are doing a good job, but the fact of the matter is, as usual, the regulators have swept in again and without authority, or at least moving well past authority that Congress provides to agencies, and particularly to this agency, they have run in with a sweeping regulation that if we don't do something today about it, they will put small businesses like Boycom in my district, which is a family-owned business, husband and wife who own a small company, who will be devastated by this regulation.

The fact is that it is our responsibility to legislate, and the regulators should follow the legislation that we write and we pass and get signed into law, not create it on their own. Certainly this is very, very important for us as appropriators. As a result of the FCC overstepping its bounds, we have to get involved. So I would urge a "yes" vote on this amendment.

I yield back.

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

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

Mr. STEARNS. The gentleman from New York has indicated that this is the big guys against the little guys. Actually, he has it wrong. But if the government steps in and regulates the Internet, then really the little guy, the upstart company, won't have a chance. So anytime the government comes in and stipulates through regulation, it really hurts the little guys. The big guys can handle the litigation. They can handle all the legal forms and filling them out and handle the politics of it, but the little guy has no chance. So this really is trying to help the little guy.

The other point is, I think as the gentledady pointed out from the Appropriations Committee, the FCC really doesn't have the jurisdiction. This belongs in Congress. So really this amendment in a larger sense is trying to prevent the FCC from regulating the Internet.

I think all of us agree that one of the bright spots of this economy has been the technology sector; yet for some reason the FCC has decided to step in and overstep its bounds and apply perhaps 19th-century regulation.

They would really like to put this into title II, which is the old rotary telephone service, instead of keeping it in title I, which is information service. So they tried to compromise and put something into title I. But they still have a process in place to put Internet regulation into title II. They have created a chill in the broadband economy because a lot of the manufacturers and a lot of the Internet providers and people who are putting down broadband see this open process and are concerned. So it creates a chill because they see the FCC still going about considering regulating the Internet under title II instead of the information services so again there is uncertainty created in the broadband marketplace.

I think this amendment is simple. In a sense it says the FCC does not have the jurisdiction, and in a larger sense says we don't need the government to step in with new and cumbersome regulation.

At this point let me yield time to the chairman of the Energy and Commerce Committee.

Mr. UPTON. Thank you, Mr. STEARNS.

I rise in strong support of this amendment offered by my friends Mr. WALDEN, Mr. STEARNS and others on both the authorizing as well as the Appropriations Committee.

There is an old adage, if it ain't broke, don't fix it. The Internet is not broken. It is working. It is creating jobs. Look at all the devices out there, whether it be iPods, iPhones, BlackBerrys, cell phones. Look at all the things that are working. We don't need regulations on the Internet.

I think it was George Will that said that most Americans think the government doesn't work so well and the

Internet does. Why are we allowing the FCC then to regulate the Internet? It makes no sense.

This amendment denies funds to the FCC to implement this order. It is a good amendment. I would like to think it would be bipartisan. I support the authors that are offering this.

Mr. STEARNS. I would just close by saying it is not appropriate for the unelected FCC to regulate interstate communication services on barely more than a whim and without any additional input from the United States Congress. If left unchallenged, this claim of authority would allow the FCC to do anything, anything it could allege to promote broadband under their jurisdiction, which they don't have.

So Congress must stop the FCC. This amendment will do that just by preventing any money from being spent to implement these rules. I urge its adoption.

I yield back the balance of my time.

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

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

Mr. WAXMAN. I thank you very much for recognizing me.

Mr. Chairman, I rise in opposition to the proposal.

This amendment is bad policy. It would overturn a decision by the FCC enacted last December that would protect the Internet from those who might interfere with the ability of consumers to access whatever they want.

Mr. UPTON simply said a minute ago a lot of jobs are created by the Internet. Well, that is why we shouldn't stop the FCC. The most vibrant sector of our economy today is our Internet economy. U.S. companies like Google, Facebook, Amazon and E-Bay are leading the world in innovation; and they all urge the FCC to protect and open the Internet because commonsense baseline rules are critical to ensuring that the Internet remains a key engine of economic growth, innovation and global competitiveness. In fact, these high-tech and high-growth companies urged the FCC to adopt even stronger rules than it did.

Contrary to the hyperventilated rhetoric from the majority, the FCC rules do not regulate the Internet. They do not grant the government the power to turn off the Internet. They do not determine what content is appropriate for users to access. Their goal is just the opposite. They prevent Internet gatekeepers, like Verizon, from deciding what content their subscribers can access.

But the FCC rules were a very light touch regulation, and it is notable that AT&T, Comcast and Time Warner, three of the Nation's largest network operators, support these rules. As AT&T's CEO stated, "We didn't get everything we wanted. I wanted no regulation. But we ended at a place where we have a line of sight and we know we can commit to investments."

Major Wall Street investment analysts have concluded that the FCC's open Internet order removed any regulatory overhang for telecom and cable companies and reflected a light touch version of regulation that will not hinder innovation or growth.

Now, what is at stake here is those who are offering this amendment to stop the FCC from doing what it has ordered want the people who carry the Internet able to restrict the access for consumers and creators who have used the Internet for such great success. That would be a serious mistake.

We had a broad, diverse coalition of more than 120 organizations, including public interest groups, religious leaders, technology associations, labor unions, Internet companies and small businesses who wrote to us strongly opposing the Republican efforts to block the open Internet regulations. They argue that overturning the regulations would eliminate the FCC's ability to protect innovation, speech and commerce on broadband platforms.

If we stop the FCC from regulating, well, then we leave the status quo, which means that those who deliver the Internet into our home can start regulating it themselves. The American people, I think, would be against this. They want us to stop this re-litigation of FCC's sensible open Internet rules. We should be working together on a bipartisan solution to expand broadband access and create tomorrow's economic opportunities.

The FCC took landmark action to preserve the open Internet. Let us not roll back the clock and stop those regulations by the FCC to preserve the open Internet from being put into place.

I urge opposition to this effort. And I want to say that this does not save any money. This proposal will not cut costs. This is only about policy, and the high-tech high-growth companies have urged the FCC to adopt these rules. We shouldn't use the appropriations process to make this effort to stop the FCC from doing its job.

I yield back my time.

□ 1240

Mr. GRAVES of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. GRAVES of Georgia. Mr. Chairman, I'm here today in support of this amendment, and I want to thank those who have been working in this effort—Mrs. EMERSON, Mr. WALDEN, Mr. UPTON, and Mr. DIAZ-BALART. I appreciate them letting me join in this debate.

As we've heard a lot of the conversation, it gets complicated sometimes when you have elected officials get up and start talking about broadband and Internet and FCC. Well, let's make it simple. Government control means uniformity, regulations, fees, inspections, and yes, compliance. Just think if those words had existed since the 1990s

with the Internet. We wouldn't know one thing about "broadband," let alone a "tweet." The Internet's marketplace is defined by fierce competition, and that competition has transformed this world with innovation, investment, and what we need most of all right now—jobs. It's possible that the most intelligent and bipartisan policy that Washington has had thus far has been to leave the Internet virtually untouched by the Federal Government and regulators. And the result? Internet-based industries have flourished and employed a generation of Americans. So let's be clear today: there is no net neutrality crisis.

The speed and depth of the Internet as we know it today came from consumer choice and competition. Consumers have successfully picked those winners and losers, not government, and they've done it without the FCC's help. Imagine that. Consider the choices in rate plans, the various points of access, and demand for openness and accessibility. A service provider that restricts access would do so at their own peril and to the prosperity of their competitors.

So after all the life-changing innovation, the accidental billionaires, President Obama's revolutionary e-campaign, after all the groundbreaking technology that has defined this age of the Internet, we must ask that question, Why? Why would unelected bureaucrats at the FCC want to take over and feel good about this Internet takeover right now with their new rules and policies, keeping things neutral being their claim. Well, three words come to mind to me today, and that is: Trojan Horse virus.

So, Mr. Chairman, let's pass this amendment today and let's install some antivirus protection for Americans on the Internet.

I yield back the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. MARIO DIAZ-BALART of Florida. Thank you, Mr. Chairman.

I want to really just echo what the gentleman from Georgia just did here on the floor of the House. He actually brought some common sense to this debate. Everybody has their talking points and their little notes and they're reading them and they're trying to confuse the issue. Let's take a step back, if we might, Mr. Chairman. Let's just ask a very simple question, a very simple question. Can somebody name an area in this country or in this world that has had more innovation, that has blossomed more, that has opened up communications and connected people more in our country or anywhere in the world in the last decade than the Internet? Can anybody name it? Anything. No. It's impossible.

Think about what's happened. The Internet was even recently credited for helping bring down the government of

Egypt. It's allowed the people to see the atrocities in Iran. It's allowed things like Facebook and Twitter and iPhones to blossom. It's given access to millions of people, and it has created millions of jobs.

So what is the answer then for that incredible blossoming of something that has revolutionized the way we communicate, that the world communicates? What is now the answer of the Federal Government? We keep talking about letters. It's the Federal Government. What is the answer of the Federal Government to deal with that unprecedented blossoming, of innovation, imagination, of job creation? Oh, Mr. Chairman, the Federal Government now has to regulate. Why? Because it's too much innovation. The prices have dropped too much. It's too much imagination. It's too positive. And, therefore, the Federal Government must step in because the Federal Government can do it so much better. The Federal Government has all the answers.

Mr. Chairman, a little bit of common sense. I'm talking to my colleagues here but also to the American people. If you believe—and think about 10 years ago—if you believe that the Federal Government, if it's in charge, if it would have been in charge, would have done a better job in blossoming this innovation, this job creation, then you have to be with our friends on the other side of the aisle. You then should support Federal Government intervening, taking care of, regulating the Internet. But if you believe that that miracle of innovation took place because of individuals, people with imagination, and because the government got out of its way, you would support this amendment.

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

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

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

Mr. MARKEY. Mr. Chairman, I think a little bit of telecommunications history would be appropriate at this juncture. First of all, just let me explain that AT&T and the regional Bell companies had nothing to do with the invention of the Internet. In fact, they were asked by the Federal Government in 1966 if they wanted the contract to build the packet switch network that would operate simultaneously with the Long Lines Network across the country, and AT&T and Bell South and Verizon all said, No, we don't want to build the packet switch network. Give it to someone else. And so they did. They gave it to a tiny company, Bolt, Baranek and Newman up in Massachusetts, which built the Internet across the country, designed it, without any of the Bell operating companies.

Back in the 1960s and the 1970s, when people said to AT&T and said to Verizon and said to Pac Bell, How about allowing people to be able to go

out and buy another phone other than a black rotary dial phone? Well, here's what AT&T and Bell South said. They said, If you allow someone to buy another phone other than a black rotary dial phone, it could destroy the entire phone system of our country.

Back in the 1970s and early 1980s there were new companies called MCI and Sprint that wanted to provide competing long distance service. Remember, up until the mid-1980s, whenever grandma called from California, people would run to the phone saying, Run, it's long distance. It costs a dollar a minute. That was AT&T, that was the Bell system across our country. No competition, no incentive to introduce innovation, no incentive to lower prices, no incentive to make the consumer the king.

And then along comes the 1990s and 2000s. We here on the floor of Congress said we must introduce competition. This system—this AT&T, this Bell South, Verizon, Pac Bell system—it does not innovate. Not one home in America had broadband in February of 1996 when we passed the Telecom Act here. We had to order it. There were no broadband users in America in any home as we passed the bill.

So what we tried to do is to induce Darwinian, paranoia-inducing competition. What do the broadband barons seek to accomplish? They, as the private sector, want to quash competition. They don't ever and they never will invent a Hulu, an Amazon, an eBay. They will never invent any of these thousands of smaller companies which are the engine of economic growth in our country, which leads to our ability to export these products.

Verizon is not going to invent anything to do. What they want to do is squeeze the competitors. Price them out of the market so that they can maintain a monopoly or an oligopoly across the country. That's what this debate is all about. That's what the FCC rules are saying. They're saying that the new Steve Jobs, the new Bill Gates, the new Sergey Brin or Larry Page in the garage somewhere—and there are thousands of them across the country—must be able to get into the marketplace to create these new jobs without having to be tipped upside down and having every last cent poured out of their pocket to pay these large companies. That's what this debate is all about. It's about whether or not we want vigorous competition in the marketplace. Those who are opposed to the open network, those who are opposed to giving every competitor equal access with the biggest broadband behemoth, that is what this debate is about.

□ 1250

They're covering it as though the government is really trying to control the Internet. Not so. They are siding with the broadband barons against those thousands of companies who are out there, who have reinvented telecommunications and information de-

livery in our country and across the planet just 14 years after the Bell system had 100 years to do so and had invented every single technology. They had invented them all, but they had no incentive to deploy those new technologies because they had a monopoly.

That's what the debate is about. If you vote for this amendment to give control by the broadband barons over the Internet once again, then you will see an inexorable, inevitable decline in innovation, in investment, in the private sector in these new products, these new technologies, these new applications, these new devices which are basically invented by hundreds and thousands of smaller companies in our country. That's the choice you have. Vote "no" on this amendment that shuts down the Internet.

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

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

Ms. ESHOO. Mr. Chairman, this is such a fascinating debate that's taking place here on the floor today. I think that anyone that considers themselves connected in the country—and I'm not talking about being connected to wealth but connectivity in terms of communications—I hope you're tuned in, because this is a consideration about preserving the open Internet and broadband industry practices.

Now I don't know how many of you have spoken to your kids, but I have to tell you, if you've had a conversation with any young person in your family, and I don't remember what the average age is of Congress, but talk to young people in your district. And I want to tell you, they will say, over and over and over and over again, the way they spoke to the FCC, over 2 million people contacting the FCC, over 90 percent of them saying, Leave the Internet alone. Leave it alone. Leave it open. Leave it accessible to everyone.

In just over 5 years, \$250 billion has been invested by the venture capital community, which makes its home in my congressional district. And I have to tell you, I think if you took this amendment to Silicon Valley, when you go out there—and I know you travel out there—the next time, go there for an Internet 101 series, not for fundraising, but go listen to people there. That's where the innovators are. And I have the privilege of representing them. They want an open, free, accessible Internet.

I think that your disdain for government is spilling over onto the Internet, and I would caution you to pull up the emergency brake on it, because if in fact corporations get their way instead of consumers, and there is any blockage of content or where consumers have to pay more because corporations are in control instead of consumers, there's going to be a revolution in the country. I would not fool around with an open, accessible Internet. You are barking up the wrong tree. You really are. This is a big mistake.

So you want to hate the government. You want to try and hurt agencies that carry out what the Congress does. That's where your party is. That's where your disdain lies. But I think this is a march to folly. I don't know if you really fully appreciated the Internet and what it represents and what it has done, not only for the people of our country but for people around the world. You wouldn't go near this.

If you suggested to anyone in Tahrir Square in Cairo that you were doing this, I think they'd laugh a lot of people off the floor of the House of Representatives. This is so wrongheaded. And it says to me that you don't get it; that you simply don't get it. Without some clear rules of the road—and believe me, what the FCC did is so light. I thought that they could have done, and should have done, more. Large corporations carve up the Internet into fast and slow lanes charging a toll for content and blocking innovators from entering the information superhighway. You know what? I want to be at your town hall meeting when you have to explain that to your constituents. They will have your heads for that. They will. This will supersede any other issue.

So, my friends, anyone that considers themselves in the know in the beginning of the second decade of the 21st century, let's not turn the hands of the clock back. Let's be on the side of innovators, who weighed in at the FCC, and I as the ranking member placed all of those letters of support representing hundreds of organizations in our country, all the way from the Catholic Conference of Bishops in our country to TechNet.

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

Ms. ESHOO. Vote against this. This is a bad, ill-informed amendment.

Mr. Chair, I rise in opposition to the amendments before us today that would prevent the FCC from moving forward in its efforts to preserve a free and open Internet. Over the past 15 years, the open Internet ecosystem has resulted in more than 3 million new U.S. jobs.

In just over 5 years, \$250 billion has been invested by the venture capital community in industries reliant on an open Internet. During this time, we've seen innovative companies like Netflix, Skype, Amazon and eBay flourish. These Internet companies have created tens of thousands of jobs and new competition in areas like phone service, video and online shopping, not just in my District, but across the nation.

Without some clear rules of the road, large corporations can carve up the Internet into fast and slow lanes, charging a toll for content, and blocking innovators from entering the information superhighway.

I believe consumers, not corporations, should be in the driver's seat to pick the content they view, listen and watch over the Internet.

The FCC's actions to preserve an open Internet would ensure consumer choice, certainty and greater clarity in a debate that has gone on for almost a decade. The FCC's rules are important for Internet service providers as

well as edge and content providers, so they may focus on investment, innovation, and job creation.

We must ensure the Internet remains a vital resource to improve the lives of Americans and everyone around the world for generations to come.

I stand united with my Democratic colleagues on the Energy and Commerce Committee, that these amendments represent bad process, they reflect bad policy for our nation and should therefore be rejected.

I urge my colleagues to oppose these amendments and protect a free and open Internet for generations to come.

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

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

Mr. DOYLE. I rise in opposition to the Walden amendment.

Mr. Chairman, the FCC's Open Internet Order brings certainty and clarity to a debate that has raged on for almost a decade, allowing Internet service providers as well as edge and content providers to fully focus on broadband investment, innovation, and other pressing business matters. In fact, broadband providers like AT&T, Time Warner and Comcast have all expressed support for the rules and have indicated that the FCC has achieved a balanced result. Wall Street investment analysts have also concluded that the FCC's Open Internet Order removed any regulatory overhang for telecom and cable companies and reflected a "light touch" version of regulation that will not hinder growth and innovation.

At the end of the day, the FCC's rules simply maintain the status quo principles that most broadband providers have already embraced. The rules preserve a number of existing business models for broadband providers to pursue as well as paving the way for new innovative offerings. Contrary to the claims by opponents of the FCC, these high level "rules of the road" do not allow the agency to micromanage broadband providers. They balance clarity with flexibility. And they don't require broadband providers to seek permission from the commission before deploying a network management practice. In fact, the rules specifically recognize the unique network management challenges across different platforms and afford broadband providers the latitude they need to manage their networks effectively.

Some opponents of the FCC argue that we don't need any rules in this area because antitrust laws are sufficient. But antitrust remedies occur after harm occurs. These rules, in contrast, allow companies and innovators regulatory certainty, a key component that allows businesses to thrive.

Mr. Chairman, the FCC's open Internet rules are just these three simple promises:

One to consumers—that we can visit any Web site we want, using any service we want, on any device we want.

Two for innovators—that they can create new tools without getting permission from the government or the company that the consumers use to get online.

Three—that we provide a cop on the beat to make sure that both sides are doing what they're supposed to and to be a neutral arbitrator. That's all this does.

□ 1300

I urge my colleagues to vote "no" on this amendment. It represents bad process and bad policy, and it should be rejected.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. As a general matter, the Chair must remind Members that remarks must be addressed to the Chair and not to others in the second person.

The Chair is not referring to the remarks of the gentleman from Pennsylvania.

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

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

Mr. TERRY. Mr. Chairman, I rise in favor of this amendment because I believe in a free and open Internet.

It was December 21, less than 2 months ago, that the Internet lost its freedom when the FCC, on its own, initiated an order, a rule, to start regulating the Internet.

Now, who believes that by regulating it you are creating freedom?

When the system was unregulated and when the FCC couldn't micromanage the Internet was during the time when innovation and investment occurred on the Internet and in the cyberworld. That's when we got the eBays, the Hululs, the Apple TVs, and all of the great applications that we use today. So, when I go back to my district and look my constituents in the eye, I can honestly say I am the one fighting to keep the Internet free and open.

There are three points that we need to discuss here today: First of all, the regulation of the Internet by the FCC is not a congressional initiative. It was three votes on the FCC while Congress was away. Now they think they've got the power, but that's under dispute. There is already a lawsuit telling them they don't have that authority. I don't believe they have the authority. It was an incredible stretch by the FCC to take a sentence out of section 706 of the Telecom Act of 1996 that actually used a phrase about data and that the FCC can't put up barriers. Somehow they assume, now that they have power from that phrase, they can start implementing and putting in barriers.

I worry that these new rules and regulations controlling the Internet will stifle investment in innovation in the long run. Let's look at what this order does that will affect investment.

On the investment side, the power that the FCC has sought to regulate

says that, in the cyberworld, there can't be discrimination. Who wants discrimination unless you find out that it's maybe a business model? For example, as a typical business model, you pay for what you use. If you're at 1 megabit, that may be \$14; 7 megabits of speed is a higher price; 20 or 30 megabits is going to even be a higher price. The issue is that some people now say that that is unreasonable discrimination.

In fact, I have an email newsletter from a friend of mine who runs a software company that can stop viruses. I am a client—or soon won't be. But listen to this. This is their interpretation of the FCC's net neutrality, "What Net Neutrality Means for You."

Here is what it says: "Deregulation," which is what we are being accused of doing, which is regulating the Internet, "could mean higher Internet access prices as ISPs institute tiered models that offer speedier downloads to higher-paying customers."

That is the current business model. You will pay for what you use. If the business model is struck down by the FCC, you won't have the investment. You won't have an expansion of the Internet.

I think it will stifle innovation. Frankly, the creator, the Godfather, the grandfather of the Internet, Dr. David Farber, agrees with this position. He has co-written an article that basically says, if you put regulators in charge of the Internet instead of engineers, it will reduce innovation. It makes sense, because now, if you're a big enough company—like a Google or an eBay—you just hire lawyers and lobbyists to go and lobby the FCC instead of hiring engineers to innovate.

[From the Trend Micro Consumer Newsletter, February 2011]

WHAT NET NEUTRALITY MEANS FOR YOU

Net neutrality has been in the news for some years now, but the Federal Communications Commission (FCC) just released some important new rules on the topic. "Net neutrality" refers to the principle that Internet service providers and the government shouldn't restrict content or service levels for different users. In other words, supporters of net neutrality think that ISPs shouldn't favor one user over another when it comes to Internet access.

Net neutrality opponents argue that intentional content blocking and performance degradation is more of a theoretical problem than a real one. They also argue that less regulation, not more, is what's required to create greater competition among ISPs and better service levels for everyone.

For consumers, deregulation of the Internet could mean higher Internet access prices as ISPs institute tiered models that offer speedier downloads to higher-paying customers. Some people also worry that allowing businesses to choose what content or sites they'll offer to whom will result in the commoditization of a formerly free and open environment, akin to the evolution of television from an essentially free service to a highly fragmented and fairly expensive one.

The FCC's new rules appear to favor net neutrality proponents. They require ISPs to be more transparent about network performance and management; they prevent fixed (as

opposed to wireless) service providers from blocking content (for example, sites owned by their competition), and they don't allow ISPs to discriminate against specific applications (such as Netflix, BitTorrent, or Hulu). In other words, you can expect things to pretty much remain as they have been—for now, anyway.

The Acting CHAIR (Mr. MACK). The time of the gentleman has expired.

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

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

Mr. DICKS. The gentleman from Nebraska has spoken twice on this issue. Was that by unanimous consent?

Mr. TERRY. Will the gentleman yield?

Mr. DICKS. I want an answer to my question first.

Mr. TERRY. If you yield, it will solve the question.

The Acting CHAIR. The Chair believes that the gentleman from Nebraska spoke only once.

Mr. TERRY. Yield to me, please. Give me a little bit of respect.

Mr. DICKS. I yield to the gentleman.

Mr. TERRY. I spoke one time, which is right now. I don't know who you're confusing me with or why you're standing up right now.

Mr. DICKS. You're such a handsome guy, I thought you spoke twice. I'm sorry.

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

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

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

Mr. SCALISE. Mr. Chairman, I rise in strong support of this amendment because, I think, if you look all across the country—and of course we had a watershed election in November—and if you listen to the voters all throughout this country, as so many of us do who hold town hall meetings—people are tired of all of these government regulations that are killing jobs and stifling innovation. In fact, most people will tell you they are scared to death about the concept of the Federal Government regulating the Internet.

So there was this net neutrality ruling that came up by the FCC in a 3-2 decision where all the Democrats voted for net neutrality, for this regulation, and where all the Republicans voted against. The FCC rarely ever has any kind of major ruling like this on a divided vote.

I think it shows you that there is already controversy. The courts have already said that they don't necessarily have the authority to do this. That's why, as my colleague from Nebraska just pointed out, there is already litigation that is going on because we think the FCC overstepped its boundaries.

You had a bipartisan group in Congress that came together and said, We don't want this kind of action going forward. This is something that should

be done and solved in the halls of Congress.

Of course, our colleagues on the other side, Mr. Chairman, haven't even identified a problem. If you actually want to look at it and if you look throughout our economy and at all of the troubles we have with it, one of the few segments that is growing is the technology segment of our economy because of the innovation that has been allowed to thrive, primarily due to the lack of government regulation.

I think that goes to the heart of the real difference between our side and their side. They are the party of regulation, which stifles job growth, which stifles innovation. We are the party that says, let's allow a college student at Harvard University the opportunity to come up with an idea—and he dropped out of Harvard and is now a billionaire. In fact, maybe the largest percentage of billionaires in this country is that of Harvard dropouts, those who actually went out and came up with ideas to innovate, using the Internet, who are now billionaires who are creating thousands and millions of jobs—good, high-paying jobs. These are American jobs. Yet, through this net neutrality ruling, they want to stifle that innovation.

So the first thing, I guess, we would have to ask is: Was net neutrality the reason that we were able to have that innovation that led to Facebook? Was net neutrality the reason that we were able to have such a proliferation of broadband that now over 95 percent of people in this country have access to broadband? By the way, they like it. They're not calling, saying, We want the government to come regulate the Internet now because there's a problem. In fact, they say just the opposite. They say look at this innovation that is happening.

We had a hearing with the FCC yesterday about this issue. One of the FCC commissioners pointed out that, over the last 10 years, Mr. Chairman, over \$500 billion—billion with a "b"—of private investment has been made to develop broadband throughout the country. This is without any kind of taxpayer money.

□ 1310

This is private sector money being put into the marketplace to go and create jobs, to go and create the kinds of technologies that allow you to view and use all the kinds of apps that are available on these kinds of devices. That was done without net neutrality. They would tell you that they need net neutrality in order to have this innovation. Of course, they fail to point out that net neutrality was not in place when all this innovation happened. In fact, most people will tell you that net neutrality is one of the things that's in the way of this kind of innovation, and we're already starting to see a stifling of the growth, a stifling of the private investment because of these threats of new regulations coming in from the FCC.

And that's why it's so important that this amendment actually addresses this problem and says, Federal Government, get your hands off the Internet, allow the innovation to continue, because it happened and it's continuing to happen without that kind of government intervention that they so strongly want through net neutrality.

And so when you look and they talk about these companies that have said that this is a great thing, net neutrality is a great thing. Some of the companies they listed, they failed to mention in that same letter the company said, well, maybe we can live with it but they also have some concerns about it. I didn't hear them mentioning that when they're talking about these companies.

And you look at all of the innovation that has happened, and we're talking about massive job growth. You know, here at a time when our main focus needs to be on jobs, you've got the government coming in with yet another threat of regulation that will stifle innovation and run more jobs out of this country to countries where they don't tell you how to operate your network, they don't tell you what to do with the billions of dollars that you are investing to build broadband.

Maybe our friends on the other side want the Federal Government to be running the Internet because they only want the government to be the one that can tell you what you can and can't do. And, in fact, in our hearing yesterday with the FCC chairman, we pointed out that in this net neutrality ruling, it allows the Federal Government to pick winners and losers. That's not what we should be about. We should be about passing this amendment to allow that innovation to grow and get rid of net neutrality.

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

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

Mrs. BLACKBURN. Mr. Chairman, I think it is important that we look at what this process of net neutrality is. I rise in support of the resolution that we're bringing to block this funding at the FCC from being used to implement it.

Bear in mind—and I think it's important that we realize this and remember it—after we adjourned from the last Congress and all headed home at Christmas, the FCC convened and the FCC decided that they were going to go where they had no authority to go. They were going to go in and implement net neutrality rules. Now, bear in mind that this body has stood in a bipartisan manner against the FCC taking this action. We have had over 300 Members stand and move forward with letters stating that they didn't think the FCC should move forward. This is an issue that should come back to Congress.

But Christmas week they moved forward and the gentleman from Lou-

isiana is exactly right in his comments. We heard from the FCC yesterday, and we heard about how they plan to move forward in this. Bear in mind, they have not done any analysis that would indicate that there has been a market failure. Indeed, by the actions taken in this body in 1996 in the Telecom Act, adopting a hands-off approach to the Internet and broadband, what we were able to do is see this country go from 8 million to over 200 million users; 95 percent of the country has access. Get this, according to the FCC, over 90 percent of those that have Internet access are satisfied with what they have. That has been done because we left it alone.

Government created the environment. They made the spectrum available, companies came in, bid on that spectrum, secured that spectrum. They spend 60 billion private sector job-creating dollars every single year to build and maintain that spectrum.

When we talk about the creative economy, when we talk about 21st-century jobs growth, much of it is based off of technologies that are going to be attached to, developed, or applied to broadband, the Internet, and Web sites.

It is in support of this resolution that we should all stand. We should vote "yes." We should rein in some of these Federal Government agencies. We should stop the FCC from enacting the fairness doctrine for the Internet.

Ms. MATSUI. Mr. Chair, I rise to express strong opposition to Amendment 404, offered by Mr. WALDEN, and urge my colleagues to vote against it.

The FCC's Open Internet Order brings certainty and clarity to a debate that has raged for almost a decade, allowing Internet service providers as well as edge and content providers to fully focus on broadband investment, innovation, and other pressing business matters. In fact, many broadband providers have expressed support of the rules and have indicated the FCC's achieved a balanced result.

At the end of the day, the FCC's rules simply maintain the status quo principles that most broadband providers have already embraced. The rules preserve a number of existing business models for broadband providers to pursue, as well as pave the way for new, innovative offerings.

Contrary to claims by opponents of the FCC, these high-level "rules of the road" do not allow the agency to micro-manage broadband providers. They balance clarity with flexibility. And they do not require broadband providers to seek permission from the Commission before deploying a network management practice.

In fact, the rules specifically recognize the unique network management challenges across different platforms, and afford broadband providers the latitude they need to manage their networks effectively.

Some opponents of the FCC argue that we don't need any rules in this area because antitrust law is sufficient. But antitrust remedies occur after harm occurs. Prophylactic rules, in contrast, allow companies and innovators regulatory certainty—a key component to allow businesses to thrive.

I urge my colleagues to vote no on Amendment 404. It represents both bad process and bad policy, and should be rejected.

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

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

Mr. WALDEN. 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 Oregon will be postponed.

AMENDMENT NO. 334 OFFERED BY MRS. LOWEY

Mrs. LOWEY. 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:

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

SEC. _____. None of the funds made available by this Act for Department of Homeland Security, Federal Emergency Management Agency, State and Local Programs may be used to provide grants under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604) to more than 25 high-risk urban areas.

Mr. ADERHOLT. We are prepared to accept the gentlelady's amendment, Mr. Chairman.

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

Mrs. LOWEY. I thank the gentleman.

Mr. Chair, while I have serious misgivings about the funding levels for FEMA first responder grants in the CR, my amendment ensures that one program, the Urban Area Security Initiative, is restored to its intended purpose.

By limiting UASI recipients to the 25 highest-risk cities, we will restore its original purpose—addressing the unique planning, equipment and training needs of high-threat, high-density urban areas in order to prevent, protect against, respond to, and recover from, acts of terrorism.

Originally distributed to seven metropolitan areas, UASI has ballooned to 64 regions, many of which are neither high-threat, nor high-density.

Rather than provide the highest possible funding to our most at-risk targets, FEMA made UASI a virtual earmark account. FEMA wastes resources, disregards Congressional prerogatives, and dilutes resources available to truly high-risk areas. For instance, despite a \$50 million increase for UASI since Fiscal Year 2008, the New York City area receives less funding despite the grave and growing threats it faces.

We need look no further to Faisal Shazad's failed plot to detonate a car bomb in Times Square in May 2010 or the 2009 arrest of Najibullah Zazi for his role in an attempted bombing of the New York City subway system to understand the disproportionate threat New Yorkers face.

Just last week in fact, Secretary Napolitano testified before the Homeland Security Committee that we are at our most "heightened state" of terrorist threat since September 11th.

Now is the time to provide the most targeted cities with the resources they need and deserve. If the CR is adopted and the same number of UASI recipients remains, the New York City region would stand to LOSE nearly \$15 million in Fiscal Year 2011 alone—this is totally unacceptable.

To my new colleagues who came to Congress pledging to make government more efficient, this is your chance. Don't let the CR pass with the same number of UASI recipients, shortchanging the top terror target in the country by a \$15 million decrease in funds.

While the horrific World Trade Center attacks in 1993 and 2001 were in New York, they were aimed at the United States and all Americans. We all have a responsibility to ensure our most targeted regions are adequately prepared.

I urge my colleagues to support the amendment.

Mr. ISRAEL. Mr. Chair, I rise today in support of the amendment which would provide more funding to New York under the Urban Areas Security Initiative. I am proud to co-sponsor this amendment with my colleague from New York.

The Republican's funding bill that we are debating today is, in many ways, putting the future of our Nation at risk. But the cuts made to Homeland Security grants are literally putting our communities at risk and in harms way.

Under current funding levels, the Urban Area Security Initiative provides grants to 64 metropolitan areas, including New York City. As we are all keenly aware, New York City is at the top of the target list for terrorists wanting to strike our country. It is clear that we must do what we can to rein in spending by the federal government, and this requires making difficult choices, but New Yorkers and the American people rely on homeland security measures to keep them safe on their way to work, home or while touring New York City.

I believe that we have to make smart choices, and cutting \$12 million that could help New York City prevent the next terrorist attack on this country is not a smart choice. But there is a way to protect our Nation's most-vulnerable targets without adding to the deficit and the amendment I have offered today with my good friend and colleague from New York accomplishes both goals.

Our amendment limits the number of metropolitan areas that are eligible to receive Urban Area Security Initiative funds, increasing the share each eligible city receives. Currently, this Continuing Resolution that my colleagues on the other side of aisle have brought to the floor cuts funding for these critical grants by \$87 million. New York City officials estimate this cut will result in a loss of \$12 million for the city. That means \$12 million less for important technology investments; \$12 million less for critical personnel; \$12 million less for training for police and firefighters; \$12 million less for ongoing counter terrorism operations and overall emergency preparedness.

Mr. Chair, less than ten months ago, Faisal Shahzad attempted to set off a car bomb in Times Square, putting at risk the lives of thousands of New Yorkers, along with visitors from across the country and around the world. The risk to New York City is real and we must remain vigilant.

I urge my colleagues to join me in supporting this amendment and ensuring that the funds we are spending on the Urban Area Se-

curity Initiative are going to the cities that are the most at risk.

Mrs. LOWEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. LOWEY).

The amendment was agreed to.

AMENDMENT NO. 413 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ . None of the funds made available by this Act may be used in Department of Defense overseas contingency operations budget for military operations in Afghanistan until the President to seeks to negotiate and enter into a bilateral status of forces agreement with the Government of the Islamic Republic of Afghanistan.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, amendment 413 states that none of the funds made available by this act may be used in Department of Defense overseas contingency operations budget for military operations in Afghanistan until the President seeks to negotiate and enter into a bilateral status of forces agreement with Afghanistan.

Mr. Chairman, we've had troops deployed in Afghanistan for nearly a decade now, making this the longest war in our Nation's history, costing more than \$378 billion, with no real end in sight. Close to 1,500 brave Americans have been killed, and they've been killed in the line of duty there. Roughly 10,000 have been wounded, and yet the United States does not have a status of forces agreement, or SOFA, with Afghanistan.

The SOFA is a very basic tool which spells out the terms of U.S. military operations in a given country. The United States is party to more than 100 such agreements, for engagements great and engagements small, including Mali, Montenegro, and Micronesia.

□ 1320

We have a SOFA with Iraq, signed in the year 2008, which sets out a deadline for complete withdrawal of troops by the end of the year.

SOFA agreements determine how the laws of the foreign jurisdiction should be applied to U.S. personnel while in that country. They lay the foundation in a number of areas, including economic, cultural, and law enforcement matters.

So it's beyond irresponsible, Mr. Chairman, that in Afghanistan, the country where we are currently waging our longest and most expensive war, we have no such agreement. There is no

formal structure to provide rules governing the presence of hundreds of thousands of Americans in that sovereign nation. This must end. It's both morally and fiscally irresponsible. And that's why I have submitted this amendment. It requires the President to negotiate and enter into a bilateral SOFA with the Government of Afghanistan.

A SOFA would establish that the temporary presence of U.S. troops in Afghanistan is at the request and invitation of the host government. It would prohibit permanent military bases in Afghanistan, and it would provide a date no later than 1 year after the signing of the agreement for complete, safe, and orderly redeployment. That includes Armed Forces, civilian DOD employees, and military contractors.

Without a SOFA with Afghanistan, Mr. Chairman, our leaders can continue to extend our occupation indefinitely while the cost surges, our deficit rises, and our economy falters. That is poor military strategy and poor fiscal planning.

A SOFA provides certainty and clarity about what we're doing in Afghanistan and how much longer we need to be there. It would provide the framework and momentum for redeployment consistent with the terms of the Iraq SOFA.

My amendment would move us a critical step closer to an end to this disastrous war, the safe return of our troops back home, and taxpayers' dollars invested in domestic needs right here in the United States.

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

POINT OF ORDER

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

I ask for a ruling from the Chair.

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

The amendment contains a legislative condition on the availability of funds in the bill. As such, the amendment violates clause 2 of rule XXI.

The point of order is sustained.

AMENDMENT NO. 516 OFFERED BY MR. CAMP

Mr. CAMP. 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:

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

SEC. ____ . None of the funds made available by this Act may be used for the opening of the locks at the Thomas J. O'Brien Lock and

Dam or the Chicago River Controlling Works.

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

Mr. CAMP. Today I offer an amendment that is long overdue. Last June, a live bighead Asian carp was discovered 6 miles from Lake Michigan, north of the locks and well past the electric barrier. This discovery shows that Asian carp, one of the world's most rampant invasive species, are at the doorstep of the Great Lakes.

Weighing up to 100 pounds, spanning over 6 feet, and eating half their body weight daily, Asian carp have the ability to decimate fish populations indigenous to the Great Lakes. These giant bottom feeders would destroy the region's \$7.5 billion fishing industry as well as the 800,000 jobs that are supported by it. To prevent this catastrophe, ecological experts have said that closing the locks that separate the Illinois River from Lake Michigan is the single most important step we can take to prevent these species from entering the Great Lakes.

In 2009, the Michigan attorney general filed a petition in Federal court to direct the U.S. Army Corps of Engineers to immediately close the locks. This petition was supported by Wisconsin, Minnesota, Ohio, Indiana, New York, and Pennsylvania. Unfortunately, the court denied the petition. But after the court's decision, I introduced the Carp Act, along with Senator STABENOW of Michigan, that would immediately close the locks. And since then, despite the imminent threat of Asian carp, the administration has refused to close the locks and all we have received is promises of studies that will take years to complete.

You will surely hear arguments from those opposed to closing the locks that doing so will disrupt the movement of cargo and cause serious economic harm to the region. Economists who have examined those claims have found them to be grossly exaggerated.

An economic study conducted in 2010, found on the Michigan attorney general's website at: http://www.michigan.gov/documents/ag/1-Appendix_Renewed_Motion_310133_7.pdf, found that if cargo passing through the locks had to be transported by land, it would increase truck traffic in the surrounding area by only one-tenth of 1 percent, or the equivalent of adding two additional freight trains to the over 500 leaving the region each day. Any supposed economic impact of closing the locks would pale in comparison to the multi-billion dollar industries that would be wiped out by Asian carp.

The State of Michigan's response to the administration's Asian carp framework pointed out, "The Framework's statement that the Chicago lock is the Nation's second busiest ignores the fact that, in 2008, only 39 loaded barges carrying approximately 100,000 tons of cargo, mainly sand and gravel, moved

through that lock. Moreover, according to the Corps' own data, the 2008 vessel traffic consisted of 34,000—not 50,000—vessels, mainly recreational watercraft." The canal is now only 9 feet deep in some areas.

You will also hear critics claim that this amendment will tie the hands of the Corps in assisting flood emergencies. Again, those claims are not accurate. The Corps has sufficient authority to protect human life and property in the event of flooding and other disasters under the authority granted to it by the Flood Control and Coastal Emergencies Act and other Corps regulations. Those authorities allow district commanders to issue a declaration of emergency and use Corps resources to help State and local authorities respond. Opening the locks to deal with flooding is the exact type of scenario this authority is intended for.

Mr. Chairman, every day of inaction puts the Great Lakes ecosystem, the largest body of freshwater in the world, and the 800,000 jobs sustained at risk. Inaction is unacceptable, and I urge all Members to vote "yes" on this amendment.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. I appreciate the recognition and stand to oppose the gentleman's amendment, first of all, to make the observation, representing the northwest corner of the State of Indiana, that I believe the gentleman is mistaken in suggesting that the State of Indiana supports the closure of the locks. It is my understanding that the State of Indiana opposes the closing of the locks.

I would agree with the gentleman's assertion that we face a very serious problem as far as the carp, and I and others have certainly joined in that concern. As a member of the Energy and Water Subcommittee for over a decade, we have been working acidulously on this particular problem, not only with the Army Corps of Engineers, but with an assortment of State and Federal regulatory bodies, because no one wants carp in the Great Lakes. But I would emphasize to this body that it is a work in progress. And at this point, the closure of the locks is uncalled for.

The second point—and the gentleman talks about the economy, there is an economic issue. Speaking for the State of Indiana, I would point out, if those locks were closed, the impact as far as the loss to economic activity in the State of Indiana is \$1.9 billion, and 17,655 jobs in Indiana would be affected.

□ 1330

We're trying to create jobs in this economy, not strike them from beneath us.

And, finally, this issue is not without controversy. It has ended up in the

courts. The gentleman's absolutely correct about that. Twice the United States Supreme Court has rejected arguments by the Michigan Attorney General that closing the locks is eminently needed at this point in time.

Last year the State of Michigan brought the question of lock closure before the U.S. District Court for the Northern District of Illinois. On December 2, Judge Robert Dow ruled against the State of Michigan on their request for a preliminary injunction, explaining that the lock closure could inflict certain harm on the economy, and that the State of Michigan had failed to demonstrate that the Asian carp presented an ecological threat to the Great Lakes that was imminent.

So again, I would urge all of my colleagues to oppose the gentleman's amendment.

Mr. CAMP. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from Michigan.

Mr. CAMP. I appreciate the gentleman's comments, particularly at the opening of your remarks when you spoke of your involvement in this issue for more than a decade. And the problem we have is we've run out of time. Really, since 2009 when EDNA was found north of the locks, and now we found live Asian carp north of the locks—

Mr. VISCLOSKY. If I could reclaim my time, I understand the finding of DNA. That is not carp. And again, everyone is working on keeping the carps out of the lake. The locks are not impermeable either. And we have court intervention and court rulings on this matter. And again, would ask my colleagues to oppose the gentleman's amendment.

I yield back my time.

Mrs. BIGGERT. I move to strike the requisite number of words.

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

Ms. BIGGERT. Mr. Chairman, this is an issue that has grown and grown and grown. But let me say that I would agree with the gentleman from Michigan, that we do not want the Asian carp to be able to get into the Great Lakes and into Lake Michigan first.

We have been working on this issue for 12 years and it really makes me upset to think that they seem to say, well, nothing has happened, and now it's an emergency, that the Asian carp are going to get into Lake Michigan. Let me tell you that we have set up two electronic dispersal barriers that are in my district to stop the Asian carp from getting through. This is the only path from the Gulf of Mexico to the Great Lakes and these two barriers are there.

The Asian carp are 42 miles from the city of Chicago, and this is an emergency and they have 42 miles to go. They have moved very slowly. Most of the population of the Asian carp are in the Illinois River around Channahon and right now, Channahon, they have a

contract with China to send the Asian carp over to be used as food in China.

The Army Corps of Engineers has been doing everything, and this is for the last 12 years, and the Congress has funded this, to make sure that those Asian carp never reach the Great Lakes. And if they do, it would be devastating. So things that have happened, the two dispersal barriers, the bubble barriers, electro-fishing, oxygenation, rotenone used to kill the fish, the bypass screening barriers to combat the Asian carp.

The problem is, and it's not just that the carp will get in there—and the gentleman from Michigan raised the question of whether this was the only way that the Army Corps has said to stop the carp. It is not. And, in fact, the Army Corps has said that even if the locks are closed, the Asian carp will be able to get through those locks. So this is not the answer. The answer is to find all of these ways to combat that.

Invasive species are legally hard to deal with, but I think what Army Corps and all of the other agencies have been doing is something that we will be able to contain them and eventually—I've been on fish kills before. There were 22,000 fish that were killed to make sure that these Asian carp had not gotten beyond the barriers. Not one of these fish was an Asian carp.

But the problems that we're really facing are economic, devastating to the State of Illinois, devastating to the States below Illinois, down to the Gulf of Mexico, devastating to anyone that is using the locks to send goods back and forth.

And, in fact, we are facing 800,000 jobs lost with the barge traffic. People don't realize how much this is used because of the barge. You're not stopped by a barge when the gates go down. You're not stopped having a barge on the streets.

What has been determined is that if we were to shut down the barge traffic, it would take—oh, well, we just put them on the rail and we put them on trucks. If we were to put these on trucks, if you were to take and line up the trucks from the east coast to the west coast, line them all up across the country and then put them all back going back to the east coast, that's how many trucks would be to be able to move the asphalt, the salt, the coal, all of these big, big items that are used and used in the economic thing of things. As well as the food and everything else that goes up and down.

So I think that the Corps has testified that all the things are working. There is another study out that is going to be finished by 2015. We have got to get this right and they worked. But having worked for 12 years on this, it really upsets me when the gentleman states a study from Wayne State saying that it would only cost \$4.5 million in damages for economic. Oh, no. The barge people, all the people estimate it's at least \$29 billion.

This bill was to make sure that we can get the economy back, that we can create the jobs. This will destroy jobs.

And I'm also talking about flooding. It will flood the city of Chicago, and it will flood 124 suburbs. I urge a negative vote on this.

Mr. KINZINGER of Illinois. I move to strike the last word, Mr. Chairman.

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

Mr. KINZINGER of Illinois. Mr. Chairman, my friend from Michigan, I appreciate his interest in this issue. I have to strongly stand up and oppose it, though.

The 11th in Illinois, which is my district, is very, very focused and very reliant upon the ability to move commerce, the ability to have transportation, the ability for free flow of goods back and forth. That's a major, major industry in my district. A lot of jobs rely on that.

One of the great assets we have is the ability to float goods. That's a great thing. The fact of the matter is, when we talk about closing the locks and dams, we talk about the entire Chicago region's water and sewer infrastructure system is built on the idea that water flows out of Lake Michigan via the lock system; and cutting those off would completely devastate the area.

Possibly closing the locks permanently is totally not a solution to the problem. As most people have seen, the locks themselves are not even completely sealed. Even when closed, it still allows for some leakage.

At a time when we are addressing a continuing resolution, we should give the Army Corps of Engineers time to finish their study. Let's continue to be cautious. We're talking about \$30 billion in commerce that's going to be affected in my area because we want to quickly make a judgment on this. I understand the passion. I understand the concern, but let's be very cautious.

At a time when the Chicago area, when my district has an economic downturn and people are waking up every day wondering if they're going to be able to feed their family or if they're going to have a job the next day, or people are driving on the interstates wondering if they can even get to work on time because there's already enough trucks, and now we want to add more and more trucks if we close these. That is the absolute wrong answer to this.

And so I'm asking, let's defeat this in this continuing resolution. Let's give the Army Corps of Engineers the time they need.

I ask my fellow colleagues to stand up and oppose this. It's too quick. We have to be cautious. We have to wait. We have to see.

When we took the majority, one of the things we talked about is being cautious when we get involved in free market and commerce; and we've talked about that caution and what we want to do to create jobs and what we want to do to allow people to get back

to work and to solve this deficit not just by cutting spending, but by cutting the unemployment rate.

Well, I'm telling you, this would be terribly devastating for the people in Illinois, for the people in the 11th district and, frankly, for folks in the region.

□ 1340

Mr. CAMP. Will the gentleman yield? Mr. KINZINGER of Illinois. I yield to the gentleman from Michigan.

Mr. CAMP. I very much appreciate the gentleman yielding.

And I just want to comment, the gentleman from Illinois mentioned about her 12-year involvement in this issue. In fact, she and I worked very hard in 2006 to get the first funding for the electronic barrier, but that was 5 years ago. To wait for the study that I hear my colleagues call for is another 5 years. How much time is it going to take before we eliminate the threat to the entire Great Lakes ecosystem?

Again, I appreciate the gentleman yielding.

Mr. KINZINGER of Illinois. No problem.

I understand, this takes time. When we talk about affecting \$30 billion in economic commerce, I would expect that to take some time.

Now, again, I appreciate the concern. I appreciate everything we're dealing with. This is a very serious issue. But, my goodness, the people in my district are already waking up wondering if they are going to have a job tomorrow, begging the free market to work. And that's all we're asking.

If we want to take this up at a later time, fine. But is it really appropriate, when we're debating hundreds of amendments to a continuing resolution, for this to be the area where we do something that's, frankly, been working or has been in study for 5 years and has a lot more to go?

I yield back the balance of my time.

Mr. DOLD. Mr. Chair, I move to strike the last word.

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

Mr. DOLD. Mr. Chairman, I rise today in opposition to this amendment. As a resident of the Chicagoland area and a lifelong resident of the State of Illinois, this amendment would have devastating implications for the economy. Right now we need jobs. Everybody on both sides of the aisle has been talking about how we need to jumpstart the economy and put people back to work.

I have a great amount of respect for the chairman and his work, but I think this is an amendment that is going to have devastating implications for people all across that region. It's going to look to cost approximately \$29 billion.

When we look at the amount of commerce that's going to be coming up from the Gulf of Mexico, through the Mississippi River, into the Chicagoland area and, yes, through the Great Lakes

and back and forth, this is something that we must, at this point in time, not rush to judgment.

I recognize that we have been studying this problem for a period of time. I recognize that there are actually even interim studies. In fact, there is an interim study that's even out. Interim study number 3 has been actually out allowing us to move forward and to try to address some of the problems.

I would ask my colleagues that we do not rush to judgment. This is a decision that will have an enormous effect on thousands of jobs and on commerce across the Great Lakes going actually down to the Mississippi River and into the gulf. Today when we're talking about jobs and the economy, we have to look at how many things we can promote.

I spent time in, actually, the locks. I have gone through the locks several times. I use them not only for recreational use, but I have also seen the barges come through. This is a very active lock, and it's one that we need to make sure is alive and well.

I do want to recognize that we have a problem with Asian carp. It's not one that we want to ignore, and certainly please hear that I am not saying that we should ignore it. I think that we need to continue the studies. We need to be looking at alternative ways to try to prevent it from invading the Great Lakes.

No one is going to be a greater proponent of the Great Lakes than I am, but this is an amendment that I ask my colleagues on both sides of the aisle to rise up and stand against.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the last word.

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

Mr. DAVIS of Illinois. Mr. Chairman, I simply rise to concur with the last group of speakers who have indicated that they were in opposition to this amendment.

I have worked with individuals in the State of Illinois for the last several years. My congressional district runs right along Lake Michigan, and we have had a tremendous amount of effort to try and resolve this problem. It has not been resolved. And I would plead for more time, more study, more opportunity to come up with a resolution that works for all of the Great Lakes area, not just for some to the detriment of others. I strongly oppose this amendment.

I yield back the balance of my time.

Mr. PENCE. Mr. Chair, I move to strike the requisite number of words.

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

Mr. PENCE. Mr. Chair, I do rise today in opposition to the amendment offered by my friend and colleague, Mr. CAMP, from Michigan. And let me say, I think I take a second chair to no one in my respect for the gentleman from Michigan. I respect his passion and his

leadership on the Ways and Means Committee and his passion for the ecosystem known as the Great Lakes. I know it's sincere and it's real. And this problem is real.

Anyone who has taken more than a passing glance at the issue of Asian carp recognizes that this is a serious but manageable threat to the Great Lakes region. It is one that deserves the continued attention of this Congress and this administration and the States within the Great Lakes region.

But that being said, I rise in opposition to the Camp amendment for the following reasons:

Principally, because I believe that this amendment would have a devastating effect on Hoosier jobs and the Ports of Indiana.

The Camp amendment would prohibit the Army Corps of Engineers from operating the navigation locks located in the city of Chicago.

It is the only waterway in the Great Lakes system with access to the Mississippi River Basin.

The separation of the Great Lakes from the Mississippi River will cost thousands of jobs and will cause great harm to many Hoosiers who manufacture and grow our products. According to a study by the Ports of Indiana, commerce through the Chicago locks is responsible for \$1.9 billion in economic activity and nearly 18,000 jobs in my home State.

In addition to the economic damage this action will inflict, I would submit respectfully that there is no evidence that actually closing the locks will definitely keep the Asian carp out of the Great Lakes. The U.S. Fish and Wildlife found a year ago that there is no "combination of lock operation scenarios that experts believe would lower the risk of Asian carp establishing self-sustaining populations in Lake Michigan."

In fact, according to the Asian Carp Working Group, there are dozens of alternative methods fully to be explored. And Indiana is fully participating in the Federal Government-led effort to stop the Asian carp migration. Electronic barriers have shown promise. We need to continue energetically to work in that area. The gentlewoman from Illinois also outlined different areas.

Let me say, while I urge my colleagues to oppose the Camp amendment, allow me to use this moment to say that we will continue to lock arms with the gentleman from Michigan, with our neighbors in Michigan, our neighbors in Illinois to deal with what is a very, very real threat to the ecosystem, to commerce in the area, and to the enjoyment of the waterways in the area.

Mr. CAMP. Will the gentleman yield?

Mr. PENCE. I yield to the gentleman from Michigan.

Mr. CAMP. I appreciate the gentleman's words and also his commitment to try to work together to resolve this issue, and I appreciate the arguments he is making. But the concern on the

economics argument is that the damage to the Great Lakes, if this problem is not addressed, is irreversible and cannot be calculated. I can cite the statistics on the jobs and economic impact, but the ecosystem, the damage to that cannot be remedied.

The concern I have is this has really been a problem since 2006, when we worked to get the electronic barrier, which has not worked. And here and now we are, in 2011, saying let's wait another 5 years for the Army Corps to complete their study, and the problem is more imminent than that. And I cannot seem to get the administration to move on the immediacy of the threat to the system.

I thank the gentleman for the time.

Mr. PENCE. I was pleased to yield to the gentleman.

Let me just say that the demonstration projects of the electronic fence began slightly before 2006. The fence and the studies are ongoing.

Let me say, on behalf of other Hoosiers in that delegation, we're not patient to wait 5 years for action. We will continue to work with the gentleman from Michigan to work, Mr. Chairman, on behalf of immediate action and continue to call on this administration. The economic impacts are devastating. The impact on the ecosystem broadly would be equally devastating, and so we join the gentleman from Michigan in calling for urgent action by this Congress and this administration.

I just respectfully offer that both with regard to its economic impact and with regard to its questionable effectiveness, that dealing with this from the standpoint of the locks and this continuing resolution is not the best approach. So I urge my colleagues to oppose the Camp amendment.

I yield back the balance of my time.

□ 1350

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

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

Mr. CAMP. 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 Michigan will be postponed.

AMENDMENT NO. 576 OFFERED BY MS. ESHOO

Ms. ESHOO. 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:

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

SEC. ____ None of the funds made available by this Act may be used to enter into any contract with a corporation or other business entity that does not disclose its political contributions.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. Mr. Chairman, one of the things I admire the most about our country is our commitment and our love for democracy. We were founded on the ideal that it is the people who choose their government. We believe in the principle of one person, one vote; not \$10,000 or \$100,000 a vote. We believe in the free exchange of ideas to be able to decide which candidates deserve our votes.

But money, and lots of money, heaps of money from undisclosed sources, are having a corrosive influence on our political campaigns. Money distorts the voice of a particular point of view, making that voice seem louder, making it seem more influential, or making it seem more persuasive than it actually is.

We don't know who is saying what to whom. Is it Big Oil? Is it polluters? Is it the insurance industry? Is it the tobacco industry? All too often these distorted views come from corporate interests, and they try to undermine the public interest through campaign expenditures. These corporate interests can buy elections by throwing hundreds of thousands of dollars into a race for a particular candidate with attack ads against another.

Last year, sadly, the Supreme Court overturned landmark law and other centuries-old precedents aimed at limiting the influence of corporations in our elections. Now, today, we have stealth organizations formed for the sole purpose of running attack ads, and the American people don't have a clue who is footing the bills. The American people have a right to know who is trying to influence them, and if corporations want to try to persuade voters about their point of view, then they should stand behind their words.

Let voters judge the facts for themselves. Voters are smart. Let them make up their own minds on election day, as long as they have full and accurate information about the interests that are at stake.

So my amendment is a commonsense solution to a difficult political problem. It requires that any company that does business with the Federal Government disclose their political contributions. Period. It is simple, it is clear, it is fair, and it is called disclosure.

This amendment says if you are a Federal vendor receiving taxpayer dollars, you are required to disclose how much you spend to influence the political system. Why? Because with public funds come public responsibilities. My amendment honors the First Amendment and it places no limitation on political speech. It simply requires transparency.

I yield back my time.

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

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

Ms. PELOSI. Mr. Chairman, I rise today to support the amendment presented by Congresswoman ESHOO on behalf of the public's interest, the people's interest, free elections, and a healthy, transparent, and open public discourse.

More than one year ago, the Supreme Court opened the floodgates to unlimited corporate spending, secret unlimited corporate spending and influence over our campaigns and our public policy debates. In doing so in the Citizens United decision, they dealt a harsh blow to a fundamental principle of our democracy: That voters determine the outcome of elections, not moneyed special interests.

In response, with bipartisan support in this House of Representatives, the House passed the DISCLOSE Act to require corporations to stand by their ads, the same way candidates do, and to keep foreign-owned entities from playing any role in our elections. The measure included a provision to keep government contractors and TARP recipients, beneficiaries of taxpayer support, out of our elections, preventing them from using taxpayer dollars for their own agendas.

In the Senate, the Republicans blocked the DISCLOSE Act. Yet the value it represented, that sunlight is the best disinfectant, must remain a call to action for both parties in both Houses.

Many of the new Members who are here campaigned on the principle that special interests play too big a role in our democracy. The American people have constantly called upon Congress to act in the people's interest, not the special interest.

Today, we have another opportunity, thanks to Congresswoman ESHOO, to answer the public's call to action for transparency, for openness, for true Democratic elections. Thanks to Congresswoman ESHOO, we are highlighting this critical challenge to our democracy through an amendment to ensure that taxpayer dollars are not directed to Federal contractors who refuse to disclose their political expenditures.

No dollars in this act can be used to enter into a contract with any corporation or company which refuses to disclose its political expenditures. They could be using taxpayer dollars to weigh in in a secret unlimited way in campaigns.

I know that some of you may not want to receive this message, but it is a message that the American people have delivered to us over and over again—that they do not want special interests with their secret unlimited expenditures dominating our elections, and therefore dominating public policy in this Congress.

So I am grateful to Congresswoman ESHOO for highlighting this critical challenge to our democracy, again through an amendment to ensure that taxpayer dollars are not directed to Federal contractors who refuse to dis-

close their political expenditures. With this measure, we could take one step forward in the fight to restore fairness to our political process and preserve the integrity of our elections by disclosing the unlimited, secret, endless flow of corporate dollars into campaigns.

This Republican majority, many of you voted for the DISCLOSE Act as presented by Mr. VAN HOLLEN in the last session. I hope that you will choose again between putting the corporate interest ahead, or choosing the public interest. It should not be a hard choice, but we will find out soon enough where you stand.

I urge all of my colleagues to join Congresswoman ESHOO in continuing the fight for meaningful reform and to advance the cause of accountability in our campaigns. We owe it to the American people, we owe it to our Founders who invested so heavily in this democracy, and we owe it to the future.

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

□ 1400

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

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

Mr. ISRAEL. Mr. Chairman, I rise in support of this amendment by my distinguished colleague from California.

This isn't that complicated. It all gets down to the lesson that we all learned in grammar school: Honesty is the best policy. Not more complicated or not more complex than that. Honesty is the best policy.

There is not a Member of this Chamber, Mr. Chairman, who doesn't believe in the First Amendment. I believe that in a democracy you can say almost anything you want about almost anybody. You have the right to say what you want. But people have the right to know who is funding your message.

When people turn on their television sets and they see a political commercial making outlandish claims, they deserve to know whether that commercial is being funded by a foreign-owned corporation. They deserve to know whether that commercial is being supported by a special interest group. They deserve to know when they're watching a commercial about how evil a candidate is whether it is being funded by a special interest that is trying to defeat that particular candidate because that particular candidate supports the Environmental Protection Agency, supports clean air, supports clean water, and whether a special interest is trying to defeat that candidate because they want to dismantle the EPA. They have the right to know when one of those commercials permeates our airwaves whether those commercials are being funded by a special interest, for example, that wants to dismantle Federal inspections of meat because those Federal meat inspections are impinging on the bottom line of that particular special interest.

And so this is simply about the right to know. This is simply about upholding our right to say what we want when we want about whom we want but making sure that the American people, no matter what side of the aisle you're on, understand who is behind that message. This says that the American people and the American taxpayers shouldn't be unwittingly subsidizing dirty campaigns and secret donations. And that is why this amendment is so important, because the American people and taxpayers have the right to know and because honesty is the best policy.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve my point of order.

The Acting CHAIR. A point of order is reserved.

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

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

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

Mr. ANDREWS. Mr. Chairman, the issue raised by this amendment is to whom does this Congress belong; in whose interests are the Members of Congress working.

Now, Mr. Chairman, every one of our constituents will draw a conclusion about that question based upon how we vote, what we do, and what we say. And every one of us will face the consequences of that conclusion in the next election. One of the facts that I think every voter has a right to know is who is funding and supporting the campaigns of any one of us who seeks the honor of serving here.

Whether you belong to the most progressive group on the Democratic side, the most libertarian group on the conservative side, whether you're a member of the tea party, whether you're a member of a union or the Chamber of Commerce, I think every voter deserves and believes that they deserve the right to know who is funding the campaigns that bring people here. This is a basic matter of transparency and full disclosure.

Frankly, Mr. Chairman, I think if we're honest among ourselves, we know how much the American people despise the political ads that vandalize their television screens every fall. A lot of people I know turn the television off or turn the sound down because they're so exhausted of hearing ridiculous personal dirty attacks by one side against the other. I would hope that some day the level of civility could rise to where we all stop that, but I think until we get to that day, people, at the very least, have the right to know who's paying for it, from where is this money coming.

Ms. ESHOO's amendment is very simple, very plain, and should be supported by people of all ideological stripes. It

says the public has a right to know where the money is coming from. And if you think a special interest group that promotes traditional energy supplies—oil and gas—is a good thing, then you'll be happy that they're paying for commercials. And if you think like someone who's running on a platform promoting the woman's right to choose, then you'll be happy knowing that some of their money may have come from people who sympathize with that point of view. So irrespective of where you come out on substance, shouldn't we all come out to a place to say the public has a right to know who's funding these campaigns.

So to whom does this Congress belong? Well, if we look at the legislation before us today, it certainly looks like it doesn't belong to oncological nurses, because money for cancer research is being cut in this bill. It certainly doesn't look like it belongs to police officers working the beats of America's towns, because upwards of 15,000 police officers will be laid off as a result of this bill. It certainly doesn't belong to America's schoolteachers and guidance counselors, because under this bill upwards of 10,000 reading tutors and math coaches will lose their job under this bill. Seven thousand special education teachers under one version of this bill would lose their jobs.

So if this Congress doesn't belong to nurses, police officers, teachers, to whom does it belong? One of the answers to that question would certainly come from answering the question: Who paid the bills to get the Members here? Who wrote the checks and who made the contributions?

I hope that our friends would join us in supporting this amendment. I think it's clear and simple. But if they don't, maybe one of the reasons they don't want to join us in supporting this amendment or even hearing this amendment is they don't want the public to know who wrote the checks, who paid the bills, and who paid the freight.

Everyone should have the right to know who funded the campaigns that brought people here. It's as simple as full disclosure. It makes great sense. And I urge a "yes" vote on Ms. ESHOO's amendment.

I yield back the balance of my time. Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I rise in opposition to this amendment.

This is a continuation of the effort by the other side to undo the even-handed approach that was utilized by the U.S. Supreme Court in their decision in Citizens United. In that case, the Supreme Court decided that the First Amendment protections that you have for free speech are not in any way diminished by virtue of the fact that you say it not with a single voice but you join with others.

Every response that we've heard from the other side has said, Well, we don't like what the court did, so what we're going to do is put certain requirements on those who are corporations but not the same requirements on those who are unions representing those who are employees of the Federal Government. And there is as much a conflict of interest in that regard as there is on those corporations that have contracts with the Federal Government.

So, once again, they're trying to talk about how this action by the Supreme Court was unfair, it somehow requires that there is an unfairness involved, that our elections were taken over by corporations. Every study has shown that there were far more expressions of political thought in paid advertising by those on the left than those on the right in the last election, but we don't hear about that.

If they would bring forward something that would have equal treatment, maybe then we could take a look at it. But the fact of the matter is we have seen effort after effort. We can recall last year when they brought it to the floor, one of the things they wanted to do is not only have uneven treatment with respect to corporations and unions, but they were engaged in an auctioning off of First Amendment rights according to whether you were a favored or disfavored group.

We saw organizations that were given special exemptions. The National Rifle Association was one of them. And there were those on the left. And if you had enough political sway, you got exempted from the disclosure requirements. And that really is the definition of "Capitol cronyism," where the government decides who is favored and who is disfavored, and that the essence of the decision by the Supreme Court was the acknowledgment that the First Amendment has its most essential protection in speech, which is political speech.

□ 1410

And if that be the case, we should tread very lightly where we require disparate treatment between different groups, those favored and those which are disfavored. If there's one thing the First Amendment stands for, it is that we treat everybody the same. And this again is in keeping with what we saw last year. Some people are more favored than the others, and when you're talking about First Amendment rights and expressions of political thought, we should be very wary of it. And, by the way, nothing with the Supreme Court decision changed the prohibition against direct contributions to campaigns by corporations. That has been, that continues to be, and will be a felony. And if people on the other side have evidence of that happening, they ought to give that information to the Justice Department and have people prosecuted.

So let's at least talk about what the facts are and let's remember the history of this effort on the other side of the aisle.

Mr. VAN HOLLEN. I move to strike the last word.

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

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

We've heard a lot about the Supreme Court decision, Citizens United, and we may agree with that decision or disagree with that decision. But the fact of the matter is that's the law of the land. This amendment does not try to overturn that decision. This amendment is perfectly consistent with that decision. It simply says that when you are spending the money, expending the money, you have to disclose to voters that you're trying to influence their vote. It's the right to know.

Now because we are dealing with an appropriations bill, a government spending bill, we can't address all of the entities out there in the country that may be trying to spend money to influence elections.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. VAN HOLLEN. Not at this moment. I've got my 5 minutes and I'm going to use them, but I thank you.

What we're saying in this bill is that if we're really trying to save the taxpayers some money, which we should all be trying to do, we should try to curb the influence of the special interests who spend a lot of money hiring lobbyists to influence us and spend money in campaigns trying to influence the outcome of elections.

Now just in the last couple of days, we've had a lot of votes on some issues that could affect Federal Government contractors in a very big way. Just yesterday, we had a vote on something dealing with a big military contract. So here's my question. That contractor, the contractor that got taxpayer money or the one that didn't, could say, Look, I want to reward the folks that supported me. I'm going to run a bunch of TV ads in their campaign supporting them; say thank you, I want to get you reelected. Or they may say to the folks who voted against that Federal Government contract, hey, I want to make sure that person doesn't come back here because they may vote against my contract again, they may want to save the taxpayer some money, but we're going to spend some of our money—a Federal contractor, contractor getting taxpayer dollars—we're going to spend some of our money to try and unelect that person who voted against our contract.

This amendment is really simple and it would have a direct impact on all the conversations we're having. If you're a Federal Government contractor, if you're getting taxpayer money and you decide to run political advertisement in people's campaign to try and reward those who supported you or punish

those that didn't, you at least have to disclose that information to the voters. You at least have to say who you are and how much you're going to be spending. And it seems to me if we're genuinely interested in saving taxpayers' dollars, which we all should be, we should give the taxpayer, whose dollars are going to those contractors, the right to know whether those contractors are turning around and spending money in these elections.

So if we're ever going to really work to try and curb those interests, those special interests that work so hard to try and get special benefits out of the Federal Government, we should at the very least say, "Come clean with the taxpayers." This is not an infringement in any way on free speech. They can still run an ad in anyone's district and they can say whatever they want to the voters; no restrictions whatsoever. All we're saying is when you do that, let the taxpayers know. After all, the taxpayers have helped provide the funds for your contract. At the very least, you should tell the taxpayer, the voter, who you are that's spending money to try and influence the outcome of an election. It seems to me that that's the very least we can do to try and provide more accountability and more transparency. We keep hearing from everybody, that's what we want—more transparency. Okay, let's let the voters know. Why wouldn't you want to let the voters know?

Mr. Chairman, let me just conclude by saying, this is a very simple amendment. If you're a Federal Government contractor, you're getting taxpayer dollars, you decide to get engaged in the political process as is your right; and after the Citizens United, you can get directly involved expending money in those campaigns. You can do that and say what you want. Just tell the taxpayer who you are and what you're spending to try and influence their vote. I hope that we will adopt this amendment, and I thank the gentleman from California (Ms. ESHOO) for offering it.

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

The Acting CHAIR. Does the gentleman continue to reserve the point of order?

Mr. FRELINGHUYSEN. Yes, I do.

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

Mr. FRELINGHUYSEN. I yield to the gentleman from California.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

I would just say this: At the core of the Supreme Court decision was a protection of the First Amendment right of political speech, and that it would not be lost because you joined with others. As a corollary of that, the court in the majority opinion written by Justice Kennedy talked about the fact that one of the real fears of the Founding Fathers was the government acting

in disparate ways; that is, treating different groups differently for a political reason.

And so I just say, in the scenario by the gentleman from Maryland, one would force an obligation of disclosure on one group and not another. So that the defense contractors, he said, would if he funded a statement on television, but the union members who work for the defense contractor would not; or those who are Federal employees represented by unions would not.

I guess what we're saying here is we know that corporations influence elections, but it is absurd to assume that unions do. And if you believe that, then support this amendment.

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

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

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

Mr. GEORGE MILLER of California. I thank the gentleman for reserving his point of order so that we can speak to this amendment offered by the gentleman from California.

I really believe that this is about transparency. I'm for widening that circle of transparency as much as we possibly can. This amendment speaks to a very important part of trying to gain transparency for the American people. You know, it's a rather remarkable process how we all get here. We engage in some form of politics that is straight out of the first Congress of the United States. It's out of the first people who ran for office here. We go to our neighbors and we go to our friends and we go to town councils and we talk to people and we ask them to support us. We go into their organizations and we ask them to support us. We tell them what we're going to do, we tell them what we think, we tell them what we like and don't like, maybe what we like about them and don't like about them. But it's a process of interchange. It's a transparency of ideas. You're held accountable for those ideas. And you raise money because you want to publicize your message further. You go to your friends, you go to organizations that support you, organizations you support, and you raise money to do this. And right now that's essentially all disclosed.

But what we've seen now in the last few years, and especially after this Supreme Court decision, is there's two campaigns that are being run—you run one, the best you can under the rules we have; campaign contributions are all reported, and then an independent group comes in and they run a campaign either for you or against you in your district. Your constituents may never know what even hit them. They may never know where it came from. It may only be about an issue that's linked to you. It has nothing to do with disclosure.

□ 1420

That's their right now under the Supreme Court decision, but the question

really should be: Should those expenditures be disclosed? Because very often we all know that one of the unpleasant things that happens to you in this business, I guess unless you fund your campaign out of your own pocket, is that you'll cast a vote, and the newspaper will immediately go and say Congresswoman "so and so" got a contribution from this entity on this side or from this person on this side of the argument or a contribution from this person on the other side of the argument. It happens all the time. That's disclosure. That's the price you pay—except for these expenditures. They may come from the very same side of that argument and will be completely invisible to the press, to your neighbors, to your constituents, and that should not be allowed. The disclosure should be full and complete on people who spend money on behalf of these campaigns.

You can't have a situation where people move through the night, move with secret money—undisclosed money—and seek to influence the outcome of the elections in this country. This isn't Egypt where secret societies move through and create a party for the purpose of diverting votes from this party over here. This isn't Russia where the oligarchs and the billionaires move around and create parties to defer one another and where people never see where the expenditures are coming from or if they're speculated about.

In this country, in a long, hard struggle, one campaign has full disclosure—be you a working person or be you a corporate chief. Whatever the source of money is in your campaign it is disclosed. But now we have a shadow campaign, and the shadow campaign threatens to dwarf what is taking place in the other campaigns.

How many Members on both sides of the aisle know that they had a campaign run? We've all listened to our friends on both sides about the independent expenditures, about the undisclosed money that came into the campaign. Think how that turns the stomachs and the hearts and the minds of our constituents when they think that this was going on—an election where they in good faith maybe stood in line to vote and made sure they got in their absentee votes, and they might have asked the rest of the members of their families to vote. All of that was taken away by a tsunami of \$6 million, \$3 million, \$9 million, \$12 million that just showed up on the doorstep of your district, all of it undisclosed, now gathering the forces once again to get ready for the next cycle—people bragging about how much money they will have, people bragging about their involvement, their success ratios—all of that to intimidate Members of Congress, to make people think about the vote; but they will never be held accountable for those actions.

That's what transparency is truly about. Transparency is as much for us as it is for our constituents, and it is

important to our constituents because they do make judgments about us; they do make judgments about issues; they have expectations of us; they have hopes of us. It is only that information and that transparency that will let them act in a rational way on behalf of their votes—to protect their votes, the votes they just cast and the votes they anticipate casting in the future.

We have an amendment here to rip away the \$3 checkoff, which is a modest effort by constituents to say, I want to make sure the elections are clean and transparent. Now we see that the undisclosed far exceeds anything that they can possibly do.

I thank the gentleman again for reserving the point of order.

I yield back the balance of my time.

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

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

Mr. PEARCE. It is, indeed, interesting to listen to the arguments that are coming on this particular amendment, Mr. Chairman, as I have been on the receiving end for a third cycle in a row of about \$1.5 million in ads that have been run against me by a group that is protected, by a group whose secrecy is protected under the DISCLOSE Act that was passed under the last Congress. So the people who are here, proclaiming that transparency is the ultimate aim of this legislation, themselves are protected through this legislation of the last Congress, certain organizations if they fall within their parameters, which these groups do.

So I do find it amazing that we are sitting here talking about the transparency of some of the people who will enter into discussions of campaigns, but not all of them. We want some of those entire lists over there prohibited from disclosure. I find it refreshing to hear the comments about transparency and about the American system coming from the floor of the House, which decided it did not want that transparency for certain groups. I suspect those certain groups are still allowed to be fully clothed in secrecy even under the guise of this particular amendment.

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

The Acting CHAIR. Does the gentleman from New Jersey continue to reserve his point of order?

Mr. FRELINGHUYSEN. I do, Mr. Chairman.

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

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

Ms. EDWARDS. Mr. Chairman, I rise today in support of this very modest amendment by Congresswoman ESHOO.

In the words of the young people, "This is a no-brainer." This should be an easy call for Members on both sides of the aisle—people who believe in fairness and democracy and transparency.

It should be an easy call for us to say, You know what? We know that there may be Federal contractors out there who are getting billions of dollars in benefits from Federal contracts, but they should disclose the money that they are spending on campaigns. The American people expect that.

I wasn't a supporter of the decision in *Citizens United v. Federal Election Commission*, but that's not what this is about, Mr. Chairman. This is not about a protected First Amendment right.

I read the decision in *Citizens United*. What I took away from it is that, in fact, the one area in which the Congress does have some authority is in regulating the disclosure of expenditures in campaigns. The Court was very explicit about that. I know there have been a number of statements here on the floor that suggest otherwise, that suggest that this very fine and modest amendment would, in fact, impede our constitutional rights, but that's not what the Court said at all.

What the Court said is that it's important and that Congress has the authority to regulate the disclosure of corporate expenditures on campaigns. This amendment does exactly that. It says, You know what? To play by the rules, these are the rules that we set. If you spend money on campaigns, the public has a right and interest in knowing what your interest is.

So I am a strong supporter of this amendment. It is simple. Who funds campaigns? What is your special interest, Mr. Chairman?

At a minimum, government contractors who really stand to gain billions of dollars should disclose their interests in our campaigns. This is a simple question of democracy. Members can declare here today that either they are on the side of the public interest and will support this amendment or that they are on the side of secrecy and collusion and will oppose the amendment.

It is imperative that we really prevent secret donations in our elections. We have eliminated the Presidential Election Campaign Fund, so much more unfettered spending will take place in Presidential campaigns. We can't afford to continue to obstruct commonsense reforms that diminish the voices of the American people. I am not alone. Across this country, fully 80 percent of the American public actually believes that the *Citizens United* decision was decided wrongly, but that's not why we are here today. We will take that up at another time.

We are here today, Mr. Chairman, to declare once and for all that there will be some of us—and I hope a majority of us—who will stand in support of the Eshoo amendment, which is on the side of fairness, on the side of democracy, on the side of transparency: on the side of the American people. We will declare here today with our vote that we stand for the public interest, and some will so shamefully declare that they stand for special interests.

With that, I urge us to stand on the side of public interest and in support of the Eshoo amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part:

“An amendment to a general appropriation bill shall not be in order if changing existing law.”

The amendment requires a new determination.

I ask for a ruling from the Chair.

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

The Chair finds that this amendment includes language requiring a new determination of whether certain political contributions were disclosed, a determination not required by existing law.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1430

AMENDMENT NO. 195 OFFERED BY MRS. LUMMIS

Mrs. LUMMIS. 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:

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

SEC. ____ . None of the funds made available by this Act may be used for the payment of fees and other expenses under section 504 of title 5, United States Code, or section 2412(d) of title 28, United States Code.

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

Mrs. LUMMIS. Mr. Chairman, I want to thank the staff of this House of Representatives. We adjourned this morning at 3:48 a.m. with a staff that diligently stayed and worked these amendments, the staff outside that provides security. It is an amazing effort by the people who serve this country as the staff members of the U.S. House of Representatives, and I want to take this opportunity to thank them for their outstanding service.

Mr. Chairman, I'm here to propose an amendment and tell a story about laws, and it is ironic that these two proposals came up simultaneously.

In 1980, a law was passed called the Equal Access to Justice Act, and it allows Americans who are being challenged by the Federal Government to recover their legal fees if they successfully sue the Federal Government when the Federal Government has wronged them. It is a very fair law.

The problem is, in 1995, the Federal Government quit keeping records on who is receiving payouts and how much

under the Equal Access to Justice Act. Consequently, this law has been hijacked by certain groups who use it to sue and recover judgments. For example, there are 14 environmental groups that have recovered \$37 million by filing 1,200 lawsuits for which they've recovered judgments and even legal fees under settlements with the Federal Government, thereby fueling the fire of suing the Federal Government over sometimes procedural issues.

There's a group at Virginia Tech University who, through the FOIA law, the Freedom of Information Act, has uncovered how many abuses there are of this law and how many unintended consequences there are of the use of this law by certain groups, and we need to have a 6-month moratorium on expenditures and payouts under EAJA so we can get information about who's receiving this money, what the lawyers are being paid per hour, and who it's going to, how many environmental groups are actually paying for their organization by routinely suing the Federal Government to stop certain activities on Federal lands.

This is taxpayer money that's being used for this purpose; and in light of my colleagues on the Democratic side of the aisle's enthusiasm for sunshine, for full disclosure, for knowing where taxpayer dollars are going, I strongly encourage you to support my amendment.

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

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

Mr. MORAN. Mr. Chairman, equal access to our Nation's courts for all Americans is a hallmark of our democracy and our system of justice. Providing attorneys' fees to successful plaintiffs, which is what the Equal Access to Justice Act does, ensures that the government is held accountable when it overreaches its power. These fees are only available when a party prevails on the merits of a lawsuit and only then after careful consideration by the presiding judge as to how deserving each plaintiff is.

Attorneys' fees are available to individual citizens, local communities, small business, tribal entities, nonprofits, all regardless of where they stand on any particular issue. Providing attorneys' fees ensures that powerless, less wealthy individuals who wouldn't otherwise have a voice as a result of their not being wealthy or representing a corporate interest can nevertheless be heard by our government, by our court system; otherwise, they wouldn't have the means.

We already suffer under a system where too often big money, as was discussed in the last amendment, crowds average people out of our political system, squeezing them out of this political process here on Capitol Hill. Now you want a system where big money squeezes average people out of the courthouse as well, out of our justice system?

Awarding attorneys' fees makes it possible for environmental groups—I acknowledge that—to bring court actions to protect our environment. I happen to think that's a good thing, but it also allows small business owners, farmers, ranchers, timber workers to ensure that their rights are protected as well when they believe that the Federal Government is in the wrong. It works both ways.

This Republican zeal to target every program that protects natural resources is just difficult to comprehend. You're proposing an amendment that would slam the courthouse doors closed for any average citizen plaintiff, no matter where they fall on the political spectrum.

Instead of finding practical solutions that protect the environment and create jobs, this amendment would do nothing more than financially punish citizens who want and need, and deserve to have their voices heard.

That's why this amendment should be defeated.

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

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

Mr. SIMPSON. Mr. Chairman and members of the Committee, I rise in strong support of this legislation offered by my good friend from Wyoming.

It would be one thing if what the gentleman from Virginia says were the case in reality. It's not the case in reality. I think that's the reason that this law was passed, so that those people, the powerless, less wealthy individuals that the gentleman referred to, would have access to the courts. And the last thing we want to do is deny citizens their right to have a say in how, in this case, our public lands are managed.

But it has become, frankly, a cottage industry: suing the Federal Government, which is suing the people, and then asking the people to pay for your legal fees to do so. The Equal Access to Justice will allow those suing the Federal Government to be reimbursed for their legal costs even if they don't prevail on a majority of the counts. The implication that the gentleman just gave is that you have to win. They can be reimbursed even if they don't prevail on a majority of the counts.

The law has been abused by several interest groups who have turned this into, as I said, a cottage industry and now sue the government on a regular basis. They fund their organization through this and that's a problem. If somehow we could get it back to what the gentleman said it was, that would be one thing. So far we haven't been able to do that. And, in fact, we had language in our last appropriations bill that didn't make it to the floor, along with the other appropriations bill, that would have at least said why don't we find out who's getting this money. If I'm a farmer out there and I get payments under the farm program, every

citizen in this country has the right and ability to look it up and see who's getting those farm payments. You know what, that doesn't happen with who's getting these fees, who's being reimbursed by the Federal Government.

They're supposed to keep track of that, but they don't do that; but, in fact, when we asked the Secretary, does this come out of your budget or does it come out of the justice fund, who pays for this? Nobody really knew.

□ 1440

And if it doesn't come out of their own budget, what's their incentive to do things the right way?

Quite frankly, many of these lawsuits prevent the management of Federal lands for the benefit of the people. For example, holding up important forest-thinning projects and wildfire prevention projects. This, as I said, has become a cottage industry and needs to be reformed. This would prevent these fees from being paid during the term of this CR the next 7 months or however long it takes.

Mr. MORAN. Will the gentleman yield?

Mr. SIMPSON. I yield to my friend from Virginia.

Mr. MORAN. I thank my very good friend from Idaho.

Is it not the case that you only get fees on that part of the suit that you brought where you actually win? That you do have to prevail in order to get something in order to get reimbursed. And it's only on where you prevail that you get any fee reimbursement.

Mr. SIMPSON. That's accurate. But you don't have to prevail in the overall case. You could actually lose the case for what you are trying to do. It is the problem that good intentions have gone awry. And I will tell you that there are groups all across this country who have seen this as a way to fund their organizations, and we need to put a halt to it. Because what we're doing is asking the people of this country to fund people to sue them. I don't know who else does that. But on the other hand, I agree with the gentleman that we want those people that don't have the ability or the resources to have a say in how public lands are managed, to have a say in that. But it has gone awry, and we need to put an end to it, and we need to reform the process.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. This amendment is overbroad, to use a euphemistic term, in order to describe what its impact will be upon those who are the least powerful, and most agreed in terms of the impact in which the Federal Government has upon their lives as individual citizens.

Let me give you an idea of how broad the impact of this amendment is. If

this amendment had been in place, would the citizens who had been unwittingly turned into nuclear guinea pigs in the 1940s and 1950s during Federal Government-sponsored radiation experiments using thousands of American citizens without their permission have been able to bring their lawsuits decades later in order to reclaim some small compensation for their families? Would they have been able to bring their suits against the Federal Government? Who do you want to empower, the people who were the guinea pigs or the Federal Government?

Would a widow who sued the Social Security Administration for refusing to provide the survivor's benefits that she was still due, would she be able to sue? Or are the legal fees just so great that the widow just has to live without the benefits? Would those who live downwind from a nuclear test and suffered cancer or other health effects, would they be able to sue? They've only found out years later what the impact is on them. How can they possibly afford the legal fees to take on the Federal Government?

Would the atomic veteran deployed at the test site during the atmospheric nuclear testing of the 1950s ever have been able to afford to bring their case to court? Would those people all across Nevada, Arizona, Utah, those States out West where these poor victims only found out later, how could they have ever afforded to have brought a lawsuit if they are not going to know that their legal fees would be covered when they win?

Would government whistleblowers be able to bring a case in response to retaliation by their supervisors? How can they sue the government? It's this lone individual against the Federal Government. We should be empowering these individuals against the Federal Government when it acts in an imperious, arbitrary, capricious way that ruins people's lives. Would citizens harmed by a contamination at a Superfund site at a military base in their neighborhood be able to sue the Federal Government because of the harm that has now gone into their neighborhoods? Or should we just say, Sorry, you are out of luck. The Federal Government did it to you. They did it to you in your neighborhood. You don't have the capacity because you are just some poor citizen living accidentally near a military base.

What would the black farmers who were discriminated against for decades by the Agriculture Department have been able to do in terms of bringing a lawsuit? They couldn't have done it. Those poor black farmers took a generation. Who funds that? How do they take on the Federal Government which had a policy of discrimination for 200 years against black farmers? How do they do it? You are defunding all of those lawsuits with this one amendment. What would have been the impact on Native Americans who trusted the government to protect their inter-

ests and natural resources and instead were ripped off? How do those Native Americans bring their case?

All of these things are now basically undermined by the amendment that we are now considering. That is this impact that is being visited upon all of these victims and all future victims, all actions by the Federal Government of the United States of America. This is where you get to show what your attitude is towards the Federal Government when they are acting in a way which does direct harm to the health, the well-being, and the safety of ordinary Americans in our country.

I will read the amendment. "None of the funds made available by this Act may be used for the payment of fees and other expenses under section 504 of title 5" of the U.S. Code. So this covers every suit that could be brought by any citizen against any Federal agency of the United States Government. I don't know how you can side with the Federal Government against ordinary citizens and their right to sue, especially those who have been harmed the most seriously.

So I urge a very strong "no" by every Member of Congress who really does believe that the Federal Government has to be put in its place when they harm ordinary citizens.

Mr. GEORGE MILLER of California. I move to strike the last word.

Mr. Chairman, Members of the House, I think Mr. MARKEY has it about right. You have to kind of decide where you're going to stand. Lawsuits are brought every day that infuriate us in one way or another, depending upon where you stand and what you think about that issue or what you know about that issue. But the idea that we would take this right away from the American people to go up against the government when the government every day makes a series of decisions—not all of them are perfect. Many of them are wrong-headed. Many of them had repercussions that they hadn't thought through when they made the decision. Those are the challenges that go on every day, whether it's in OSHA or the EPA or the Department of Labor, the Department of Interior. And many decisions that are made upstream have a lot of ramifications downstream.

Let's not pretend that every Forest Service sale is perfectly configured and thought about the externalities, the impacts on grazers, the impacts on farmers downstream, the impacts on the streams, the sedimentation, the impact on the fisheries. We live with that in California all the time. The salmon don't have a lawyer. But the harm to the fisheries, the harm to the small fishermen, to the small boat owners, the people who go out and brave their lives in the Pacific Ocean. When the Federal Government makes decisions about water flows and the Federal Government makes decisions about timber sales and when the Federal Government makes decisions

about construction on the dam, they have a right to be heard. But this isn't true if they were Taxpayers For Justice who argue about whether or not the royalties are fair and returned to the taxpayers, whether or not the Federal Government issued the permits in the right way. You think it's a right that somebody else has that maybe you don't like until you think you might want to exercise it.

This is a magnificent tool. I have no problem with the gentleman from Idaho who talked in terms of disclosure and accounting and transparency. That should all be there. I don't know why the Department stopped listing this, but they should have never done it. And I would assume in other agencies, they should disclose what the payouts are because it's a measure of the management, to some extent. This isn't just funding your organization to keep going to court; it's also a measure of the management. You know, it's like a business. If you keep paying out a lot, your insurance company says, Maybe we ought to change the operations. Maybe we ought to change the way you are thinking here. Something's wrong when you have these payouts.

You can argue that this is one of the metrics of performance of a governmental agency. If they keep losing the lawsuits, you might want to think that you've got to have somebody else running the show.

□ 1450

So I would hope that we would reject this amendment and understand that it's a much broader dissipation of citizens' rights to confront the government when the government may very well be wrong. And again, the pay-out comes only when you—you have to prevail on those measures. And on those measures where the court found that the government was wrong, you're entitled to recover your costs and your expenditures.

So I think this is very fair. It's worked for many, many years; and it's protected a lot of citizens of this country against arbitrary and capricious actions by the Federal Government.

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

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

Mr. BISHOP of Utah. Now, we have heard a lot about this particular fund and the difficulty it has and some exaggerations as to where it actually goes, what it actually does.

The problem is severalfold, one of which is that since 1994 there has been no clearinghouse of information. We do not know what has been funded. We do not know what has been used. We do not know what has been abused. And repeated requests to try and find that information have fallen on deaf ears.

In this CR, which is for a limited time, this particular provision would, once again, as I heard other people saying yesterday, raise attention to this

issue and give someone a reason to actually give that information.

It is estimated in the last 15 years there have been around 1,100 lawsuits, and that doesn't even include administratively brought actions that go before Interior Land Boards, and within the Forest Service. So all of those are part of the situation.

I heard some great speeches about how this would hurt poor people. And he's actually right, except you're not looking at who are the poor people who are hurt with the current situation.

Under the way this is administered correctly, any nonprofit, regardless of the amount of money they have, is eligible for these funds. But a for-profit individual, these poor farmers you're talking about, if they have over \$7 million in net worth, which means a farmer, a rancher who is land rich and cash poor, have several options. They can just sit out and hope something happens for them, or they can put money out of their own pocket to try and force their way into this particular situation.

Let me tell you how this has been abused. I'll go with one case that took place in Federal courts in Idaho in which there was a settlement. No one was right. No one was wrong. They came to an agreement. And yet, even though that settlement which represented no admission of fault on behalf of the government or what it did, the environmental special interest lawyers were given \$43,000 in attorney fees under this proposal, under this program. And we don't know if that's just the top, or the tip, of the iceberg or how far it particularly goes.

This is simply an element that we have. We have an unfair balance of who is available to get these funds. We have an unfair balance of what happens if someone prevails, and we have an unfair balance if certain groups get paid with taxpayer money, even though they didn't win the case, even though the government did nothing wrong.

This system is broken; and this is a good amendment to say, all right, for the rest of the termination of the CR, we're not going to spend any more funds in a system that does not work, and we're going to demand some transparency so we can make some changes. This halts spending only for a short period of time till we can find out who was given what and what was spent from whom and to whom. And that's the point of the amendment. I urge everyone to support it.

I yield back.

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

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

Mr. REHBERG. Mr. Chairman, I just want to real briefly say I was here when it was created. I was a congressional staffer. And talk about the law of unintended consequences. I might point out the people from the other side of the aisle fought us on the cre-

ation of the Equal Access to Justice law. It was never intended to be used for the purposes it is currently being used for.

So I guess I'd better apologize to the people of America for having been a supporter of Equal Access to Justice. And, in fact, as a staffer, I helped talk my Congressman that I worked for into it. I was his small business aide; his name was Congressman Ron Marlenee of Montana. I helped talk him into it because it made sense. It was supposed to give an opportunity for small business to be able to counter the lawsuits that were going to occur against them by the government coming in oftentimes with frivolous regulations.

The other side has figured how to turn it into a jobs bill for trial lawyers. They very effectively, in the Endangered Species Act and some of the other environmental acts, figured out how to use it to stop development within the United States.

So, unfortunately, in about the early 90s, we, as small business advocates, were the ones that helped push this through. The only group at that time that was exempt was the IRS. We wanted everybody to be under this law, giving the small businesses an opportunity to protect themselves.

It has been twisted. They have done everything they possibly can to turn an industry into suing on behalf of people and then making money off it. It never was intended for this purpose.

We need to get back to its original purpose. It would be fun to go back and find out how some of the people that are talking about what a great law it is now, whether they were supporters at the time because, if I remember correctly as a young congressional staffer, a lot of the people that are supporting it today were our biggest opponents back in the early 80s when we wanted to create this on behalf of small business.

So I hope you will support the Congresswoman's amendment.

I yield back the balance of my time.
Ms. MCCOLLUM. I move to strike the last word.

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

Ms. MCCOLLUM. I yield to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I rise just to make this very simple point so you all know what you're doing. The law that this amendment wants to prevent funding for was a Ronald Reagan law. This is a law Ronald Reagan signed and put on the books, just so you understand. And of course the reason he put it on the books was that he sided with the little guy against the Federal Government. This is a way to make the Federal Government accountable. And recovery of attorneys' fees and legal expenses is needed to ensure that the people can keep their own government accountable when they, the smallest of the

small, are having the Federal Government intrude itself into their lives and bringing tremendous harm to the health and well-being of the families in any particular community in our country.

As of 2009, by the way, Social Security and veterans cases make up the majority of Equal Access to Justice awards. So you're going to be disempowering, for the most part, Social Security and veterans cases that otherwise would not be able to be brought against the Federal Government. And I just think that this is not well thought out.

This is an across-the-board blunderbuss attack upon the rights of citizens all across the country who otherwise are just going to sit there in their home wondering what's going on in Washington. If ever there was a tea party amendment that has to be made to counter what you're doing, this is it. You guys are here representing Big Government against the essence, the heart, the soul of the tea party movement, wondering how the Federal Government can get away with intruding themselves. And all we're really providing here is minimal financial assistance if they win. If they lose it's a frivolous case. If they lose, the jury decided against them. This is only if they win, if they put up their life savings to try to take on the Federal Government and they win because the Federal Government had compromised the rights of their family.

So, I just want to let you all know, environmental cases amount to a very, very, very tiny fraction of all the cases that we're talking about. We're talking about, for the most part, ordinary families. And I understand why some people might not want to give these people the right to sue, but you're making a big mistake. It's at the heart, it seems to me, of what the tea party movement was about, and voting for this will be a very difficult thing to explain.

The Acting CHAIR (Mr. TERRY). The question is on the amendment offered by the gentlewoman from Wyoming (Mrs. LUMMIS).

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

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

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

□ 1500

AMENDMENT NO. 222 OFFERED BY MS. LEE

Ms. LEE. 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:

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

SEC. _____. (a) None of the funds made available by division A of this Act may be used

for any account of the Department of Defense (other than accounts excluded by subsection (b)) in excess of the amount made available for such account for fiscal year 2010, unless the financial statements of the Department for fiscal year 2010 are validated as ready for audit within 180 days after the date of the enactment of this Act.

(b) The following accounts are excluded from the prohibition in subsection (a):

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

(c) In this section, the term "validation", with respect to the auditability of financial statements, means a determination following an examination engagement that the financial statements comply with generally accepted accounting principles and applicable laws and regulations and reflect reliable internal controls.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. Mr. Chairman, this is unbelievable. But I rise today in support of my amendment.

It really does hit at the heart of the issue of fiscal responsibility, discussed with such passion on the floor over the past few days. And for the life of me, I can't figure out why a point of order would be called on this amendment. It's short and to the point.

If enacted, all it would do is freeze the Department of Defense programs at the fiscal 2010 level, unless the financial statements of the Department of Defense for fiscal year 2010 are validated as ready for audit within 6 months of enactment of this act.

This amendment would exempt military personnel, Reserve personnel, and National Guard personnel accounts, as well as the defense health program account from this potential funding freeze.

Let me take a moment and clarify what is expected of the Department of Defense in this amendment.

My amendment would simply require a determination that the Department's financial statements comply with generally accepted accounting principles, applicable laws, regulations, and that they reflect reliable internal controls. These are just basics if you are managing a budget.

Sadly, the Department of Defense Inspector General and the GAO have documented time and time again the Department's inability to answer this basic question: Where are our defense dollars going?

I would like to summarize just a few highlights from a 2009 Pentagon Inspector General's report on the subject of DOD audit activities and financial controls.

The Department of Defense "acknowledged that it does not meet accounting standards for the financial reporting of public accounts payable because it lacks standard procedures for recording, reporting, and reconciling

the amounts of the financial accounting and reporting systems."

We're talking about a \$700 billion budget. No standard procedures for recording, reporting, and reconciling these amounts.

The Department of Defense "continues to enter material amounts of unsupported accounting entries." In other words, they are balancing the books with figures not tied to specific programs or expenditures.

The Department of Defense audit trails "for estimated environmental liabilities are insufficient, and there is uncertainty regarding the accounting estimates used to calculate the reported environmental liability."

And, lastly, "despite efforts and limited progress towards auditable financial statements, DOD still struggles with material control weaknesses that make the financial data unreliable."

Until these and any other weaknesses in this \$700 billion budget are resolved, DOD will not be able to meet its goal of an unqualified audit.

I anticipate that some of my colleagues may make the argument that DOD is making progress on this issue in response to congressional engagement. They might reference language in recent Defense authorization bills requiring the DOD to develop and implement plans to achieve auditability by September 2017.

That is kind of hard to believe. We're talking about taxpayer dollars; we're talking about a huge deficit, a recession. We can't even audit the Department of Defense until 2017. It doesn't make any sense.

It's unacceptable that we are still developing plans. Do you hear me? Developing plans for the Department of Defense? This is almost laughable. Developing plans for the Department of Defense to have its fiscal house in order until 6 years from now, 2017. It makes no sense.

The problem is not newly discovered, and further delay is unacceptable given the enormous and increasing proportion of Federal dollars going toward the defense budget. Even if we do freeze base Defense Department appropriations at fiscal year 2010 levels, if we wait until 2017, Congress will watch more than \$3 trillion—you hear me again?—three trillion taxpayer dollars will be allowed, once again, to go to a black hole at the Pentagon, with no oversight, no accountability, and no consequences.

In the 1990s, Congress was promised these financial deficiencies would be solved by 1997. The timeline was delayed to 2007. That was in the early 2000s. Is there any expectation that the 2017 timeline will not be delayed without Congress demonstrating a willingness to hold the Defense Department accountable? Come on.

I think that this should be a bipartisan vote. We should look at this amendment. It should not be subject to a point of order. We have to have some fiscal responsibility in our defense fund.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change the existing law and constitutes legislation in the appropriations bill. Therefore, it violates clause 2 of rule XXI.

The rule states, in pertinent part: An amendment to a general appropriation bill shall not be in order if changing existing law.

The amendment imposes additional duties. I ask for a ruling from the Chair.

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

Ms. LEE. Mr. Chairman, on the point of order, when you talk about fiscal responsibility with the Defense Department, taxpayers' dollars, trillions and trillions of dollars that are unauditible, there should not be a point of order.

These are our dollars, our constituents' dollars. They deserve a vote to see who wants to make sure that there is some fiscal responsibility at the Department of Defense.

The Acting CHAIR. The Chair is prepared to rule.

The amendment contains a legislative condition on the availability of funds in the bill. As such, the amendment violates clause 2 of rule XXI.

The point of order is sustained.

AMENDMENT NO. 211 OFFERED BY MS. WASSERMAN SCHULTZ

Ms. WASSERMAN SCHULTZ. 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:

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

SEC. _____. For "Department of Justice, Office of Justice Programs, Justice Assistance" for an additional amount to amounts otherwise made available by this Act for carrying out title I of the PROTECT Our Children Act of 2008, as authorized by section 107 of such Act (Public Law 110-401), there is hereby appropriated, and the amount made available by this Act for "Department of Justice, Office of Justice Programs, Justice Assistance" is hereby reduced by, \$30,000,000.

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

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise to ask for my colleagues' support of an amendment to protect our most vulnerable constituents, our children.

This bipartisan amendment is a simple one. It says that child victims of sexual predators should not be forced to fight for funding scraps if deep cuts to the Department of Justice occur.

This amendment fences off \$30 million within the Department of Justice's Justice Assistance Account for child exploitation prevention and interdiction. It ensures that, even in this time of painful budget cuts, that we will protect the most precious and vulnerable among us.

Over the last decade, child pornography trafficking has exploded into a multi-billion-dollar global industry. The majority of both demand and supply is based in the United States and, sadly, most often involves parents or adults that the victim knows and trusts.

Tragically, the demand for images of young children being sexually exploited, raped, and even tortured can only be supplied through the continued sexual abuse of more children. Literally, every image of child pornography is a crime-scene photo.

Several years ago, law enforcement informed Congress that it could identify hundreds of thousands of individuals perpetrating child exploitation offenses online, but admitted it was investigating fewer than 2 percent of these known individuals due to a lack of resources that left them outnumbered and overwhelmed.

The vast majority of these identifiable sexual predators remained at large, and their young victims beyond rescue.

Congress and the President responded by passing and signing into law the PROTECT Our Children Act, which provides desperately needed resources for the vital Internet Crimes Against Children task forces.

These task forces are teams of local, State, and Federal law enforcement agencies and prosecutors that lift the digital fingerprints, rescue the children, and hold perpetrators accountable.

The ICAC task forces rescue child victims in real time, victims like Alicia Kozakiewicz, who was sexually assaulted at age 13 by a man who befriended her online and abducted her from her Pittsburgh home. She was rescued by the FBI and the Virginia ICAC task force.

Now is not the time to pull the funding rug out from under these ICAC task forces. Congress is already funding this effort at only half of its authorization. Yet the law is making a difference. The Department of Justice recently released its "National Strategy" to combat child exploitation, but it is only first getting up and running. Now is not the time to impose draconian funding cuts on the Department of Justice that could thwart this progress.

I want to thank Congressman SHULER, Congressman LAMAR SMITH, and Congressman DAN LUNGREN for supporting me in this bipartisan effort. This important amendment will give State, local, and Federal law enforcement the resources they need to protect our most vulnerable.

I yield back the balance of my time.

□ 1510

Mr. FRELINGHUYSEN. Mr. Chairman, we are pleased to accept the amendment.

Mr. DICKS. We accept the amendment on our side.

The Acting CHAIR. The question is on the amendment offered by the gen-

tlewoman from Florida (Ms. WASSERMAN SCHULTZ).

The amendment was agreed to.

AMENDMENT NO. 165 OFFERED BY MR. CARTER

Mr. CARTER. 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:

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

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled "National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants" published by the Environmental Protection Agency on September 9, 2010 (75 Fed. Reg. 54970 et seq.).

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

Mr. CARTER. Mr. Chairman, the U.S. cement industry is among the most regulated in the world and has long served not only as a responsible steward of the environment, but as a provider of high-wage family jobs in communities throughout this country. It competes against imported Asian cement, which has the advantage of low wages and nonexistent environmental regulations. Yet the EPA has plans to drop a bomb of job-killing, ineffective regulations on this industry which, by the EPA's own admission, could result in an increase in global mercury pollution as production moves to those countries with no air quality standards. Specifically, in September of 2010, EPA finalized the Portland Cement National Emissions Standards for Hazardous Air Pollutants, NESHAP, a rule based on questionable science.

The U.S. cement industry provides more than 15,000 high-wage jobs with an average compensation of \$75,000 per year, and, along with allied industries, accounts for nearly \$27.5 billion of the gross domestic product. Due to the recession, the cement industry has already lost over 4,000 jobs. This bad rule threatens to close another 18 of the 97 cement plants nationwide and throw another 1,800 Americans out of good-paying private sector jobs.

Mr. Chairman, as bitter as this would be in the middle of a horrible recession, if it were to guarantee that it would reduce mercury pollution, at least this high human cost might be justified. But when the cement production from these plants is shifted to China and India with no air quality standards, we could face increased mercury pollution worldwide and in this country.

Today, 75 percent of our annual mercury deposits are already coming to the United States from outside this country. That is indicated by this map prepared by the Electric Power Research Institute.

If you look at this map very briefly, here is the regulation chart. Red is somewhere between a little under 80 percent and 100 percent of the mercury.

If you look west of the Mississippi, in fact it actually crosses the Mississippi, all this area of red, that means the Asian pollution, Asian pollution, pollutes the mercury in this part of the United States in a percentage between 80 and 100 percent.

Now, as you move across into the Midwest and the South, it is only between 60 and 78 percent that is provided by the winds bringing pollutants from Asian pollution. Of course, Florida is down here. It is in the red, so it is between 80 and 100 percent.

It is only on the east coast that you get down in this range here, which is 20 to a little over 55 percent, and the blue is below that, which is just a few dots over here on the east coast.

So right now our mercury problem is not our problem; it is from outside the United States right now. And we are going to implement rules and regulations dropped on this industry by the EPA, which is going to drive at least 18 of these plants and possibly the vast majority of these plants offshore. Where are they going to go offshore? They are going to go to Asia.

Right now we have ways to measure this and protect ourselves in our plants already in place, and most of the things that EPA is asking for are in place. But they changed the rules in the middle of the game. Therefore, we are asking that we do the right thing and force the EPA to sit back down at the table and draft a rule that actually reduces mercury pollution and saves U.S. jobs.

This is important. This is a bad rule, and it is going to be bad for our environment. And the best thing we can do is say time out on this by basically saying no funds will be spent on the enforcement of this. And we would hope that EPA would go back to the table, sit down with industry, and come up with a real solution for what they are trying to do.

This is the purpose of my amendment, and this is what this is all about.

Mr. DICKS. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Washington.

Mr. DICKS. Is this for 1 year, or what is the timeframe?

Mr. CARTER. Basically, I don't have a timeframe in here.

Mr. DICKS. So it is permanent law?

Mr. CARTER. It is basically permanent.

But what we are saying is the real issue is the mercury issue and the hydrochloric acid issue, and those things have not even been discussed.

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

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

Mr. MORAN. This amendment would attempt to put to an end a rule that, first of all, would increase revenues in the industry sectors that design, manufacture and install pollution control equipment by as much as \$2.2 billion

and increase employment in the cement industry by as much as 1,300 jobs. So, in effect, the amendment could be considered a job-killer amendment.

But what it does is to prohibit EPA from implementing, administering or enforcing final rules to control air toxins from the Portland cement industry.

The standards for Portland cement kilns have already been promulgated. The amendment would not relieve the industry of the obligation to meet these standards. Even though the agency would be precluded from spending funds to enforce the standards, citizens or States could bring enforcement actions against these sources of pollution that didn't comply with the standards.

This amendment would also prevent EPA from providing technical assistance to such sources of pollution to assist them in understanding and complying with the rule or to the States to assist the States in enforcing the rule.

The compliance date is 2013, so the regulated industry sources are now in the process of evaluating control equipment needs and preparing to order large amounts of equipment in order to be in compliance. Lack of EPA assistance and oversight at this critical time may ultimately result in a number of facilities not being prepared to comply on the compliance date. This in turn could result in numerous enforcement actions and citizen lawsuits, all of which would ultimately result in significant costs that would have to be borne by the States and regulated sources which this amendment would make avoidable.

These funding limitations to stop EPA rules really have unintended consequences. They don't stop the legal requirements to regulate polluters. They really do, though, contribute to the pockets of lawyers that would litigate these issues out in the courtrooms.

It seems to me that we should defeat what is really an unnecessarily costly amendment and an ill-advised and ill-timed one. So I would urge defeat of this amendment, Mr. Chairman.

I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Chairman, I move to strike the requisite number of words.

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

Mrs. MILLER of Michigan. Mr. Chairman, in advance of last fall, the election last fall, the Republican Conference presented a governing document called the Pledge to America, which put forward our ideas on how we intended to deal with the unsustainable level of deficit spending that has created a crippling debt being forced upon our children, our grandchildren and future generations.

The American people agreed with us and entrusted the Republican Party with a new majority here in the House in order to carry out what we put forward. In that pledge we promised that we would cut \$100 billion from the fiscal year 2011 budget, and with the passage of this legislation, the underlying

legislation, which I support, we will have kept that promise.

Unfortunately, President Obama did not seem to get that message, as he has threatened to veto this legislation.

□ 1520

The President remains committed to an agenda that calls for ever-higher spending, higher taxes, trillion-dollar deficits, huge debt, and a government that is out of control. The President presented his budget to the Congress this past Monday and patted himself on the back by saying that his budget, Mr. Chairman, reduces the deficit over the next 10 years by about a trillion dollars. But he said little of the fact that, according to his own math, more than \$7 trillion would be added to our national debt. Today, our national debt is in excess of \$14 trillion. At the end of the President's 10-year budget window, it will be nearly \$23 trillion. It's clear that the President's budget was not a governing document like the Pledge to America was. It was a political document in which he refused to take on the tough challenges that we face in our Nation.

In the Illinois State Senate, President Obama, then-State Senator Obama, voted "present" 130 times, refusing to take a position on the various issues facing his State. In his irresponsible budget on Monday, President Obama once again voted "present."

Mr. Chairman, President Obama needs to know with the many challenges facing our Nation, now is not the time to vote "present." Now is the time to provide leadership.

You don't have to believe me that the President's budget doesn't provide the serious leadership that our Nation needs now. Just read The Washington Post. One of the President's strongest supporters in the media said this about the Obama budget: "The President punted. Having been given the chance, the cover, and the push by the fiscal commission that he created to take the bold steps to raise revenue and curb entitlement spending, President Obama in his fiscal 2012 budget proposal chose instead to duck. To duck and to mask some of the ducking with the sort of budgetary gimmicks that he once derided."

Well, Mr. Chairman, punting in football is the equivalent of voting "present" in politics. By once again voting "present," the President refused the mantle of leadership at a time of fiscal crisis in our Nation.

Mr. Chairman, we in the Republican Party will take that mantle and continue to put forward an agenda for America that gets our fiscal house in order and empowers the private sector to create new jobs. We listened to the American people, and they concede today our seriousness in dealing with the out-of-control spending problem that we have. In our budget we will show once again that we are serious about reducing these unsustainable deficits.

We understand, Mr. Chairman, that out-of-control government spending, borrowing, and debt limits the opportunities available to our children and to our grandchildren to help them achieve the American Dream. We will continue to tackle these tough issues head on. If President Obama believes that his political supporters simply will attack all of our efforts to return this Nation to fiscal sanity, if he believes that by voting "present" and by taking a pass on the tough decisions that somehow he will gain political advantage, Mr. Chairman, I believe that the President has seriously underestimated the political will of the American people and seriously misread the message from the last election.

The American people, Mr. Chairman, understand that the status quo is not sustainable. They understand that we cannot build our economy on top of a mountain of debt. And the American people understand that it is simply unacceptable for the leader of our Nation at this time in our history to be voting "present."

This week, the Members of the House are making the difficult choices on this continuing resolution which we have been debating this week. The Republican majority will be presenting our budget in the near future—and we will not be voting "present."

I yield back the balance of my time.

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

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

Mr. DENT. Mr. Chairman, first, I want to say I rise in strong support of Judge CARTER's amendment. It's absolutely necessary. Let me give you a few reasons why.

First, I'm cochair of the Cement Caucus along with Congressman MIKE ROSS of Arkansas. My district is one, if not the top, cement-producing district in America. This is a critical industry to our infrastructure and certainly to the people of our country.

Nationally, the cement industry employs about 17,000 Americans. We've lost more than 4,000 jobs in this industry since 2008. I am deeply concerned that EPA has failed to properly address the economic impact of this NESHAP rule. I'm extremely concerned about this for a variety of reasons. It seems to me in many respects this industry seems to be specifically under attack by the EPA. This rule is critically flawed. It cobbles together a range of different performance characteristics for different pollutants without determining if it is possible for any single cement plant to comply with all the standards simultaneously.

Nobody has determined if anyone can comply with this rule. This means a lot to the people of my district. This rule is going to restrict our ability to remain competitive with foreign cement producers. Foreign imports currently make up about 20 percent of total U.S. cement sales. Most foreign operators

basically are producers. They operate without anything close to the level of environmental standards currently in place in America. While the EPA is trying to limit cement production with this ill-advised, job-destroying regulation, the Obama administration stimulus is providing financing to build a cement importation terminal in New York City. Stimulus dollars are being used to fund a cement importation terminal in New York City. The cement that's produced in my region supplies the New York market. It's the equivalent of one full plant. Why are we subsidizing foreign producers of cement with our stimulus dollars? It makes no sense.

So the Federal Government on the one hand is enabling foreign producers and on the other hand it's using the EPA to further cripple the domestic industry, which was flat on its back in 2010 and this year in 2011 is going to be even worse. We need a viable infrastructure, we need a viable cement in America. This amendment I think in an effective manner addresses this problem.

Somebody at EPA is going to have to answer for this because I know my constituents were enormously offended that the Federal Government would be doing so much to undermine this industry on the one hand through a stimulus and then on the other hand using EPA to further limit their ability to operate.

Again, this rule could force, we estimate, as many as 18 to 90 cement plants to end operations. Others will be forced to dramatically reduce those operations. So, again, I urge everybody in this Chamber, everybody who's listening, paying attention, please support Judge CARTER's amendment. It's important for American jobs and American infrastructure.

Mr. CARTER. Will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding.

I would like to address for a moment some of the things that were said by my friends on the other side of the aisle. It's true that there may be 1,300 new jobs, as he quoted. But 1,300 new inspectors are not jobs in the cement industry. The cost of doing the conversion, according to the industry spokesman, is about \$3.5 billion industrywide, and even then they're not sure they're meeting all standards that are being required by EPA.

One for-instance in this requirement of EPA is, hydrochloric acid has never been considered a problem by EPA, and all of a sudden there's a regulation on hydrochloric acid. This is an almost \$4 billion cost to an industry whose total net worth is approximately \$10 billion. That is a tremendous, tremendous burden to place on this industry.

Quite honestly, what we're trying to accomplish by this before this regulation is actually implemented is to say,

Time out. We're not funding this until you get back to the table and start working out a reasonable way to save American jobs and not encourage foreign jobs to take jobs away from America. That's what this does. And obviously with this thing that's going on in the port in New York, that's even more horrendous, that we are actually attacking American jobs by our own efforts.

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

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

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

Mr. WAXMAN. Mr. Chairman, I wanted to be recognized in opposition to this Carter amendment. This has nothing to do with saving costs. This has nothing to do with lowering the deficit. What this amendment would do is to stop EPA from going ahead and enforcing a rule that they put into place dealing with mercury toxic emissions.

It took them 10 years to get that rule in place. And why did they finally adopt a rule? Because mercury is a powerful neurotoxin that causes learning disabilities and developmental damage, especially in young children.

□ 1530

Every year an estimated 60,000 American newborn babies are threatened with a diminished ability to think and learn due to exposure to mercury pollution.

Now we have to balance things out. We want to protect the cement manufacturers. We want them to be profitable. But if we're going to let them continue with that mercury pollution, we're going to have 60,000 kids that are going to be born with neurological problems. Are we a Congress that cares about life? Well, I think we want both—the industry to prosper and to stop the poisoning of our kids.

So we asked the Environmental Protection Agency to adopt a rule. They met with the industry people. They put out a proposed rule. They got comments to their rule. They finally put it into place. And now we would be asked under this amendment to stop it. As the gentleman from Texas suggests, go back and renegotiate. Well, there's nothing to renegotiate. There's no rule in place. The National Association of Clean Air Agencies wrote a letter, which I'm going to make part of the record at the appropriate time, and they said, Please oppose this amendment. They said, While there will be costs associated with the implementation of the rules, the benefits will far outweigh them. EPA estimates that the regulations will yield \$7 billion to \$18 billion annually in benefits, which is enormous when compared to the estimated \$350 million to \$950 million in annual costs that EPA has calculated.

If you want to do it by dollars and cents, this is a real good deal for the

American people. But if you want to do it for something even more important—life of babies and children. We're talking about keeping them from being poisoned.

These standards that are being put in place will limit toxic mercury pollution from cement kilns, the third largest source of mercury pollution in America. These standards will reduce mercury pollution from cement kilns by 92 percent. They also reduce other hazardous air pollutants, such as lead, arsenic, dioxins and benzene which are known to cause cancer, birth defects and other catastrophic health consequences. Reducing these toxic chemicals also reduces the fine particulate pollution, or soot, which interferes with heart and lung function and triggers strokes, heart attacks and lung disease.

The Carter amendment would stop all of these efforts to protect the public health. And the only reason we've heard is that they fear there's going to be a cost to the cement industry. Yes, there will be. But that cost can be handled. And we've always heard throughout the debate on environmental laws that the costs are going to outweigh the benefits. A rigorous economic analysis was conducted and the economic analysis shows that the benefits of this regulation far outweighed the costs to the industry. Let's not put corporate profits ahead of our children. I urge my colleagues not to agree to this amendment. They're common sense, they'll save money, they'll create jobs, and they'll save lives.

Let me just tell you further what EPA estimated what these standards will prevent.

Up to 2,500 premature deaths; 1,000 emergency room visits; 1,500 heart attacks; 17,000 cases of aggravated asthma; 32,000 cases of upper and lower respiratory symptoms. We're talking about reducing health costs that could amount to \$18 billion every year and I think that's a great savings for the American people. I urge opposition to the Carter amendment.

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

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

Mrs. EMERSON. I yield to the gentleman from Pennsylvania.

Mr. DENT. Thank you.

I just wanted to address a couple of issues about the EPA. I've tried to point out, very thoughtfully, that the EPA has failed really to properly address the economic impact of this proposed rule. It is critically flawed.

Let me restate once again why this rule is so flawed. Because it does bring together, cobbles together, a range of different performance characteristics for different pollutants without determining if it is possible for any single cement plant to comply with these standards simultaneously. That is the problem. My distinguished colleague from California is making a point that

there will be less emissions. That is true. Because there will be fewer plants. They will not be emitting anything. We expect 18 plants that may be shuttered out of the 90 in this country; tremendous capital investment for an industry critical to our basic infrastructure.

These are high-paying jobs that we're talking about. We can't afford to lose that many more. That industry has become much more efficient over the years. These plants today produce far more than numerous plants would have produced years ago. I just can't emphasize enough that as we are having this great debate about the nature of the economy and jobs, that we would be willfully using regulatory agencies that we know are going to cost thousands of jobs in America, high-paying jobs. When is enough enough? I won't get into the New York plant again, about how we're using stimulus dollars to bring cement from Peru to New York to serve the market. They're going to kill more jobs than they're going to create with this importation terminal.

I just can't get over this. They're bringing this cement here because they would prefer to have fewer cement trucks from Pennsylvania, and even upstate New York and Maryland supplying New York, they would rather have fewer cement trucks on their roads. They would prefer to have huge ships coming in from Peru with cement rather than deal with the inconvenience of those cement trucks.

My region takes a lot of garbage—trash, waste—from New York. We get garbage trucks every day in my district, with New York garbage. We landfill it. We're required to under the U.S. Constitution, under the interstate commerce clause. It's been to the Supreme Court. We do that. We're not shutting down our State line to them and that industry.

The point is, it's about cement. It's about a basic industry. It's about American jobs. Judge CARTER's amendment is the right thing. It's the right thing to do.

Mr. CARTER. Will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Texas.

Mr. CARTER. I thank you for yielding.

I just want to point out what my friend from California was pointing out. Under the plan that's before us from the EPA, we're pretty well sure that 18 of our 90 plants are going to move offshore. So we get to add 18 plants to the people who are polluting this area of the United States at an almost hundred percent pollutant, and good scientific evidence already tells us that 75 percent of the mercury pollution, which is the argument the gentleman made, is coming from outside the United States. Now we're adding 18 new plants to the 75 polluters and we're taking 18 plants away from the 25 percent side. To me, I wonder how that

balances out to make good sense for those poor sick kids that he was talking about. We're adding more pollution to the unregulated, full-scale polluters, and we're harming and taking American jobs, the fathers and mothers of those very children he was talking about. They're no longer going to have a job and somebody in China or India is going to have that job. And I think the American people are pretty fed up with us trying to constantly ship good American jobs overseas.

I hear my friends talk about, we are outsourcing. This is a form of outsourcing by regulating us out of business and sending those jobs over to where they open with open arms and no regulations and lower wages, come on in, make your cement, we'll ship it back to the United States and use that New York terminal to bring it into the United States.

I think we need to rethink this. All we're asking is an implementation that doesn't drive us out of the country. It's that simple. It's not that tough.

Mr. WAXMAN. Will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from California.

Mr. WAXMAN. If some of the pollution is coming from offshore, from China, which is true, that's no excuse for us to allow more pollution to come from the sources here in the United States. And simply asking businesses to lower their emission levels does not mean we push them to do business overseas. American businesses have thrived even with environmental regulation.

□ 1540

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

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

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

Mr. MARKEY. What we are hearing this afternoon, Mr. Chairman, is a whole bunch of phony baloney numbers about how this is going to affect the cement industry, about how this is going to affect the concrete industry, when, in fact, industry after industry in the United States has been able to comply with rules which protect the public health and safety.

First, let's just define what we're talking about and why American families are concerned about what the Portland cement industry is doing:

It is airborne mercury which settles in lakes and rivers. It accumulates in fish and shellfish. In its most dangerous form, it is a neurotoxin that can lead to birth defects and stunted brain development.

Since we are at the top of the food chain and doctors and dieticians across the country are urging families to eat more fish, we are simultaneously urging them, especially those with small children or who are women who may be pregnant, to consume these fish that

have the neurotoxins in them that we know lead directly to brain damage, that lead to harm in children in our country.

So this is a concrete example of what the Republican majority is now trying to do. This is kind of a regulatory earmark for a single industry, aimed at giving it the right to pollute, to send mercury into our atmosphere, and ultimately into the bodies of the children of our country when we know that thousands of them are going to die from the consumption of that mercury and that thousands more will have an aggravation of asthma, which they already have. The same thing will be true for senior citizens. Yet they're over here and are almost ignoring the health care impacts on families in our country.

We have people all across the country who are now going through food stores, looking to find what the mercury count is in the food which they're purchasing for their families. Instead, what the majority wants to do here today is to put a pair of Portland cement shoes on the EPA and then throw it into the river. And if the EPA doesn't die from drowning, the mercury is going to kill it. That's ultimately what the impact is going to be of this amendment.

So I understand, if I were a trade association, that I would be arguing, You can't impose any kind of restrictions upon us to protect the children of our country. It's just too expensive. It's too hard for us to do. The Chinese will take advantage of our protecting children from having mercury put into their brains, into their systems.

But do you want to know what? That's not a good enough excuse for our country. Our country is supposed to be the leader in ensuring that the public health of our citizens is protected. What has been constructed here is a very careful balance which ensures that the industry can survive and thrive at the same time that it is protecting the health and safety of the children in our country.

There are, by the way, many other people in the cement manufacturing industry who have contacted me, including companies in my own district, who do not support this position. They say that it is actually quite within their power to be able to comply with these rules in terms of ensuring that mercury is reduced in the production of cement, of concrete in our country.

So this is for the narrow number of small companies which are seeking to be exempted from having to participate in something that the vast majority of the industry can comply with. I do not believe that our country is going to sink to a level where the health and safety of the children in our country are going to be allowed to be compromised by amendments on this House floor on behalf of a single small industry, without any scientific justification except the bleatings that come from those who do not want to comply, and

knowing that the consequences will be the loss of thousands of lives and brain damage done to thousands of more who are children right now but who will be affected by the vote that we cast here today.

I yield back the balance of my time. Mr. BARTON of Texas. Mr. Chairman, I move to strike the requisite number of words.

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

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I want to very quickly rise in strong support of Congressman CARTER's amendment.

I have three cement plants in my district in Midlothian, Texas. It is the cement capital of Texas.

Mr. Chairman, Republicans are not for no regulation of mercury. We think this particular mercury rule is flawed. My good friend, the former chairman Mr. WAXMAN of California, talked about the rigorous analysis that was done. His definition of "rigorous" and my definition of "rigorous" are not one and the same. We think that analysis was fairly flawed.

I would point out that most pollutants—and we do agree that mercury is a pollutant—are measured in tons. Mercury emissions from these plants are measured in pounds per year, so mercury is a trace element of these pollutants. We think that we should go back and actually do a real economic analysis and also a health analysis.

My good friend from Massachusetts was talking about the dangers of health. Those are real dangers. But again, given that the trace amounts of mercury that are emitted per year are in pounds, it is a very tenuous connection to say that the mercury from a cement plant has a direct correlation with some of the potential side effects that the gentleman from Massachusetts was talking about.

So I think this is a good amendment, and I want to support it.

I now yield to my good friend Mr. AKIN. I believe he has an amendment to the amendment.

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

The Acting CHAIR. Is the gentleman offering a secondary amendment?

Mr. AKIN. I was intending to offer amendment No. 181, Mr. Chairman, but I decided to withdraw the amendment, and was going to simply speak on the subject.

The Acting CHAIR. The Carter amendment is pending, and the gentleman from Texas has yielded his time.

Mr. BARTON of Texas. Mr. Chairman, I ask unanimous consent to reclaim my time.

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

There was no objection.

Mr. BARTON of Texas. I yield to my good friend from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Just very briefly, look. Come on. Let's get real.

Mr. Chairman, everybody supports protecting the environment. Every American supports protecting the environment. We also support protecting the jobs of the people who live within that environment. Yet some of us don't support arbitrary decisions that are made that are going to cost thousands of jobs and that are going to close plants.

So, again, while there is a consensus in this body on protecting the environment, there does not seem to be, Mr. Chairman, a consensus on protecting the jobs of the American people, of those who are desperate for jobs. But without this amendment, we are going to lose more jobs. Let's have some common sense. Let's protect the environment and protect American jobs.

Mr. CARTER. Will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. CARTER. Having raised four children and being a person who cares about children, I was a little offended that I was being accused of wanting to harm children, which is not the purpose of this.

In fact, I would argue that between 75 and 100 percent of the mercury pollutants on two-thirds of the American continent, of the country of America, is coming from foreign sources. Of those who cannot meet these onerous requirements, the only solution they have in order to stay in business is to move to foreign countries, where they do not regulate air quality. I would argue, with this amendment, we are taking it away from the polluters and are saying, Wait a minute. Let's look at this and talk it out.

□ 1550

That's really what we are trying to do, and so I would argue that I'm trying to save the lives of American children because the foreigners are polluting our air, and 75 percent of those pollutants were created by foreign companies where the only choice for these people to stay in business is to move there.

Mr. BARTON of Texas. I yield back my time.

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

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

Mr. SERRANO. I yield to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I thank you for yielding.

I just am astounded by some of the things that are said in the House, that there has not been a careful analysis of this proposal and the harm that comes with these mercury pollutants, because the National Association of Clean Air Agencies, the people in your State that enforce the clean air laws, talked about regulation yielding \$7 billion to \$18 billion annually in benefits, which is

enormous when compared to the estimated \$350 million and \$950 million in annual costs.

Cement plants employ workers who also can get sick from all of this, but the American cement industry did us a report of their own on this; and in November of last year, analysis by the Portland Cement Association predicts that domestic cement production will increase more than 25 percent from today's levels by 2013 when these rules go into effect and more than 50 percent by 2015. So they don't think they're going to be losing jobs under this proposal.

My friend from Texas (Mr. BARTON) says, well, these are trace amounts. This is a very intense toxic substance. And he said there hasn't been a vigorous analysis. Well, we've got numbers with the analysis that we've had. I don't know what analysis the cement caucus has for us, but I think that Mr. MARKEY was correct when he stated this is an industry in certain areas that wants to avoid spending money to stop the pollution from their plants, and it is just not a good excuse to me to say that because some of the mercury comes from overseas and other places we should allow the mercury to continue right here in the United States.

NATIONAL ASSOCIATION OF
CLEAN AIR AGENCIES,

Washington, DC, February 17, 2011.

DEAR REPRESENTATIVE: On behalf of the National Association of Clean Air Agencies (NACAA), we are writing to express our opposition to Amendment No. 165 to H.R. 1 (introduced by Rep. John Carter and expected to be considered on February 17, 2011), which would prohibit FY 2011 funds from being used to implement, administer or enforce the "National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants." The standards affected by this amendment were published on September 9, 2010 and are designed to reduce emissions of air pollutants from Portland Cement Manufacturing facilities. NACAA is the association of air pollution control agencies in 51 states and territories and over 165 major metropolitan areas across the United States.

The rules EPA adopted are not only consistent with the provisions of the Clean Air Act, but are necessary to protect public health. Portland Cement manufacturing facilities emit mercury, hydrochloric acid, hydrocarbons, dioxins, sulfur dioxide, particulate matter, and other harmful pollutants, which are known or suspected to cause a host of significant health problems, including cancer, and even death. These facilities are the third largest source in the United States of air emissions of mercury, which is a persistent, bioaccumulative and toxic air pollutant. Even very low emissions of this potent neurotoxicant can result in unacceptable impacts to the nation's water bodies. To date, all 50 states have issued health advisories for fish consumption due to mercury contamination, with the primary loadings being from atmospheric deposition.

NACAA believes the controls contained in the regulations are essential and should be implemented. The rules will result in significant and much-needed reductions in emissions from cement kilns, including decreases of 92 percent in mercury, 83 percent in total hydrocarbons, 92 percent in particulate matter, 97 percent reduction in acid gases (e.g.,

hydrochloric acid), 78 percent in sulfur dioxide and 5 percent in nitrogen oxides, according to EPA data. The agency also estimates that the cement kiln rules will prevent up to 2,500 premature deaths each year and will avert a host of health problems, including cases of aggravated asthma, heart attacks, chronic bronchitis, and upper and lower respiratory symptoms. The reduced emissions from the rules will also result in fewer emergency room visits, hospital admissions, lost work days and lost productivity.

While there will be costs associated with the implementation of the rules, the benefits will far outweigh them. EPA estimates that the regulations will yield \$7 billion to \$18 billion annually in benefits, which is enormous when compared to the estimated \$350 million to \$950 million in annual costs that EPA has calculated.

If the amendment is adopted, EPA will be unable to proceed with the implementation of this rule during this fiscal year. As it is, the rules for this source category are already several years overdue, during which time public health has suffered as a result of exposure to unnecessarily high emissions. Further delaying the public health protection from these rules would be detrimental to our nation's residents.

NACAA urges you to allow the NESHAPs and NSPS for Portland Cement plants to proceed as adopted and to provide the public with the cleaner and more healthful air it deserves. Please do not support Amendment No. 165 to H.R. 1.

Thank you for your consideration.

Sincerely,

G. VINSON HELLWIG,
Michigan Chair,

NACAA Air Toxics Committee.

Mr. BARTON of Texas. Will the gentleman yield for a question?

Mr. SERRANO. I yield to the gentleman.

Mr. BARTON of Texas. I thank my friend Congressman SERRANO.

Would Mr. WAXMAN agree with me that, if you get one of these new squiggly mercury bulbs and break it, you're going to be exposed to more mercury than the amount of mercury you're exposed to from a cement plant?

Mr. WAXMAN. Absolutely not. I don't agree with that.

Mr. BARTON of Texas. I think that's a factually correct statement.

Mr. WAXMAN. I don't know enough to answer that question.

Mr. BARTON of Texas. Well, you might check it out because some of the benefits and some of the costs you talk about are not borne out in the real world when you do a real analysis.

Mr. WAXMAN. I should trust your analysis more than the Environmental Protection Agency, OMB, the people in the air pollution control business?

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise to oppose the Carter-Ross Amendment (#165) to H.R. 1, the Continuing Resolution. This amendment would stop the Environmental Protection Agency from implementing and enforcing long-overdue safeguards that will protect our children from toxic air pollution generated by cement kilns.

Cement kilns are the third-largest source of mercury pollution in America. Mercury is a dangerous chemical that impairs a child's ability to learn, write, walk, talk and read. Mercury especially is a concern for women of child-bearing age, unborn babies and young children because studies have found that high

levels of exposure damage the developing nervous system. Cement kilns also pump lead, arsenic and dioxins into the air, which can cause cancer, birth defects and other catastrophic health impacts.

Last year, EPA finalized standards that will limit this toxic pollution from cement plants. These standards will prevent 2,500 premature deaths, 1,000 emergency room visits, 1,500 heart attacks and 17,000 cases of aggravated asthma every year. We'll achieve these health benefits while improving the economy because reduced pollution will allow people to do their jobs and go to work on 130,000 days they would have otherwise missed. We'll reduce health care costs by up to \$18 billion every year. The benefits of reducing this dangerous pollution are between seven and nineteen times greater than the costs.

In fact, despite hyperbolic claims of economic collapse, EPA estimates that as many as 1,300 net new jobs could be created as a result of these new protections. That is because cement plants will employ American workers in building, installing, operating and maintaining the equipment that will keep these dangerous toxins out of our children's fragile bodies.

The Carter amendment would overturn affordable, commonsense protections that provide tremendous benefits at a reasonable cost. As a nurse, mother and grandmother, I urge my colleagues oppose this amendment and protect our children.

Mr. SERRANO. Reclaiming my time, I yield back the balance of my time.

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

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

Mr. MORAN. 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 Texas will be postponed.

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

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

Mr. AKIN. Mr. Chairman, the amendment that I was thinking I was going to offer, and actually we can't, is on the Energy Independence and Security Act of 2007. It's an interesting topic because we're going back again once more to the subject of mercury; but, really, we're going to a more basic subject than mercury, and that is the subject of freedom because this Energy Independence and Security Act of 2007 is a de facto ban on the plain old lightbulb that Americans have known a long time. It's the incandescent bulb.

And this de facto ban essentially says that all the new lightbulbs have to be these mercury vapor fluorescent lightbulbs. And so the question that comes to my mind is, aside from the benefits of one type of lightbulb over another—and you could argue the benefits, the mercury vapor lightbulb is a little more expensive but it saves energy, but the incandescent lightbulb

burns more energy. But it doesn't have any mercury you're bringing into your living room.

But the point, though, is don't we trust our constituents to pick the kind of lightbulb that they want? I'm just wondering if there's anybody in this Chamber who wants to stand up and vote and say, I'm going to tell my constituents what kind of lightbulb they ought to buy. I mean, lightbulbs are used in a lot of different contexts, a lot of different situations; and if people want one of those mercury vapor bulbs that's got good efficiency, fine, let them buy one. But don't tell them they can't buy another kind of bulb that may meet their circumstances.

And I think that's the kind of arrogance that the public is really fed up with out of Congress is when we have this arrogant attitude that we're going to tell people even what kind of lightbulb to buy. And so what my amendment was going to do was, of course, to strike this piece of legislation. Technically, we can't do that on this appropriations bill so we have to wait for a different venue in order to do it.

But I would conclude with the observation that for decade after decade in America the symbol of innovation and bright ideas was always the lightbulb, and unfortunately this bill is a bulb that just seems to barely get dim.

AMENDMENT NO. 204 OFFERED BY MR. SCALISE

Mr. SCALISE. 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:

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

Sec. ____ None of the funds made available by this Act may be used to pay the salaries and expenses for the following positions and their offices:

(1) Director, White House Office of Health Reform.

(2) Assistant to the President for Energy and Climate Change.

(3) Special Envoy for Climate Change.

(4) Special Advisor for Green Jobs, Enterprise and Innovation, Council on Environmental Quality.

(5) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(6) White House Director of Urban Affairs.

(7) Special Envoy to oversee the closure of the Detention Center at Guantanamo Bay.

(8) Special Master for TARP Executive Compensation, Department of the Treasury.

(9) Associate General Counsel and Chief Diversity Officer, Federal Communications Commission.

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

Mr. SCALISE. Mr. Chairman, we've seen over the last 2 years under President Obama a very disturbing proliferation of czars, these unappointed, unaccountable people who are literally running a shadow government, heading up these little fiefdoms that nobody can really seem to identify where they are, what they are doing.

But we do know that they're wielding vast amounts of power, many of them making six-figure salaries, and yet you can't find out exactly what they're doing. Yet you have got the separate Cabinet that's actually appointed, goes through the scrutiny of Senate confirmation, which is the process that is supposed to be followed for the people who make these kinds of high-level decisions.

In fact, I support the ability of the President to organize his administration; and, of course, if you look at article II, section 2 of the Constitution, it lays out the process for having these types of appointments, and it requires Senate confirmation. Yet you've got this shadow government that literally, completely avoided the transparency and the accountability of that Senate scrutiny.

What we do in this amendment, which actually sacks these czars, we actually go through, and I'll start with the ObamaCare czar. Of course, we had a vote here on the House floor to repeal ObamaCare, which I'm proud to have supported, hope we continue to see move through the Senate. But in the meantime, we just had a hearing the other day, over 900 companies have already gotten exemptions, went and I guess lined up at the White House and must have known somebody right over there and were able to get exempted from this law that the President says is so important, so great, going to solve all these problems, and yet 900 companies have already been able to get secret exemptions.

How have they done this? Who didn't get an exemption? Of course, our local businesses on Main Street would love to get that exemption. They didn't get that opportunity. We can't even find out who got these exemptions.

□ 1600

So we are getting rid of the ObamaCare czar.

Let's go to the climate czar. Of course you've got a person in there right now that supposedly is going to be leaving. This is a person who's continued to do things behind closed doors. In fact, when the moratorium on drilling came out, it was found out that it was the climate czar that actually doctored the President's own scientific study to try to say that the scientists that the President appointed recommended a moratorium on drilling. It turned out the scientist didn't say that at all. The White House actually had to apologize for the actions of the climate czar, for what they did. Again, behind closed doors, nobody can find out exactly what they are doing. So she's leaving. Let her leave, and take the funding, too.

The global warming czar. There's actually a czar out there trying to still impose the cap-and-trade regime. Of course Congress has rejected cap-and-trade. We've seen study after study. In fact, Spain came up with a study that showed what happened when they tried

to implement a cap-and-trade regime. What they found out was that for every green job that they created, they lost over 20 full-time jobs in the private sector. And they detail that out very well in their study about what that policy does. The National Association of Manufacturers said cap-and-trade would run over 3 million jobs out of this country. Yet we have got a global warming czar that's running around out there with taxpayer money, promoting a policy that would destroy jobs that this Congress doesn't even support.

Again, you have got the green job czar. The green job czar, they haven't even filled the job of the green job czar since the last one resigned in disgrace. The last green job czar we had left in disgrace because he expressed comments embracing communism and actually tried to blame the American Government for the September 11 attacks. So of course that person left in disgrace. The job is still vacant. Let's get rid of it.

The Guantanamo closure czar we get rid of in this amendment. Guantanamo Bay—in fact, if you look at it, it's estimated that we have to spend over \$200 million to build another facility to hold them. Nobody wants them. New York said, We surely don't want to try these terrorists on American soil right down the street from where the World Trade Center was attacked. And yet you've got a Guantanamo Bay closure czar when the President, himself, now has even backed off of closing Guantanamo Bay. I support him in that. We shouldn't be closing Guantanamo Bay, but we surely shouldn't have a czar that's running around out there doing who knows what for closing down Guantanamo Bay.

There is a fairness doctrine czar that we get rid of. A fairness doctrine czar that is trying to undermine the First Amendment right of talk radio hosts. You know, there may be some people on the other side that don't like some things said on talk radio. That's their prerogative. The beauty is you have got a First Amendment that dictates that, and you have a marketplace.

So the bottom line is it's time that we reestablish our responsibility as a legislative branch. Let's get back to those constitutional principles, and let's get rid of these czars. We shouldn't have the government running car companies. We shouldn't have the government running the shadow government, and we shouldn't have all these czars.

I urge my colleagues to support this amendment.

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

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

Mr. SERRANO. I rise in strong opposition to this amendment.

The so-called czars in the Obama administration are basically exercising a

traditional function of the White House staff, which is advising the President, coordinating policy on complex issues that cut across Cabinet departments and Federal agencies.

Let's take a look at one example. One target of criticism has been the climate change czar. But what Cabinet Secretary or other agency head would otherwise have to lead on climate change issues? The administrator of EPA? The Secretary of Energy? The Secretary of the Interior? The Secretary of State, because climate change is fundamentally an international issue?

The fact is that all of these officials, and many more, have a role, and that's why the President has designated a senior White House staff member to coordinate activity and policymaking on climate changes. They do not have legal authority to take action. Rather, that final decisionmaking authority can only be exercised by heads of agencies or other officials properly appointed and, in most cases, confirmed by the Senate. In modern times, there's nothing unusual about the White House and its staff playing a leading role in policymaking, especially on issues important to the President.

But let me touch on a subject now that some people may not want to touch on. Look, let's be honest. This is not about czars. This is about the person that lives in the White House. Today we're going to see amendments that say we should not have repairs on the White House structure. Tonight we're going to see an amendment that says—listen to this—that the President should not have, paid for by the taxpayers, a teleprompter. Can you believe this? This may be the 6 o'clock national news. There's an amendment up there about the teleprompter.

So I'm going to give some folks on the other side, with all due respect and love and affection, some advice. When you look at the White House, think of it as the monument it is. Think of it as the structure where the President of any party lives. Don't get hung up on the fact that he lives there. Notice I didn't mention the name because I don't want to upset you. Don't get upset at who uses the teleprompter. Don't get upset at whose plumbing needs repair in the White House for 50 years. Make believe it's the last President. Please repair the White House. Please allow him to have staff. Please allow him to be President. But don't get hung up on the fact that "he" is the President, because I know that upsets you. You can't accept the fact that "he" is the President. So don't let that bother you. Just concentrate on the issue.

Mr. Chair, I think we should concentrate on the fact that the White House structure itself is a building we should keep in good shape. It falls under my subcommittee's jurisdiction and Mrs. EMERSON's chairmanship. We have a President who may at times use a teleprompter. Let him use it because

if we get into that, then our staff may not be able to write notes for us in the future, because it's the same thing.

So, yeah, sometimes it may not be this President. It may be another. I wish I could mention his name right now, but I know it upsets the heck out of many people on that side. So don't go after him, just do what needs to be done.

This is a terrible amendment, and it should be defeated.

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

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

Mrs. EMERSON. Mr. Chairman, I would love to allow my very close friend and colleague from New York to continue. However, I will say that I do agree with him—and we will discuss this later this evening—that, in fact, the White House is the White House, and it's a historic building, and it should be cared for. But the issue at hand is the number of people not subject to Senate confirmation who work there.

I want to rise in support of our colleague from Louisiana's amendment to address the issue of czars in this administration, and I will admit that there were too many in several of the past administrations as well. And I also hope that the Oversight and Government Reform Committee will actually mark up the Scalise bill so that we can address this issue once and for all.

I do know for a fact that, in spite of what my good friend from New York said, the health care czar who is no longer in that position—and that is why we have actually eliminated that position as well as the climate change position in the continuing resolution—I believe that several colleagues had set many, many meetings with the health care czar in the White House when that position was filled and that she was actually coordinating all of the work done on the current health care law. So the statement that these folks don't have any power is absolutely not true, based on personal experience with the person who actually held that position.

I love the idea of getting rid of more of these czars. It will save us a lot of money. We have excellent people, even if we don't agree with them, who are the heads of agencies and departments in the government. They should be allowed to do their jobs themselves instead of having interference from even more people.

So with that, I support the amendment from Mr. SCALISE.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. I move to strike the requisite number of words.

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

Mr. FRANK of Massachusetts. Mr. Chairman, being of an optimistic nature, I look for silver linings. So I welcome the fact that my colleagues on

the other side have decided to adopt gender-neutral language, because a lot of the czars would have been called czarinas in the old days.

□ 1610

So I appreciate the fact that we've gotten beyond sex stereotyping of people.

Also, I guess they were in a little bit of a hurry. The gentlewoman from Missouri has spoken, the gentleman from Louisiana, and they listed the czars they didn't like. They overlooked one. Maybe it was hard to read. Here's one of the ones they want to eliminate. By the way, you notice that many of the ones they want to eliminate have already been eliminated. They're not there. So they are denying funding for nonexistent positions—climate change, healthcare.

Mrs. EMERSON. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. But the money and the funds still exist; so we're trying to save some money here.

Mr. FRANK of Massachusetts. Then rather than deal with it this way, I would have thought in the CR, you're telling me that the Republican Appropriations Committee majority funded some nonexistent positions.

I would have some advice, Mr. Chairman, for the gentlewoman. Next time, don't do that and we won't have this problem.

But there are some positions that they did fund that they would defund that still exist. And I understand they were in a hurry; so they forgot to mention all of them. They talked about climate change and they talked about health care.

Here's the one they forgot to mention: The special master for TARP Executive Compensation, Department of the Treasury, that is the special master, whose job it is to monitor excessive compensation of those TARP recipients who got special assistance and still owe the Federal Government money.

So what they want to do is knock out the person whose job it is to monitor compensation at AIG and at General Motors and at Chrysler and at Ally.

Mrs. EMERSON. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. I'm pleased to tell my good friend that that position is removed from this legislation as well.

Mr. FRANK of Massachusetts. I have an amendment which says special master for TARP Executive Compensation, Department of the Treasury. So the amendment I have defunds and says you can't pay—I want to make it clear. This is the amendment offered by the gentleman from Louisiana. The one I got says, lines 18 and 19, Special Master for TARP Executive Compensation, Department of the Treasury.

Is the gentlewoman telling me I was given a defective copy?

I yield to the gentlewoman.

Mrs. EMERSON. Yes. I must tell you, my good friend, that you must have received a copy that perhaps missed a page. Do you have the diversity czar or the pay czar?

Mr. FRANK of Massachusetts. I reclaim my time.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. I have a parliamentary inquiry, Mr. Chairman.

The Acting CHAIR. The gentleman will state his inquiry.

Mr. FRANK of Massachusetts. What's the text of the amendment? This is the one we were given. Could I get a reading of the text of the amendment, or could I get a copy of the amendment?

The Acting CHAIR. The gentleman may ask unanimous consent for that.

Mr. CARTER. Will the gentleman yield for a moment?

Mr. FRANK of Massachusetts. I yield to the gentleman from Texas.

Excuse me. Does this have anything to do with cement? If you mention cement, I'm not yielding.

Mr. CARTER. I promise not to mention cement.

Mr. FRANK of Massachusetts. Then I yield. Because where I come from, cement was not good news for the people who were put into it.

I yield to the gentleman.

Mr. CARTER. I'm a little confused on your question and I may be able to clarify.

If you're asking the question are we attempting to defund that czar, we are.

Mr. FRANK of Massachusetts. Well, then reclaiming my time, and I ask unanimous consent that special debate time be allotted so the gentleman from Texas can debate the gentlewoman from Missouri because they seem to be undecided between them about it.

So the question I have is, this amendment, as it was presented, says you can't pay the person whose job it is to stop excessive compensation at TARP recipients. Now, the gentlewoman from Missouri says it's not in there, that I've got a bad copy.

Okay, so it is in here.

So this amendment would say to AIG and General Motors and Chrysler and Ally, the financial company, no one will now be supervising what you do. And even though you haven't yet paid back the Federal Government, there will be no enforcement of restrictions on your bonuses, no enforcement of restrictions on your compensation.

I should note, by the way, in the condemnation of these czar positions, one of the ones that's now vacant that they'd bravely get rid of is the senior advisor on the auto industry. That's one of the great successes of the Bush-Obama administration and transition.

I would tell the gentlewoman that she should work it out with the gentleman from Texas and then come up with a joint answer. But I want to make my other point.

One of the czars they are complaining about presided over a Bush-

Obama transition policy that kept General Motors and Chrysler alive. We have auto industries flourishing in America and suppliers today. That was partly because of this position that's now vacant that they want to get rid of retroactively.

Please explain to me what it means when you say you were going to deny the funds for the special master for TARP. I will yield to whoever wants me to yield. The gentleman from Kentucky. The gentlewoman from Missouri.

Mrs. EMERSON. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. I would just like to tell my friend that the Office of Financial Stability in the Department of the Treasury, which does oversee all of this, still remains and it is mandatory funding.

Mr. FRANK of Massachusetts. Reclaiming my time, so now the third answer I get is, yes, they do get rid of the special master. There's an office there with nobody heading it.

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

Mr. FRANK of Massachusetts. I would ask for an additional 2 minutes, having yielded so much of my time.

Mr. ROGERS of Kentucky. Reserving the right to object, we have tons and tons of amendments to go, ladies and gentlemen. I hope we can expeditiously move.

Mr. FRANK of Massachusetts. Well, I just asked for 2 minutes, having yielded so much of my time.

Mr. ROGERS of Kentucky. I withdraw my reservation, Mr. Chairman.

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

There was no objection.

The Acting CHAIR. The gentleman is recognized for 2 additional minutes.

Mr. FRANK of Massachusetts. I appreciate that.

Mr. ROGERS of Kentucky. Will the gentleman yield briefly?

Mr. FRANK of Massachusetts. I yield to the gentleman.

Mr. ROGERS of Kentucky. To the czars, I say, "Nyet."

Mr. FRANK of Massachusetts. Well, I will leave to the gentleman to work out his Lenin fantasy, but I want to reiterate what this amendment now does.

There is a special master, a high visibility individual whose job it is to prevent excessive compensation from those TARP recipients that are still out there: AIG, General Motors and Chrysler and Ally. This amendment strikes it. This amendment leaves us without a person of great responsibility, and I think that—and, by the way, it's only the top hundred employees, and there are two levels, 25 and 75.

I cannot understand why Members would want to send this signal, because many of these positions are already vacant, that one of the positions that is not vacant is our effort to put limits

on compensation bonuses and other excessive compensation for those entities that still owe the Federal Government money. And why our colleagues decide that that position should be abolished and a high-level individual charged with that responsibility should not be there is baffling to me. I cannot believe that that's what people think the American people want; namely, a restriction on the restriction, a relaxation on the restriction of bonuses and other compensation paid to large recipients who have not yet paid back their TARP money.

And I thank the gentleman from Kentucky for his consideration.

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

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

Mr. HUELSKAMP. Mr. Chairman, I appreciate the opportunity to speak on this amendment very similar to one I was going to offer as well. This amendment, as we know, would strike the climate change czar, the global warming czar, also known as the cement czar, as well.

Mr. Chairman, all kidding aside, my question I would have is: What is the President afraid of? This is not an issue of what is covered here. The issue is that the President has overstepped his constitutional authority in naming these czars and disregards the separation of powers and refuses to resubmit these names for confirmation. And it's, of course, my opinion, one of many examples of executive excess from this administration. Czars are unaccountable, unelected, and they're given considerable authority, which undermines the rule of law.

Again, why is the President afraid of submitting these names for consideration? I would argue, probably because they might not be confirmed. More than 30 czars have been appointed by the President. Not all of those are directed at in this amendment, but this amendment seeks to defund approximately nine of these czars, including the czars to oversee global warming policy as well as the closure of Gitmo.

Mr. Chairman, I would like to note that just yesterday the administration indicated that if they did catch Osama Bin Laden, they would send him to Gitmo. At the same time, they have a czar that continues to close Gitmo.

Certainly, the President has the authority to appoint staff as necessary. But, at the same time, his advisers are not there to make laws, Mr. Chairman. That is our job. That is the job of the Senate. This is an issue of whether the legislative branch is going to write the laws, Mr. Chairman.

Supporters of this type of style of government suggest in the past other Presidents have appointed czars. And, Mr. Chairman, czars might not have started with the Obama administration, but they should end with this budget.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

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

□ 1620

Ms. JACKSON LEE of Texas. Let me do as my good friend from New York did, Mr. SERRANO, and not mention any President's name. And I just ask my colleagues, how do you—again, I explain to all of us and hopefully those who are listening, this CR stops work in the middle of its tracks. This is a cutoff of functioning work as we speak, and there is functioning work.

Just as we have a prototype of a special master who is attempting to refund to the damaged, the worn and the torn of the BP oil spill, czars, or names that you would call, them are working.

And I am reminded of the fact that czars also are an exploratory term that Presidents use to get tasks done that ultimately may be valuable enough that are actually placed in a position that responds to a particular agency.

Now, we still call the drug czar the "drug czar." And I am reminded of a number of drug czars who were enormously effective. And the reason for the czar term for the President is to emphasize how important the issue was or is to the American people.

Why would my friends desire to tie the hands globally, if you will, in a broad-based amendment that eliminates funding for individuals who are in the course of their work impacting for the American people, whether it's the TARP, whether it's the BP oil spill? They are in fact helping get through a difficult problem. The very nature of the term, a difficult problem.

So I would say to my friends, as I will be saying later about an amendment that has been offered, but I'm disturbed about denying funding to the Transportation Security Administration. What I would say in cutting their office not recognizing the value of their work, I would likewise say that it is crucial that we allow the Presidents, plural, to establish difficult tasks and to be able to select individuals to complete those tasks. I rise to oppose the amendment.

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

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

Mr. CARTER. Mr. Chairman, I rise in support of the Scalise amendment. I actually also have an amendment which I filed which I am withdrawing to de-fund 24 czarships, instead of czar and zarina-ships to suit the other side. But I decided that comity would be better if I joined Mr. SCALISE.

I think he has a good amendment here. My chairman has asked that we move forward, and I agree.

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

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

Ms. ESHOO. Mr. Chairman, I rise to speak on this amendment that's being offered by the gentleman from Louisiana (Mr. SCALISE), and I just want to say at the outset that I don't think any of this is a joke.

First of all, czars and zarinas are from Russia. This is the United States of America. And I think that throwing this kind of terminology around is really not befitting of the House and what we do. If we disagree with policy, and we do, we debate that.

If in fact there are people that work in the government that are policy advisers and have no legal weight to their position, so be it. Most frankly, every single one of us has them in our offices. Your chiefs of staff, your policy advisers on legislation, they don't carry any legal weight, but they are policy advisers to us.

This particular target is to one individual. One individual. This is very unusual where you go after one individual in the middle of a bureaucracy who is the chief diversity officer at the FCC, the Federal Communications Commission. This individual is in charge of expanding opportunities for women, minorities, and small businesses to participate in the communications marketplace.

Now, I think one of the things that absolutely goes to the core of democracy is how many voices speak to the many, whether there is media consolidation in this country or not.

There's some right-wing radio people that seem to dislike this person. I don't really agree with these right-wing radio talk show hosts, nor do I care to jump into what they dislike about this individual. But to bring something like this to the floor of the House, where an individual is working to expand opportunities for women, minorities, and small businesses, an appropriate role, participating in the communications marketplace, I think, is an amendment that is not worthy of the support of Members.

Mr. FRANK of Massachusetts. Will the gentlewoman yield?

Ms. ESHOO. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentlewoman for yielding.

I want to stress again, I have not heard a defense of the proposal that we remove from the Federal Government the highest profile individual charged with controlling compensation excesses at four companies which continue to be the recipients of special assistance. I do not understand this desire to free AIG from restrictions and General Motors and Chrysler. They have been successful, and I'm glad, but they owe the Federal Government money. Allied, the financial company, owes the Federal Government money.

I do not understand, you can go one by one and I haven't heard a defense of it. Why would we say that the individual most responsible for limiting excessive compensation to TARP recipients should no longer be able to work

for the Federal Government and no one should be able to fill that position?

I thank the gentlewoman.

Ms. ESHOO. Reclaiming my time, I think that we need to start rethinking some of this. I can't help but think that campaign ads should just be played on the floor, get it out of everybody's system on this czar issue, and move on. But these are individuals that are carrying out their duties in the executive branch.

If you want to vote against expanding opportunities for women and minorities in the media, then do an amendment on that. Why saw this guy's head off? Because some talk show host says so?

So I think that this is poorly devised, poorly thought out, and does no grace to the House of Representatives.

Mr. DICKS. Will the gentlewoman yield?

Mr. ESHOO. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate it, and I associate myself with your remarks.

Did you mention that the associate general counsel and chief diversity officer of the Federal Communications is cut out of this as well?

Ms. ESHOO. Yes.

Mr. DICKS. That's rather shocking.

Ms. ESHOO. That's what's in the amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

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

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry. Hasn't the gentleman already spoken?

Mr. BOUSTANY. No, I have not spoken.

Mr. DICKS. Did you offer the amendment?

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

Mr. BOUSTANY. Thank you, Mr. Chairman.

I rise in very strong support of the Scalise amendment, and let me explain why. One word: accountability.

Americans across this country are tired of the lack of accountability. They want to know what is going on with their government, and they are tired of empty platitudes.

We have seen this when we brought Cabinet Secretaries and others who are in official positions in front of our committees, and we can't get answers to simple questions on energy policy, tax policy, health care policy. No, we get empty platitudes, because the policy is being formulated in the White House with these so-called advisers, these czars, whatever you want to call them.

I just want to point out something. When we had this situation with the oil spill in the Gulf of Mexico and a panel of experts, engineers, scientists, came forth and looked at this and gave their initial report, there was no recommendation for an industry-wide

moratorium on drilling. They issued a formal report. And what happened? This formal report was altered after the fact by somebody within the White House, the so-called Special Assistant to the President for Energy and Climate Change.

□ 1630

Now, this is not the kind of open and transparent policymaking that the American people deserve and demand. I think in the last election they spoke out because they did not like what was happening, the lack of oversight. And if this Congress is going to do oversight, we have to have access to those who make the policy and get answers. When we get railroaded and the runaround and just empty platitudes time and time again, whether it is on health care policy or energy policy or tax policy, trade policy, whatever it is, that is not what the American people want, and if this Congress is going to be able to legislate and do right by the American people, we have to be able to get the information from this White House.

That is why I stand here with the American people and say it is time to put an end to this opaque atmosphere in Washington. Let's be open with the American people. Those who are making policy should come before our committees and testify so we know what the policy is the White House is advocating and we can legislate in a responsible way.

So for those of you who didn't understand the Russian word "no," which is "nyet," I want to say it is "no" to the czars.

I yield back.

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

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

Mr. POLIS. I think that this amendment is typical of many of the proposals from the other side of the aisle that paint with a broad brush the entire Federal Government.

This is a complex world. A President needs an ability to govern. The President relies on many of these executive positions to effectively govern this country. It is not a Democratic or Republican thing. It is about having an effective executive and effective administrative branch.

That doesn't mean that there is not common ground; and while I certainly oppose this amendment, I would love to work with the gentleman and others to look at these positions one by one. We have discussed a proposal to eliminate the drug czar, for instance. The drug czar's office spends \$21 million a year, and yet drug use has gone up since its inception, illegal drug use.

There are ways that we can work together, but a blatant removal of the ability of a President to effectively govern the country is not a wise measure, and one that I rise in opposition to. I encourage a more thoughtful discussion that could in fact lead to the

elimination of some of these so-called czar positions.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

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

Mr. ROGERS of Kentucky. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 458 OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ . The amounts otherwise provided by this Act are revised by reducing the amount made available for the "Department of the Treasury, Internal Revenue Service, Enforcement", by reducing the amount made available for the "Department of the Treasury, Internal Revenue Service, Operations Support", by reducing the amount made available for the "General Services Administration, Real Property Activities, Federal Building Fund", by reducing the amount made available for the "General Services Administration, General Activities, Government-Wide Policy", and by increasing the amount made available for the "Independent Agencies, Securities and Exchange Commission, Salaries and Expenses", by \$77,000,000, \$46,000,000, \$7,000,000, \$1,000,000, and \$131,000,000, respectively.

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

Mr. FRANK of Massachusetts. Mr. Chairman, this is a deficit-neutral amendment. It provides more money for the Securities and Exchange Commission than the resolution. It takes it from other agencies.

I should say that I regret some of the choices I had to make here. Particularly I have spoken with the ranking member of the subcommittee. I was not happy to have to ask that the General Services Administration be diminished, although by small amounts; and I would hope that this could be amended later in the Senate when there was more flexibility.

But the key issue here is therefore not a deficit issue, but a policy issue: Should the Securities and Exchange Commission, which was given increased responsibilities in the financial reform bill, be given less money in this fiscal year than it had in the previous one?

The current budget of the Securities and Exchange Commission is \$1.118 billion, or the last year's budget. Under the CR, that would be reduced by nearly \$50 billion—\$50 million. I shouldn't say "billion." This is a relatively small agency. The Republican resolution would reduce the amount given to the SEC for this fiscal year by \$48 million from the last fiscal year.

Now, one of the things we did in the financial reform bill was tell the SEC that we want hedge funds to register. We want them to begin to regulate derivatives, not by putting margins on end users as they just made clear they are not planning to do, but by requiring that the price be made public.

There has been a lot of talk about the shadow banking system. Well, in the financial reform bill, with regard to a variety of these entities not regulated now by the bank regulators, we are asking them to show some information. Hedge funds aren't being told what to do; they are being asked to register. We have tried to, frankly, bring some light to the shadow banking system; but as a result of the CR, the shadows will remain unpierced.

The SEC is given new responsibilities for investor protection. We have asked the SEC to enforce a new fiduciary responsibility for people who are telling other people how to invest their money in various ways. They won't be able to carry it out. Technologically, they are not yet up to the point where they can deal with things like the flash crash.

Now, people will point to mistakes by the SEC in the past. Of course there were. They were partly ideological by people who didn't believe in regulation, but they were partly a matter of competence; but it was also partly inadequate resources.

What we do in this amendment, frankly, is not even reach the proposal that the administration wanted. I would have liked to have done that, but there were constraints here because we had to take money from the IRS and the General Services Administration and from the Treasury Department. So what we have done is to give them part of what was asked. We do give them an increase over fiscal 2010. We do not reach the amount the administration says they need to carry out the new responsibilities given.

So let's be very clear: this is not about the deficit. This is deficit neutral. The question is, Do you want to fund increased responsibilities for the SEC, or do you not? Do you want them to be able to hire the kind of people they need? Do you want them to improve their technology?

The issue here is that in fiscal 2010 this agency spent \$1.118 billion. The administration asked for \$1.258 billion. We would get them to \$1.2 billion. We would undo the reduction and get them part of the way there. We don't get them all the way there because we are under constraints; but the notion that you should give the SEC less in the current fiscal year than they had last year and ask them to monitor hedge funds, to ask them to improve investor protection, to ask them to look at derivatives, makes no sense.

Now, if you don't believe we should increase transparency of hedge funds and derivatives, then don't vote for this amendment. If you think we are at a perfect solution here, don't vote for this. But it is hard for me to believe

that people think the SEC is adequately funded.

By the way, what the CR will do is to make the SEC not so much a regulator as a profit center, because the SEC brings in more money than this budget will give them. They bring in money with transaction fees, and then they distribute money to investors.

So here we have, and I know there were many on the other side that didn't like the bill we passed, but I thought there were some parts they liked more than others. I didn't know we had a view that derivatives should remain totally unregulated.

By the way, when I talk about derivative regulation at the SEC, we are not talking about imposing margin requirements. We are talking about making things transparent.

So I hope the amendment is agreed to and we begin to get the SEC back into the position of being a responsible regulator.

Mrs. EMERSON. Mr. Chairman, I rise in opposition to this amendment.

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

Mrs. EMERSON. Since 2001, in the wake of the Enron scandal, this committee has more than doubled the SEC's budget. In fact, the SEC's budget has increased 163 percent since 2001. I would like to remind my colleagues that in 2001 the SEC was funded specifically at \$423 million; and last year, with the fiscal year 2010 act, this committee provided the SEC with an appropriation of \$1.1 billion.

Yet even with all of the money that we have given them and the opportunity they have had to begin upgrading their computers so, yes, they could deal with flash crashes and the like and hire more people and tougher enforcers, in spite of that they missed two major Ponzi schemes. They have had difficulty every single year since 2004 submitting clean budget statements for audit. They have had consistent trouble in their leasing practices, which has led to millions of taxpayer dollars wasted. And just even more specific to the Ponzi schemes, regarding them, the SEC has had multiple complaints filed against both entities over a decade before either individual was even charged.

□ 1640

So how is it also that the agency that's in charge, as my good friend said, and needs to be in charge of regulating our financial market, can't even produce an accurate financial statement of their own since 2004, in spite of the fact that since 2001 we've increased their budget.

In addition, the SEC's own inspector general has cited the agency for poor leasing practices, which has led to millions of taxpayer dollars being wasted on unused leased space. I'm sure my colleagues have read in the newspapers about the hundreds of thousands of square feet of leased space that they

leased in anticipation of the work they might do on Dodd-Frank, but they leased it before the bill was even passed and money appropriated.

So when my colleagues argue that the SEC doesn't have enough funding, I've got to argue perhaps they do but they're not using the funding in the appropriate ways. All of us have had to tighten our belts. And I understand the need for us to have strong regulation. I am not opposed to strong regulation of the financial industry—of banks and nonbanks and hedge funds and the like. But at a time when we're all trying to do more with less, I think that it's important for all of the agencies of the government to do more with less, too. And so even with the cuts in this bill, the SEC is still going to be funded at over a billion dollars.

I believe very, very strongly that we must make this agency understand that they've got to try to revamp the systems they've got within and to use the moneys that we've given them, in addition to all the fees they've collected, more appropriately. And they need to try to do that. If they can't, then we can discuss this again. But we need to continue saving money.

Plus, my colleague has taken too much money from the GSA in addition to the \$1.7 billion we've taken. So you're cutting them or you're cutting the IRS by over \$600 million. We are cutting the IRS. We are cutting the IRS by over \$600 million. You want to cut on top of the 600 that we're already cutting it. What you want to add to what we want to add perhaps cuts the legs out from them.

So, consequently, we have to vote against my friend's amendment.

Mr. FRANK of Massachusetts. Will the gentlewoman yield?

Mrs. EMERSON. I will yield to the gentleman.

Mr. FRANK of Massachusetts. In the first place, our additional cuts are a small percentage of your cuts to the IRS and the GSA, and I hope they are restored when we get a broader sets of things. But the basic point is, yes, there were problems with 2004 and before. I believe we have a better-run SEC now, better people who care about it. And to punish the investors, to punish the American public because of past mistakes by the SEC by reducing from one year to the next is a very grave error.

The Acting CHAIR. The time of the gentlewoman from Missouri has expired.

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

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

Mr. DICKS. Mr. Chairman, I rise in support of the Frank amendment.

I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman.

First of all, she wants to punish the American public and the American

economy because some people were not up to it in the past. As to Madoff, we have a new set of commissioners. It broke in the end of 2008. We have a new Director of Enforcement.

Yes, I want the SEC to get better, but the notion that they can take on complex new responsibilities regarding derivatives and hedge funds with less money this year than they had last year is laughable.

For the gentlewoman's sake, she's for regulation, but she voted against the bill. It was her right to do that. And if we're going to relitigate that bill, let's do it.

By the way, many in the financial industry do not want to see these cuts because, while some of them didn't want to see the rules, for them the worst situation is to have the rules and no capacity to have them promulgated and enforced.

Yes, the SEC has made mistakes.

By the way, if the standard was that if you'd wasted money in the past you would lose the budget, we would be saving hundreds of billions in the Pentagon budget. That logic never appears to apply to the Defense Department.

Mr. DICKS. Reclaiming my time, I, again, support the gentleman's amendment.

Mr. Chair, since 2008 we have faced the most serious financial crisis since the Great Depression, and we are just not emerging from this difficult period. As we have debated the Continuing Resolution in the House this week, I have urged my colleagues to consider the impact that our near term actions will have on unemployment and on our nation's economy, which remains fragile. In this regard I have deep concerns about the magnitude of the cuts contained in the version of the Continuing Resolution that has been drafted by the majority leadership, with little input from the minority.

At this time I am particularly concerned about the impact of this bill on the Securities and Exchange Commission, which this bill would cut by \$189 million from President Obama for Fiscal Year 2011. This level of spending will preclude the implementation of the Dodd-Frank Act, meaning that hedge funds, credit rating agencies, and broker-dealers will continue to operate without regulation, therefore increasing the risk of another fiscal meltdown. It also takes a big step backwards toward the enforcement situation we had before the crisis, leaving the agency with fewer staff to investigate potential misconduct and police securities markets to prevent another financial crisis.

Why is this important? Look at the history: In response to what was clearly an economic crisis in our country in 2007–2009, Congress established a bipartisan Commission on the Causes of the Financial and Economic Crisis in the United States. In its final report that was issued in January, the Commission concluded that the financial crisis was entirely avoidable. It wrote:

The crisis was a result of human action and inaction . . . the captains of finance and the public stewards of our financial system ignored warnings and failed to question, understand, and manage evolving risks within a system essential to the well-being of the

American public . . . Widespread failures in financial regulation and supervision proved devastating to the stability of the nation's financial markets. The sentries were not at their posts, in no small part due to the widely-accepted faith in the self-correcting nature of the markets and the ability of financial institutions to effectively police themselves.

So what did we do about this "combination of excessive borrowing, risky investments, and a lack of transparency" that the Commission said put our financial system on a collision course with crisis? We passed the Dodd-Frank Wall Street Reform and Consumer Protection Act, which was intended to enable federal regulators to better understand and manage evolving risks; providing transparency in the financial and derivatives markets; and, maybe most importantly, putting the sentries back on duty and giving them the tools to do their jobs.

This Dodd-Frank legislation charged the Securities and Exchange Commission and the Commodity Futures Trading Commission with new responsibility to oversee the financial industry and provide for regulation of the massive derivatives industry.

Now I understand that some members of the Republican caucus who may have opposed Dodd-Frank did not believe that a failure on the part of Federal regulators to enforce the law played a significant role in the financial crisis. It seems that this misguided conclusion has led the new Majority to attempt—through the appropriations process—what it could not accomplish through the regular legislative process: to scale back federal regulation to the pre-crisis level. I cannot imagine a more risky thing to do at this time.

Thus I support the amendment that the gentleman from Massachusetts, the Ranking Member of the Financial Services Committee, has offered, restoring \$131 million of the funding that will go to the SEC in this fiscal year to implement the oversight functions mandated by Dodd-Frank. I believe this amount would allow the agency to carry out its basic functions and start the process implementation so that we will not be risking another calamity like the situation we faced in 2008.

Like many of the amendments proposed to this Continuing Resolution during this debate under such unusual rules, the funding offset is problematic. The Internal Revenue Service's Enforcement division is already taking a massive and unwise cut in this bill and I regret that this amendment would add to that cut. It is difficult to talk seriously about deficit reduction while at the same time ignoring the tens of billions of dollars in taxes that go unpaid every year because of a lack of enforcement. So I believe we have some work to do, as we move forward, to ensure adequate funding for tax enforcement while at the same time we proceed to putting in place the important oversight functions of Dodd-Frank.

I urge my colleagues to support the Frank amendment.

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

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

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

Ms. WATERS. Mr. Chairman, I rise in strong support of the amendment by the gentleman from Massachusetts.

The majority's continuing resolution cuts funding to the SEC by \$188 billion.

Such a cut would leave our financial markets, including the derivatives market, unpoliced and effectively unregulated. In effect, the continuing resolution would take the Wall Street cop—its only cop—off the beat.

The Dodd-Frank Wall Street Reform and Consumer Protection Act will prevent another financial crisis like the one that crippled credit markets in 2008 by authorizing the SEC to regulate derivatives, provide oversight of investment advisers and broker-dealers, and rein in credit rating agencies. In order to do this, the SEC needs additional funding.

I am a little bit surprised that the gentlelady from Missouri talks about punishing the agency and making them understand. No, this is about accepting responsibility and helping to protect the average investor. We have people who lost all of their savings in their 401(k)s with the meltdown, and now we're talking about not funding the very agency that has the responsibility for protecting the investors? I don't think so.

Unfortunately, House Republicans don't want the SEC to staff up or to even maintain their current staffing levels. If this cut becomes law, the SEC would have to lay off hundreds of staff and cut its information technology budget down to \$86 million, its lowest level of information technology spending since 2003. At this level, the SEC would not be able to implement the new system it needs to protect the Nation's security markets.

From 2005 to 2007, during the period up to the crisis that imploded in 2008, the SEC lost 10 percent of its staff. In addition, from 2005 to 2009, the SEC's investments in information technology declined 50 percent. During this time period, trading volume doubled. The number of investment advisers has increased by 50 percent and the funds they manage have increased 55 percent to \$33 trillion.

Let's put these numbers into perspective. The SEC's 3,800 employees currently oversee approximately 35,000 entities, including 11,450 investment advisers, 7,600 mutual funds, 5,000 broker-dealers, and more than 10,000 public companies. Furthermore, these staff police companies that trade, on average, 8.5 billion shares in the listed equity markets alone every day.

What does this mean for the average investor? Without adequate funding, the SEC won't be able to do its job, as simple as that, of protecting the average investor. As financial markets and investors become more and more complex, the average investor has confidence in making an investment because he or she knows that there is a system in place to protect them. This continuing resolution will undermine that system.

We've all heard of Bernie Madoff and the massive multiyear fraud he perpetrated on thousands of investors. Bernie Madoff was just one man. Imagine a world in which there are hundreds

of Bernie Madoffs who prey unchecked on investors. That's the world we will be in if the majority's cut for the SEC becomes law.

So, Mr. Chairman and Members, if we want to create jobs and spur investment in our economy, we must fully fund the SEC. I don't see how anyone can make a rational argument that the SEC should be level funded or underfunded when we know that that's the only police on the beat to protect our investors and ensure that people who have invested in their retirement won't have to go back to work at 65 and 70 and 75 years old. That's what happened when we had this meltdown.

□ 1650

And so now we know what happened. We have good management over there. We have people who understand what they need. They have come to people who have been elected and sent to Congress to do a job. That job is to look out for the average person, the average American. All of our constituents are not interested in punishing the SEC. They want to make it work. And I submit to you that this amendment is important to help make it work. Do not follow the lead of the people on the opposite side of the aisle who would endanger all of us and all of our investors.

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

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

Mr. GARRETT. I thank the Chair and I thank the gentlelady from California on her opening comment with regard to accepting responsibility. I think that's all that this side of the aisle has ever been asking for when it comes to the SEC, to accept the responsibility of their past poor performance in so many different ways.

Mr. DICKS. Will the gentleman yield? Is the way to make them better by cutting money, for the SEC?

Mr. GARRETT. I did not yield, but I appreciate the gentleman's comment.

In any other realm of life, personal life, business life or whatever, when you have a failed business, what have you, when you have failed portions of that company and they fail in their performance, is the response, well, the solution to that problem is more people, more authority and more money? That seems to be only the case here in Washington, D.C., in our Nation's capital when you can have a failed entity like the SEC where they failed in so many areas; where they failed, as we've already discussed, with regard to Ponzi schemes like the Madoff situation, the Stanford Ponzi scheme; where they failed in the area of operating a failed investment bank supervising program as well; where there was a lack of supervision over in the money market fund which led to for the first time, I guess, in history the breaking of the buck with the reserve primary money market fund account. They failed in all

of these areas. And what is Washington's response or at least what is the response from the other side of the aisle? Let's give them more money.

The irony here is that the gentleman from Massachusetts comes to the floor today to enhance their funding, but, if I remember correctly, the Democrats controlled this House from 2007 through 2010. They had all that time to go in and do a complete audit of these agencies. They had all those 4 years to look at them to see where they were making mistakes, how to fix them, improve them, and then increase their resources. But they failed to do that during the last 4 years. And now in this CR they say this is the time to do so.

The gentlelady talked about punishing the agencies. Well, they are punishing people. They're punishing the enforcement folks over at the GSA. They're punishing the folks in enforcement over at the IRS. And I would question the gentleman from Massachusetts before he put in this language, did you contact any one of those agencies to see what the implications would be on those agencies for cutting to the extent that you are here?

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. GARRETT. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Thank you.

Yes, I think it is unfortunate. Of course our cuts are much smaller by multiples than the cuts inflicted by the subcommittee majority.

Mr. GARRETT. Did you contact those agencies, was my question?

Mr. FRANK of Massachusetts. I spoke to the people at the subcommittee who worked at them and I think the cuts are too deep.

Mr. GARRETT. I would like to reclaim my time.

Mr. FRANK of Massachusetts. I apologize. I thought the gentleman wanted an answer.

Mr. GARRETT. It is a simple question to ask, that when you come to the floor with an amendment to say that we're going to take money and yank money out of one agency that has a primary responsibility to the members of the public of this country, to first go to those agencies and ask, well, what impact will they have? It's not a matter whether other amendments are coming down that will have a larger or more de minimis impact. It's incumbent upon the gentleman from Massachusetts to do his research before he comes to the floor with his amendment. I'm sorry to see that he did not.

Finally, as well, he comes to the floor with this amendment saying, well, we need to do this action now. Don't look back at their past poor performance. Let's take this action now. I remind the gentleman as the author of the Dodd-Frank reform legislation that his very own legislation mandated a study, it was in section 967, to reform the operation of the SEC and asked to do a study in that to see how their reform has occurred.

Why don't we wait for the studies to come out, for the information to come out, to see whether or not the SEC has changed its performance. Even after they've lost their majority, we see the conduct of the SEC and it still continues to fail. Even now we see that they are under investigation by the Inspector General. Why? For allegedly leasing more space before receiving funds to do so. So they've had a poor track record in the past. Unfortunately in some areas today, I'm sorry to say, they still have a poor track record right now with regard to their finances. And who knows where they will be in the future.

Now is not the time to say, let's just throw out more money to them. And when we talk about throwing out more money, I just harken back to a comment that the gentleman from Massachusetts made just earlier this week. We were looking at the actions of the SEC and we were looking at the actions of the CFTC in a hearing just the other day. And whereas our side of the aisle, Republicans, were looking at this issue and saying, what can we do to honestly reform and make the rule-making process and the rules that come out more consistent and proper and be able to perform better in the regulatory climate. Their side of the aisle was doing the same thing this week as they are on the floor right now, saying the answer to everything is, what? More money. He said it in committee. He's saying it on the floor right now. The answer to every single problem, I must tell the Chair—and the American people know as well—is not paying more money for programs. It's making sure that those agencies perform correctly, and that's what this side of the aisle is all about.

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

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

Mr. FATTAH. During the campaign season, there was a meeting with the Wall Street barons by the leaders of the other side. They promised them exactly this: that they were going to essentially go back to an unregulated system. It almost bankrupted the entire country.

I want to yield the remainder of my time to the gentleman from Massachusetts. And the American public should not be fooled again by people on the other side saying that somehow they're doing this to protect their interests on Wall Street.

Mr. FRANK of Massachusetts. I thank the gentleman.

The gentleman from New Jersey asked me a question. I foolishly thought he wanted an answer, and I apologize for my false assumption. The answer is that I know that the proposals we have made to reduce at the GSA and the IRS go too far. I will point out again that they are a small percentage of the very deep reductions made by the subcommittee.

The problem we had is under the very restrictive rules, we had to choose among certain agencies. My hope is that the House will demonstrate its support for increased funding for the SEC and when it gets to the Senate, they will have more flexibility and can take it from elsewhere. And we will see fiscal discipline imposed in some other places.

I did not call those agencies because I knew what their answer was. I knew it from the ranking member of the subcommittee, that the chairwoman in my judgment of the subcommittee had already cut them too deeply. We had no options. What we are doing here is simply trying to make the point that the SEC should be funded.

I want to now respond to the notion that we always think it's more money. No. We have talked also about reforms. And, by the way, they talked about 2004. They talked about 2008. A prior administration. I believe that there has been a real change in this administration in the seriousness of the appointments to the SEC, in the understanding of what they should do. There is a new SEC director of enforcement, Mr. Khuzami. By the way, disciplinary proceedings, the new chair, Mary Schapiro, has announced are now under way over the people who didn't do what they should have done in the Madoff, which of course is from prior years.

So, yes, the SEC has been less than perfect, but it has a very new set of responsibilities. And the notion that they can deal with that new set of responsibilities with less money than they had last year comes only from people who are not in favor of the new responsibility. I understand that. But becoming more efficient doesn't allow you to get into monitoring all the hedge funds that have to register and to monitoring derivatives.

What we have here is an ideological opposition to reform of the financial system, a preference for keeping the shadow banking system in the shadows, masking as a fiscal argument. Because we can do this in a deficit neutral way and the SEC will continue to be a profit center.

So this notion that we think the answer is always more money, no, we don't. And if the majority has some improvements to make to the SEC, let's see them. I don't remember any being offered by them as amendments when we were doing the financial reform bill. We have worked with Mary Schapiro. We do believe she's making significant improvements in a lot of ways. But the notion that you can give them significant new responsibilities and give them less money than they had in the year before when they're supposed to now be looking into derivatives and hedge funds makes no sense.

□ 1700

The gentlewoman from Missouri acknowledged she had misspoken when she said we had cut it by \$600 million. She cut it by \$600 million. I wish she

hadn't done that. I wish they hadn't done other things.

Within those constraints, what we are trying to do is to send a message that we believe the SEC should get some of the funding, not all that it asked for and not all that the administration asked for. What we have here is a test about whether or not people want to support the re-deregulation of the financial system, whether they want to keep the shadow banking system in the shadows. I believe the answer is that we shouldn't.

I thank the gentleman from Pennsylvania.

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

Mrs. MALONEY. Madam Chair, I move to strike the last word.

The Acting CHAIR (Mrs. MILLER of Michigan). The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. I rise in strong support of accountability and oversight, and I rise in strong support of the Frank amendment, which would help give tools to the SEC so that they could better enforce the laws of this country.

Madam Chair, our Republican colleagues have proposed that the SEC's budget should be cut back to roughly 2008 levels; but I can hardly imagine that anyone in this body on either side of the aisle is pleased at the level of oversight that was performed by the SEC in 2008, the year the economy cratered under the Bush administration.

According to the SEC Inspector General, the Republican proposal would force the agency to let go 600 staff right when we need more activity by the SEC in oversight. Just as our colleagues across the aisle are calling for more accountability, they would cripple one of the key agencies that holds people in a key sector accountable.

The SEC's budget for all of 2010 is equal to just a small fraction of the bonus pool for just one major investment bank or hedge fund in the financial sector that they are charged with overseeing. It is a small fraction of what they are charged to oversee.

The total loss of household wealth as a result of this Great Recession has been estimated at approximately \$14 trillion. It was a financial disaster that did not have to happen. A lack of adequate oversight and regulation were major contributing factors. We heard that from the Angelides committee report yesterday. So the Republicans' new proposal to cut the badly needed oversight of our financial system brings to mind one of the oldest sayings in our country: "They are being penny wise—and pound foolish."

The majority party is basically resisting any increase in the funding for the cops, the major cops on the financial beat. They apparently can look back on the carnage of the past years, look at the way the middle class has been brutalized, look at how people have had their dreams stolen in this re-

cession, look at how their hopes were crushed, and declare that the status quo is "just fine, thank you." We're not even going to fund it at the status quo at the time that we had the great debacle and crash of our financial system. They want to de-fund it even more.

I really do not agree. I feel strongly about it. This is a huge mistake. They would deny the needed relatively modest funding that is required to begin supervising over-the-counter derivatives trading. Let's take a look at some of the numbers.

The over-the-counter derivatives market is valued at about \$600 trillion. In 2010, the GDP of the entire world was just over \$74 trillion. The infamous "flash crash" on May 6 temporarily wiped out of our economy \$1 trillion. In 2010, the budget for the entire CFTC was just \$169 million.

So the number of new staffers that the SEC is saying it would like to hire will understand this new type of trading—the algorithmic trading, the kind of high-frequency trading that tends to dominate today's marketplace. It is trying to hire five new oversight professionals; but the number of such specialists the opposing party seems willing to fund is absolutely zero so that there will be no one looking over this new type of trading. Zero is the level of effort that the Republicans seem willing to make to see to it that we don't suffer through another great recession and to make sure that a Bernie Madoff doesn't happen again.

This is not the way to proceed. We should fund the SEC appropriately so that it can oversee the new Dodd-Frank bill, which requires many new studies and new rules, and so that it can give this country the protection it needs from risky trading. How can we know that the capital markets and the leverage rules that we are putting in place are enforced? We can't do that unless the SEC is properly funded.

This is an important amendment. I think it is one of the most important before this Congress. I urge my colleagues on both sides of the aisle to support the Frank amendment so that we can oversee the financial markets, so that we can make sure that the rules are enforced, and so that we can make sure that the American investor, the American public, is protected.

I yield back the balance of my time.

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

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

Mr. LUETKEMEYER. I just wanted to put a few comments on the record with regard to the impassioned speech of the last speaker, the gentlewoman from New York.

Madam Chair, I serve on the same committee as the gentlewoman, and I heard the same testimony yesterday. It is interesting that she is talking about trying to continue to fund an agency that was totally absent with regard to the crash back in 2008.

Yesterday, we asked the question of the SEC representative as to whether there was anybody who had been put in jail, as to whether anybody had been fired, as to whether there had been any changes to the personnel who were there. The answer was "no." There were some ongoing investigations; but at this point, nothing had been done. So we are going to try and give some more dollars to the group that was mismanaging the thing to begin with without its having any more accountability. I think that's the wrong way to go.

With that, I yield to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. I thank the gentleman from Missouri for yielding.

Madam Chair, I just want to point out a couple of things that I believe need some clarification.

Number one, yes, we had the Inspector General in our committee earlier in the week. I want to say, when he was talking about the loss of 600 jobs, that would be if we were to go back to funding at 2008 levels, which we have not done in this continuing resolution.

Number two, this agency has probably received more money than any other government agency in the last decade, and it has hired over 1,000 employees during that time period. Certainly, with that complement of excellent staff, they should have been able to see all of the problems with regard to Madoff, Stanford Financial, and other things.

At the end of the day, they've got to prove their own ability to manage money. They have to do their financial reports correctly. They have to, perhaps, take the structure they have and make it work in order to comply with Dodd-Frank. In the new bureaus, there is a lot of overlap that Dodd-Frank asks them to do, but they've got offices that do those functions already, so they can use what they have and perhaps fix it by moving employees around within that office.

At the end of the day, they still have to prove that they can do the job. They have not. They already receive too much money as far as I'm concerned; and if they can better manage personnel and do that job, then I'm more than happy to look at funding them at the levels that my colleague suggests, but not until they can prove they can manage what they have got already.

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

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

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

Mr. SERRANO. Let me first clarify something.

Madam Chair, the gentleman from Massachusetts (Mr. FRANK) came to me and told me where he wanted to take the cuts to pay for this. We were both unhappy about it, but we felt that it was so important to do this that we would take it from where we had to

and then deal with it later. But let's understand something.

□ 1710

There are some new Members here who are either watching in their offices or here on the floor who need to know something. I've been in public office 36 years—this is my 37th year—in the State Assembly in New York and in Congress. I've never seen, except for once, a commissioner or a Secretary or a director of an agency come before me as chairman of a committee, and when I ask them, Do you want, do you need more money, they said to me, No, we don't want, we don't need any money. You know who that was? You guessed it. The SEC a few years ago told us that they didn't want any more money, they didn't need any more money. Why? Because that was during that era when there was the word out throughout an administration not to enforce, not to regulate, not to practice oversight, let it go, the water will clean itself, the air will clean itself, Wall Street can monitor itself. That was the attitude.

Now, we're seeing another pattern, and I look at folks on the other side that—you know, we always say this but they know I mean it—who I have tremendous respect and admiration for, but we know, I'm not fooled what the game is. The game is we pass a health care bill some insurance companies don't like, so we're not going to fund it. We pass regulations on Wall Street that could go a long way to stopping the criminals from doing it again, we're not going to fund it. That's what this is all about. This is not about whether the SEC did a good job or will do a good job. It's simply about a law that now will make it very difficult to commit the crimes that were committed on Wall Street which tumbled down the whole economy, and now we're saying that we're not going to fund it.

So as we move forward this year, this weekend, the next 2 years, and we propose not funding certain things, every so often at least let's do it and kind of wink at each other, because we know the truth. This is not about cutting a budget. This is about not enforcing some rules.

And so we will open it up again and the same folks, because they're pretty smart, who pull all those crimes on this society will do it again, and my God, interestingly enough, the movement that brought you into the majority, those folks that I saw on TV at those town hall meetings did have one thing in common with the folks over here. They agreed that something had to be done to the folks on Wall Street; that they couldn't run amok and go crazy again. That was the one thing we agreed on. So it could be that this time you're running counter to your own base—not that I should advise you on that—but running counter to your own base because they want Wall Street police.

So the SEC needs to enforce this bill, and if you really want to undo Dodd-Frank, then try what you're doing with health care, which is to change the law, but not to fund it is simply to find a very funny way of accomplishing the same thing.

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

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

Mr. PERLMUTTER. Madam Chair, just so we don't forget where we were, Colorado in August of 2008 had about a 4, 4½ percent unemployment rate. We had a crash the likes of which we haven't seen in decades in September, October, November of 2008 on the financial markets centered on Wall Street. Colorado then went to 8 percent unemployment. Thousands of people in Colorado lost their jobs because of the recklessness that we saw on Wall Street. There were no police on the beat, or if they were on the beat, they were told to look elsewhere.

Since Barack Obama took office at the beginning of 2009, when we were losing 800,000 jobs a month, the stock market in the fall of 2008, under the last months of the Bush administration, lost thousands of points. Since March of 2009, the stock market has doubled, because people understand that there is some restraint and enforcement of the financial markets now. People are starting to get back to work. The middle class is realizing they have pensions that are growing again. We have to have confidence. We have to have certainty in the financial markets. And to underfund and take away the police that are trying to deal with these unbelievably complicated types of financial transactions is wrong for Middle America. Middle America got hit hard. It's just getting back on its feet, and my friends on the Republican side of the aisle just want to pull that rug out from underneath them again and let the bums start pillaging Wall Street again.

No, we had Ponzi schemes. I look to my friend from Missouri because I was listening to her. Two of the biggest Ponzi schemes ever in the history of the United States, \$65 billion with Mr. Madoff and I can't remember how much Mr. Stanford was, or the Stanford Investments, but billions of dollars, millions of transactions. We had testimony in our committee that the SEC during the period from about 2001 to 2007 was notified 21 times during that period about Mr. Madoff and they did nothing.

So now we finally have certainty back in the marketplace. The market has doubled, and now we want to take those police back off the beat when Middle America is strengthening itself again?

Mrs. EMERSON. Will the gentleman yield?

Mr. PERLMUTTER. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. I just want to add or perhaps comment to my good friend

from Colorado that the IG said to our subcommittee that it wasn't for lack of resources—since we have increased that budget 163 percent over the last 10 years—it wasn't for lack of resources but, rather, the staff working within the SEC did not perform their duties properly.

Mr. PERLMUTTER. Reclaiming my time, I would say resources have now been added, and they're performing their duties, and the stock market has doubled so that the people in Colorado, the moms and pops of Middle America, finally see their pensions growing again.

So much wealth was lost because of what happened on Wall Street, whether it was out-and-out fraud like in Madoff or just recklessness. We can't have that anymore. That almost brought this country to its knees, and this cut to the SEC is just very misplaced. We can't forget what happened 2 years ago.

Mr. AL GREEN of Texas. Madam Chair, I move to strike the last word.

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

Mr. AL GREEN of Texas. Madam Speaker, I think I now understand what Dr. King meant when he said that the truest measure of the person is not where the person stands in times of comfort and convenience, but rather, where do you stand in times of great challenge and controversy.

This is a time of challenge and controversy that will measure our truest measure as people of goodwill. I ask anyone to show me the empirical evidence connoting that we should reduce funds to get better service, to get better scrutiny, to get better cops on the beat with the SEC.

Every police department in this country has some problem or has had some problem. No one would say let's eliminate the police department because it has not performed up to a standard of 100 percent. The SEC is not perfect but what it does is this: It oversees 38,000 entities, 11,450 investment advisers, and these investment advisers are managing \$33 trillion. Some things bear repeating. These investment advisers, 11,450 of them, are managing \$33 trillion. Do we really want to take the cops off the beat? Would we ever make such an announcement as it relates to any police department in this country?

Let us stop for just a moment and take a deep breath and understand what is about to take place here. We are about to send a signal to those who would perform dastardly deeds that we are going to allow you to do this with impunity, not because we want you to do so, ostensibly, but because there will not be the deterrent in place that we know should exist to prevent them from doing these dastardly deeds.

□ 1720

So I'm going to ask all of my friends on both sides to stop, take a deep breath, and let us ask ourselves: In this time of challenging controversy, will we prevent the SEC from overseeing

the 7,600 mutual funds as they properly should, from overseeing the 5,000 broker-dealers as they properly should, from overseeing more than 10,000 companies as they properly should, 35,000 entities as they properly should?

This is a time of challenge and controversy, and I am proud to say that I am going to stand for making sure that those who invest are properly protected. This is our time. This is a moment to stand up and be counted. And I hope that every investor out there will look to see who stood for making sure that investments are properly protected and that the integrity of the system is properly in place. I stand for doing the right thing, and the right thing is to make sure that this SEC has the right amount of capital in place to protect our investors and our investments.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

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

Mr. DICKS. 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 Massachusetts will be postponed.

AMENDMENT NO. 506 OFFERED BY MR. HOLT

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. The amounts otherwise made available by this Act are revised by reducing the amount made available for "Department of the Treasury, Internal Revenue Service, Enforcement", and increasing the amounts provided in section 1517(a) for transfer from the Federal Reserve to the Bureau of Consumer Financial Protection for activities authorized to be carried out by such Bureau under title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act and amounts made available in section 1517(b) for obligation by such Bureau during fiscal year 2011, by \$63,000,000, respectively.

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

Mr. HOLT. Madam Chair, the continuing resolution bill before us handcuffs the Consumer Financial Protection Bureau by setting a maximum level that the Federal Reserve can fund the CFPB for the fiscal year that we are in.

This amendment would allow the CFPB to function as intended. As a result of an open process last year that included a rare House-Senate conference, the House passed historic reforms to the Nation's financial system. It included such things as providing for disassembly of large, failing financial institutions so taxpayers wouldn't be

saddled with the bailout. And it did a number of other things. But I would argue that probably the most important thing it did was to create a Consumer Financial Protection Bureau.

Members of the House and the Senate, after much deliberation, concluded that in order for the CFPB to protect effectively American consumers, it must be independent. The Dodd-Frank legislation, which is the law of the land, is clear on this point. This new financial watchdog which would serve consumers in every kind of financial transaction where they had had no aid, no protection, no help before would be an independent organization, insulated from partisan fights on Capitol Hill, deriving its operating budget from the Federal Reserve. Section 1017 2(c) was very explicit on this.

Some of the appropriators, being the appropriation animals that they are, may not like the fact that this is to be kept independent of appropriations, but it was to give this commission independence so that they could offer protection for the consumer.

Now, I suppose we should applaud the ingenuity of the authors of this continuing resolution to get around the law of the land. Maybe we should applaud their sheer nerve in trying to defund this board.

Less than 2 months into the 112th Congress, the majority, through this continuing resolution bill, is attempting to sneak through a provision in direct conflict with the spirit of the law, the intention of the law, and in direct contradiction to this intent to protect the consumer. It handcuffs the CFPB in order to preserve the status quo that benefits big banks at the expense of American consumers.

If we've learned any lesson from the financial crisis of the last several years, it should be this: by protecting consumers, we can protect the rest of the financial system. This amendment simply would correct section 1517 by inserting the appropriate amount of money that the CFPB estimates that it will need to get the work done for the sake of American consumers. This amendment would ensure that the recently created Consumer Financial Protection Bureau, when it assumes consumer protection authority this summer, will have the independence and will have the resources that it needs to begin its critical work of protecting consumers and, by extension, protecting the entire financial system of this country. I urge my colleagues to support this amendment.

I yield back the balance of my time. Mrs. EMERSON. I move to strike the last word.

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

Mrs. EMERSON. Madam Chair, I rise in opposition to the amendment.

The continuing resolution already cuts the IRS by over \$600 million compared to FY10 and over \$1 billion compared to the FY11 request; and I believe

that the further cuts to the IRS enforcement division will ensure that the tax cheats win because there are going to be fewer audits, fewer investigations, fewer prosecutions, fewer convictions.

The Consumer Financial Protection Bureau was created by Dodd-Frank to promote fairness and transparency, but the bureau itself seems to be anything but transparent. The general powers, organization, and goals of the bureau are laid out very well in the law, but the specifics of how the bureau will use its powers and achieve its goals are not known. Moreover, the Dodd-Frank law provides \$500 million a year from the Federal Reserve to the bureau without any input from the Congress at all.

And without a doubt, I am not disagreeing that there is a strong need for consumer protection. I'm a mom. I believe in that very strongly. But just as commerce shouldn't run wild, neither should consumer protection. So the limitation in the bill, I believe, represents an adequate level. It represents the level of resources that are currently expended by regulatory agencies on consumer protection activities, for example the Office of the Comptroller of the Currency, which we all know parts of it will move into the Consumer Financial Protection Bureau.

I believe that we should look at this a little later because, as the bureau-specific activities become known and the cost of those activities become known, then we're going to have an opportunity to revisit the limitation. Providing \$500 million a year without any congressional oversight to the bureau is, I believe, a very irresponsible abdication of a constitutional check and balance and I would ask colleagues to vote "no" on the amendment and oppose unchecked and unbalanced bureaucracy.

I yield back the balance of my time. Mr. MILLER of North Carolina. I move to strike the last word.

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

Mr. MILLER of North Carolina. Madam Chair, I want to congratulate the gentlelady from Missouri for an acrobatic defense of the continuing resolution's treatment of the Consumer Financial Protection Bureau. This is not about whether government should be big or small. It's about which side government should be on.

□ 1730

The CR, the continuing resolution, does not save a penny from the deficit because the money for the CFPB, the Consumer Financial Protection Bureau, comes from a separate source of funding. This is really about hobbling the Consumer Financial Protection Bureau to keep it from getting up and running and doing its job.

The CFPB is to put government on the side of Americans who are trying to make an honest living so they don't have to worry every time they sign a financial contract that they're going to

get gouged, they're going to get cheated out of their income and their life savings by some trick or trap, some dishonest little clause hidden in the fine print of the legalese written by the banks' lawyers.

The CFPB will set rules to make sure those contracts are honest, and it will enforce those rules. And it has not started yet, so it's a little early to criticize them for not getting the job done.

The CR, by cutting funding by half, or a little more than half, is really about putting government or continuing to have government, as it has been for most of the last decade, on the side of the financial predators who are not trying to make an honest living but who are trying to make a killing and succeeding in making a killing by cheating ordinary Americans with the fine print. And they cheated them on mortgages, on credit cards, on overdraft fees, and on and on, and every American knows it because just about every American has experienced it.

Now, in talking about the FCC earlier, Ms. WATERS and Mr. GREEN both used the term "cop on Wall Street." They didn't attribute that phrase, but it's from Will Rogers.

Back in the Great Depression, even after we learned of all the corruption and the fraud that had led to the collapse, the stock market crash, when Congress was considering legislation, a bill, a law that would have set rules for Wall Street and given the Securities and Exchange Commission the power to enforce it, the securities industry fought it fiercely because, as Will Rogers said, the boys on Wall Street don't want a cop on their block. Of course they don't want a cop on their block. They will make less money. They don't want a cop on their block now either. They don't want a CFPB now either, because if their contracts have to be honest, they will make less money.

Vote to put government on the side of the Americans trying to make an honest living. Vote to put a cop on the Wall Street block. Vote for this amendment.

Mrs. EMERSON. Will the gentleman yield?

Mr. MILLER of North Carolina. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. I just want to point out one thing. The text of the bill scores our limitation at \$30 million for FY 2011.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. MILLER of North Carolina. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. And when we saw that CBO did that, we decided to offset that, so we did, as the gentlewoman indicated, go to the IRS. And I do want to say the gentlewoman is, I guess, is being very responsible, the chair of the subcommittee, she is defending the Internal Revenue Service against the Consumer Bureau and the

SEC. And the gentlewoman is entitled to due credit for her staunch support of the IRS as we try to divert funds to protect consumers and police Wall Street. And I am sure there are many in the Tea Party who will be very grateful for her staunch support for the IRS funding.

Mr. MILLER of North Carolina. I yield back.

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

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

Mr. LUETKEMEYER. Madam Chairman, I rise this afternoon to oppose this amendment. Let me start my discussion by talking about two things: Number one, about the usefulness of the committee, and then about the funding of the committee as a whole.

Number one, I have some grave, grave concerns with regards to the usefulness of the committee to begin with. As a former bank regulator in one of my previous careers, it's kind of astounding to me that, with all of the laws that are in place, we had all the problems that we did. We don't need more laws; we need to enforce the ones that are in place.

And in testimony yesterday in our committee, in Financial Services, that was the general consensus of many, many of the folks that were there. And so what we're doing is trying to continue to over-regulate and again put in place another entity to confound and to promote some more regulation, exactly what we don't need in the private marketplace.

But again, why are we having another committee to do more regulation when we could have the existing people do the job the right way?

It's kind of like, to me, having a police department that doesn't do its job, and instead of firing everybody at the police department and starting over and finding some good folks who could do the job, you create another police department, so now we have two police departments to fund. And I think that's what's going on here. And this is why I'm very concerned about this model, this committee, this board.

And from the standpoint of being a former examiner, this is exactly the wrong thing to do with regards to the mission of this committee. We are now putting consumer protections over the safety and soundness of our institutions, and that's wrong. That is absolutely the wrong model. We are flipping completely upside down. We are re-prioritizing the way our markets should work and regulatory systems should work. In my view, we're going in the wrong direction.

But, with regards to the funding mechanism that's in place, this group, at this point, has a line of credit basically from us, and this CR cuts that off to a limited amount, which the chairman a minute ago addressed as \$80 million, and we think that's adequate funding at this point. They are only

going to use at the annual rate of about \$65 million, and this amendment intends to put \$63 million back into it. I think that's unnecessary. It's wasteful. At a time like this when we need to be consolidating and finding ways to cut our dollars, we don't need to empower an agency that we don't need, number one, with powers that are not defined at this point. We don't need to be doing it. From the standpoint we don't even have a director in place yet, we need to be confining this thing so we can provide oversight over it, rather than giving it a blank check and unlimited powers.

Madam Chairman, I yield back.

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

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

Ms. WATERS. Madam Chairman and Members, I have long been an advocate of consumer protections and consumer rights. And I'm proud of the work we accomplished in the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 to create a Consumer Financial Protection Bureau.

Madam Chairman, and Members, I didn't get elected to the Congress of the United States of America to protect big banks, banks too big to fail, or to protect their shoddy products, criminal schemes that are designed to rip off innocent citizens who go to work every day. I don't know how anybody can come to this floor and represent that the consumers, the workers, the people of this country, don't need any protection.

The Consumer Financial Protection Bureau is needed because it is very clear that our current regulatory framework inadequately protects consumers. Just look at the wrongful foreclosures on our veterans which was exposed by reporters last month and was the subject of a Veterans Affairs hearing last week. You go tell those veterans that they didn't need that protection, that they shouldn't be protected.

The proliferation of harmful financial products and practices went unchecked because our banking regulators were tasked with both consumer protection and bank safety and soundness responsibilities. And we've seen that the pro-bank, anti-consumer stance won every time. That's why we created the Consumer Financial Protection Bureau, to make sure that the consumer voices aren't shouted down by the industries, and that an independent agency is beholden to the consumers and not the CEOs of the big financial institutions.

Opponents of the Consumer Financial Protection Bureau claim we don't need this agency, they say, because the other banking regulators are already charged with consumer protection. This argument doesn't hold water because there are several types of consumer financial products which, because they were offered by nonbanks,

fall into what may be classified as the shadow banking industry. These products and institutions escape Federal regulation, yet often lead to Federal problems such as our current economic foreclosure crisis. The Consumer Financial Protection Bureau would bring nonbanks that offer financial services to and interact with consumers into our regulatory system.

Another reason the CFPB is needed is to protect consumers from complicated products and hidden predatory fees. According to Elizabeth Warren, who is a special adviser to the Treasury on the Consumer Financial Protection Bureau, the average credit card offer now comes bundled with more than 100 pages of fine print. Buried within this fine print are provisions about restrictions, teaser rates, and penalties. This fine print makes it nearly impossible for consumers to make informed decisions and pick the credit card or other lending product which is right for them. This leads some borrowers to be trapped in credit cards or loan products with hidden and abusive fees.

□ 1740

The CFPB would resolve this problem by working with the industry to reduce the fine print and hidden fees. We also need CFPB to provide stability to our financial markets, which is supported by consumer lending.

Our current crisis began when collateralized debt obligations and mortgage-backed securities were packed with exotic products, which are known as no doc loans and liar loans. It was exacerbated as consumers were continually squeezed with excessive penalties and fees from bank products, reducing purchasing power, and leading families everywhere to make tough decisions.

A strong regulator, one which focused solely on consumer safety and championed simpler disclosure and product, could have prevented all of this. We need CFPB. This kind of crisis should never occur again.

Amendments to defund CFPB or to prevent it from doing its work will only hurt American consumers and, in turn, our economy. So I urge a "no" vote on these amendments.

Madam Chair and Members, I don't know how any elected any official could go home and talk to their constituents and tell them they want to limit the funding to the SEC, the cop on the Wall Street block to protect investors, and then add to it, "and I don't want you to have any consumer protection."

We don't like what has been done. We're against these kinds of regulations. It is baffling. It is not to be understood, and I believe that in the final analysis this body will do the right thing.

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

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

Mr. NEUGEBAUER. Madam Chair, I rise in opposition to the Holt amendment.

In listening to the banter that we've been hearing back and forth, you would think that we were trying to eliminate the Consumer Financial Protection Bureau, but, in fact, what we're trying to do is limit it.

One of the things, if you look at the history of this entity, is that it's the typical answer in Washington. When we have other regulators that aren't doing their job, the solution always is let's throw more regulation, more regulators, and more money at the problem.

And so what did we do with this new bureau? Well, we said—guess what?—we're going to throw \$700 million at this new agency. We're going to take \$500 million out of the Fed and we're going to give them the ability to come and ask for another \$200 million.

Now, what is going on right now is that we don't even have a Director at the Consumer Financial Protection Bureau, yet they are standing up a new organization. So basically what we have from this administration is another czar. I don't know how many czars that they have over there, what the latest count is. But here we are, an agency that has the authority to spend millions of dollars, yet we can't even get one of the most egregious parts of this right.

And it was very clever by the other side. They realized in the last days of the 111th Congress that there was possibly going to be a change in November. They tucked this entity over into the Fed, trying to be able to limit Congress' ability to have oversight over this organization. So I want to applaud the Appropriations Committee for figuring out a way to bring some accountability to this organization.

Now, what is at play right now is that this entity in August received \$18.4 million. In December they received \$14.37 million. And if you annualize that rate, they are going to need less than \$65 million, and yet what we're saying is Republicans want to limit that to \$80 million. The Holt amendment wants to increase that another \$63 million.

Madam Chair, what is exactly wrong and the reason we've been having these hours and hours and hours of debate is the American people spoke very clearly last November. They are tired of Big Government. They are tired of government trying to make all of their decisions. And what this new entity is going to do is it is going to hurt consumers in that it is going to drive the cost of consumer credit up for many Americans. Some of the financial services that they have been able to enjoy, this new czar will have the ability to say that those new products cannot be offered anymore.

So bringing this kind of accountability into this process is a very positive thing. It was a mistake to put this entity into the Fed to begin with. It's a mistake to let this administration continue to stand up this organization without going through the appropriate

constitutional requirement that this person be confirmed by the United States Senate. It's an egregious use of the Executive power. And one of the things that we hope that the President will do very quickly is nominate someone to oversee this organization.

Basically, we have people that haven't been nominated or confirmed by the Senate making very big decisions, spending millions of dollars over here, standing up an entity, quite honestly, that will not, in fact, do what a lot of the folks in this building think this entity is going to do, and that's provide consumer protection. What this entity is going to do is provide more cost to consumers.

With that, I urge defeat of this amendment.

The Acting CHAIR. The gentleman from Texas is recognized.

Mr. CARTER. Madam Chair, I would like to inform the Chair and the balance of the people here that it is our intent to finish this amendment and Ms. MCCOLLUM's amendment, and then we'll be going to a vote. I thought, for information purposes, I would let everybody know our intent and what we would like to do.

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

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

Mr. ELLISON. Madam Chair, after 4 million foreclosures—and perhaps we're going to reach 7 million foreclosures—\$70 million in loss of home value, after massive unemployment, after an enormous financial bailout bill that we had to do to save this economy, it's impossible for me to understand how it is anybody would not want to have a strong consumer protection provision in our law.

How in the world, after the massive recession that we went through, after all the damage that has gone through to hit this economy, which started in the consumer sector, Madam Chair, which started because consumers were taken advantage of with no doc, low doc loans packaged into securities and then hedged by these credit default swaps which Warren Buffet said caused millions in financial destruction, how would we want to undermine consumer protection?

The fact is consumer protection helps to make sure that we have a strong, sound, and safe system. And if it would have been in place, we would not be in this situation now. We are in this situation now for one reason and one reason only. It is the laissez-faire attitude that pervades the opposition to this fair amendment, and it should be passed. The Holt amendment is right.

I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman.

I would just like to make this point: My colleague from Texas said, well, because the old regulation wasn't working, we wanted just an additional regulator. That's simply untrue.

What we said was this: Consumer regulation, before the passage of the financial reform bill, was entrusted to the bank regulators, and their primary mission and their primary focus was on bank protection.

We do not create new powers so much here as take the powers that were vested in the Federal Reserve. Great defense of the Federal Reserve. I am struck by my Republican colleagues trying to defend the integrity of the Federal Reserve and the IRS. That's a new Republican Party. But we took it from the control of the currency, from the FDIC, and put them in a new agency whose only responsibility is consumers. It is not additional money and it's not any new regulation.

Now, we do add a set of previously unregulated entities: payday lenders and check cashers and others in the shadow banking system. So there is some increase in consumer protection. But, fundamentally, we didn't say we want one additional regulator. We have taken regulatory authority from the pro-bank regulators who haven't exercised it well and put it in the new agency.

□ 1750

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

Mr. PRICE of Georgia. Madam Chairman, I move to strike the last word.

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

Mr. PRICE of Georgia. Madam Chair, let's be clear about what is going on here. I think it is crystal clear, frankly.

This side tends to believe in more government. This side tends to believe in less government.

This side tends to believe in more control. This side tends to believe in less control.

This side tends to believe in more spending. This side tends to believe in less spending.

This side tends to believe in more regulation and more oppression. This side tends to believe in less regulation and less oppression.

This side believes in Big Government solutions. We believe in people.

It is pretty simple. And if you believe in Big Government solutions, you have to ask the question, how is it going? And the fact of the matter is, it is not going real well. Another 410,000 new individuals applying for unemployment today.

This is a chart here that shows, Madam Chair, back before the Big Government folks got involved the amount of spending at the Federal level, down here in 2006, about \$2.6 trillion. Here is where we are now, Madam Chair, way over on the other side. That is what Big Government does for you. It spends money that you don't have. Deficits, annual deficits, \$1.4 trillion, \$1.4 trillion, and \$1.6 trillion in the last three fiscal years. So it is Big Government, the government picking winners and losers, and that is where we are right now.

Well, how is it going? The free market, frankly, can't function when the government is picking winners and losers, and that is exactly what the American people have gotten over the last 2 years and 4 years, and certainly last year what it got last year when Congress passed the new Dodd-Frank bill and formalized their new political economy.

Now, the administration's Bureau of Consumer Financial Protection, what we are talking about right here right now, charges bureaucrats to produce more red tape, regulations, none of which, none of which truly helps the consumer. They make for bigger government, that is right. But much like the new health care plan which prevents the American people from picking a health care plan that works for them, the Bureau of Consumer Financial Protection would simply tell American families which financial product is right for them, which credit card is right for them, which mortgage is right for them, directing people in very, very specific ways.

Now, there are real challenges within our financial system. There is no doubt about it. Absolutely not. But the failure of the regulators to do their job, as my friend from Texas said, doesn't mean that you need more regulators. You need the regulators to do their job, and that is not what the CFPB does. The CFPB has been given the authority to write the rules, to enforce the rules, to conduct examinations, to approve disclosures, and on and on and on and on. Is there anything that this Federal agency is not allowed to do?

Now, the underlying bill appropriately limits the use of the funds to carry out and implement the CFPB. This amendment, the amendment that we are discussing right now, expands the mandates, expands regulation, expands the economic tinkering that has been handed down from this administration and from Democrats in Congress. So if you like this track, if you like Big Government and you like more spending, if you like a government that borrows more and spends more and taxes more and destroys jobs, then side with the folks who are specialists in that area.

If, however, you believe that we ought to spend less at the Federal level, that we ought to spend within our means, that we ought to work as diligently as we can to create jobs and that we ought to allow more freedom for more Americans, more choices for more Americans, then I would suggest and recommend that you vote down this amendment and support the underlying bill.

I yield back.

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

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

Mr. WATT. Madam Chair, let me just first be clear that we are not expanding

anything in this amendment. The statute says exactly what the Consumer Financial Protection Bureau is supposed to do. This amendment just allows the funding to enable them to do it. This is an appropriations bill. We are not supposed to be expanding or contracting anything in appropriations bill. That is what I thought. The Appropriations Committee is about money, not about authority, not about expanding or contracting authority. So I don't know what my colleague was talking about when he said we are expanding something if we pass this amendment.

Second, there is some debate from some of my colleagues, and I could understand the first-term Member who got up and says I don't know why we have a Consumer Financial Protection Bureau. What I can't understand is why the subsequent colleague who serves on Financial Services got up and said the same thing, because he was on the Financial Services Committee and served with me when we created the Consumer Financial Protection Bureau. So let me just give a little history here about why we have it.

We had theoretically consumer protection as one of the objectives of the Federal Reserve and other Federal regulators. We had in that same Federal Reserve the responsibility for the safety and soundness of our financial institutions. Those two things obviously were in conflict with each other because the Federal Reserve, instead of looking out for the interests of consumers and protecting consumers, allowed consumers to get into mortgages and financial transactions that ended up destroying our financial system; and they did it saying, well, you know, this is going to add to the safety and soundness of financial institutions because our definition of safety and soundness is a financial institution which can make more and more and more money.

So what is the solution to that? You don't do away with safety and soundness. We didn't do away with safety and soundness. It is important to protect the safety and soundness of our financial institutions. We continued to give that responsibility to the Federal Reserve and the regulators.

But if you are going to protect consumers, you don't give the authority to the same entity that has disregarded the interests of consumers and led us to a financial services meltdown. So we took those consumer protection responsibilities and put them into a separate entity called the Consumer Financial Protection Bureau.

Now, the gentleman who was a freshman here, I don't expect that he would have been around to understand that. You know, he just got here. But for my colleagues who served on the Financial Services Committee to get up and say, well, I don't know why we have a separate Consumer Financial Protection Bureau, they must not have been paying attention.

Now, to go further over the objections of some of us, we didn't want to necessarily put this in the Federal Reserve; but to get it funded appropriately, the Federal Reserve set some fees and charged the industry for this agency, not the taxpayer. This is not taxpayer money, at least not tax dollar money. I guess at some point everything is taxpayer money. But this is not appropriated money. So this would come out of the Federal Reserve's budget, which I thought my colleagues, they don't like the Federal Reserve anyway, at least that is what they have been telling us all this time. They want to do away with the Federal Reserve. You would think they would want to take some of their money and put it into the Consumer Financial Protection Bureau.

All this amendment does is try to restore the funding to a level so that the Consumer Financial Protection Bureau can do what it is charged with doing.

□ 1800

Let's not understate or overstate that. This is an important amendment. Let's support the amendment and pass it.

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

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

Mr. HIMES. Madam Chair, I rise in support of the Holt amendment.

I was moved to come to the floor because I was stunned that in their deregulatory zeal, in their ideologically driven desire to shrink the size of government, the Republican majority would choose to leave the American consumer unprotected.

I represent a lot of American consumers and I know that they don't really understand derivatives. I know that they don't really understand the concept of systemic risk, of credit-default swaps, many of the difficult things that we sought to regulate in Dodd-Frank. But they sure do understand what it means to open up that credit card bill at the end of the month and see hundreds of dollars of charges that they didn't anticipate.

Millions of Americans now understand what it is to have a mortgage blow up on them, a mortgage that if we were all honest with each other we would recognize none of us really understands our own mortgages. Millions of Americans now know what it is to see interest rates hop up on a mortgage and to lose their homes. Of all the things that the Republican majority could choose to gut, that they would choose to leave the American consumer to be prey to predatory practices is unconscionable.

Madam Chair, we don't allow toasters that will burn your house down. We don't allow cars that will blow up. But evidently the Republican majority would allow mortgages that would blow up your house or other financial products that would bring an American family to its knees.

I've heard the counterarguments. I heard the gentleman from Georgia stand down there and say that this is an expansion of government spending. What the gentleman from Georgia didn't say is that probably the most politically unpopular bit of spending we've seen in the last several years was hundreds of billions of dollars requested by a Republican President and a Republican Secretary of the Treasury to bail out the financial industry. I'll say it again. Republicans requested the bailout. That was a terribly expensive thing to do. The Consumer Financial Protection Bureau will help prevent that in the future. It's a good investment.

I've heard arguments about czars. I must say, I've talked to tens of thousands of my constituents and nobody is saying that czars are a problem in the United States of America today. I'm hearing a slightly better argument, but one that I don't accept as a former banker, that we are separating consumer protection from safety and soundness. As a former banker, I will say that those are not separate concepts, that when you have bank customers defaulting on their mortgages, when you have bank customers running up credit card debt and being subject to fees that they can't possibly repay, you stick a knife into the safety and soundness of that bank or whatever institution that we are talking about.

Mr. GARRETT. Will the gentleman yield?

Mr. HIMES. I will yield to the gentleman from New Jersey.

Mr. GARRETT. So you see the importance of having both of those issues and how there's not a hard dividing line between the two is what you're saying?

Mr. HIMES. That is correct.

Mr. GARRETT. Under the current statute, Dodd-Frank, is the CFPB charged with looking at something other than consumer protection? Are they charged with looking at safety and soundness?

Mr. HIMES. Reclaiming my time, this country has long had a history of the examination of the safety and soundness of our banks. And what we are saying now is that we will assist and support the safety and soundness of our banks by keeping the customers of those banks from defaulting through good consumer protection.

So I support the Holt amendment and think this is terribly, terribly important to American families and the safety and soundness of the system.

I yield back the balance of my time.

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

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

Mr. DICKS. Madam Chairman, I rise in support of the amendment.

I yield to the gentleman from North Carolina.

Mr. MILLER of North Carolina. Madam Chairman, I have heard Mr.

PRICE's arguments before. So I've talked to a lot of people about whether they really valued the freedom to be cheated on credit cards, to be cheated on mortgages, to be cheated on overdraft fees, and I found that that was not really a freedom that they valued; and, in fact, they didn't really believe that was the reason the financial industry was opposing consumer protection legislation. They thought that the reason the financial industry was opposing the legislation was so they could make more money and keep up by cheating people, which was not something they wanted any more than Americans a hundred years ago really valued the right to buy rancid beef, as the meatpackers argued a century ago. They were opposing pure food legislation so they could protect the right of people to buy rancid beef. Americans don't believe it.

I asked the president of the American Bankers Association in committee if he could give me the names of some of the people who qualified for prime mortgages but got a subprime mortgage, or someone who really wanted to have a credit card contract that required them to continue to pay interest on a balance even after they had paid off the balance. He said that was a rhetorical question and he didn't have to answer it; it was just a rhetorical question.

But I mean it. If somebody can tell me someone who qualified for a prime mortgage and instead asked for, wanted, chose a subprime mortgage, introduce them to me. If there's someone who actually wanted a credit card contract that required them to pay interest on the balance even after they paid off the balance, introduce them to me. I want to understand that consumer choice, because I have been assuming all along the reason they entered those contracts that were so hideous to them is they got cheated.

Mr. DICKS. Reclaiming my time, I yield to the gentlelady from New York.

Mrs. MALONEY. Madam Chairman, I, too, rise in support of the Holt amendment and will place in the RECORD an eight-page document from the Americans for Financial Reform. This has eight pages of State, local, and city organizations in support of an independent Consumer Financial Protection Bureau.

I must say that the Republicans are chipping away at the independence of this very important bureau. We put it in the Fed to have financial independence for regulation. They're putting it back under the appropriations system and cutting it dramatically.

Dodd-Frank did a lot of good things, and one of them was to try to level the playing field for the consumer with the creation of the Consumer Financial Protection Bureau. For far too long in our financial system and its products, any concerns about consumer protection came in a distant second, a third, or not at all. Now, any American who opens a checking or savings account,

anyone who takes out a student loan or a mortgage, anyone who opens a credit card or takes out a payday loan will have a Federal agency on their side to protect them. For the first time, consumer protection authority will be housed in one place, and the Democrats funded it. The Republicans are taking away that funding and that independence.

This is a critically important amendment for the financial independence, security, and well-being of the consumer in our country and for the financial system. We are suffering through the Great Recession because there was no oversight. The Democrats have put in oversight, accountability. And the Republicans lose the vote on the floor, we pass it, but they're trying to win by cutting away the funding so they can't function, so they can't do their job, taking away their independence. It is outrageous. It is wrong. It is an insult to the American people.

And my friends on both sides of the aisle should join Congressman HOLT in support of his important amendment. It is important to the financial independence and security of the American public, and I urge everyone to support it.

HOUSE GOP TARGETS CONSUMER PROTECTION BUREAU WITH CR
(By Tim Fernholz)

When Democrats in Congress crafted last year's Dodd-Frank financial regulatory overhaul, they went out of their way to protect the fledgling Consumer Financial Protection Bureau from the financial sector and Republicans who opposed it. They did so by crafting a dedicated funding stream from the Federal Reserve to protect the agency's independence from the whims of appropriators—or so they thought.

A provision in the continuing resolution being debated on the House floor this week would limit the CFPB's funding, which could be as much as \$700 million a year, to only \$80 million for the rest of this fiscal year.

"They found a way around it," said Financial Services Committee ranking member Barney Frank, D-Mass., the law's namesake who managed its progress in the House. The measure created several regulatory agencies and strengthened existing ones while proposing restrictions on bank borrowing and pernicious business practices.

House Republicans had promised to use the appropriations process to limit funding for the agencies implementing the new law, which they believe imposes burdensome costs on consumers and the private sector while failing to prevent future crises.

The CR includes no money for the Securities and Exchange Commission or the Commodity Futures Trading Commission to implement key provisions in the law; similar restrictions are already in the bill being debated on the floor.

With the bulk of the funding for the CFPB under the Fed's discretion—the agency can request a further \$200 million from Congress if the director so chooses—Democrats thought the CFPB would be safe from the whims of appropriators, but language in the CR would amend the Dodd-Frank law itself.

"We don't normally tinker around with the Federal Reserve; however, the Dodd-Frank bill did, and it opened the door," a GOP aide said. Frank doesn't disagree: "In fairness to [Republicans], the Fed didn't independently decide to fund the CFPB; we told them to."

Frank was skeptical about the provision's chances in the Senate or in negotiations with the White House, which has made the agency a priority, but worried that the issue might get lost in the complex funding battle.

"I don't think the tea party's victory was a mandate for the re-deregulation of the American financial system," Frank said, arguing that voters are behind restrictions on the financial sector. "On all those issues, as they become public, we win."

Among the amendments that have been proposed to the CR, one would eliminate the salary of the CFPB's interim head, Elizabeth Warren, and another would defund the agency entirely. Warren pushed back at the agency's critics in a speech on Tuesday.

"Politicizing the funding of bank supervision would be a dangerous precedent, and it would deprive the CFPB of the predictable funding it will need to examine large and powerful banks consistently and to provide a level playing field with their nonbank competitors," she said, pointing out that IndyMac, a bank that failed during the 2008 crisis, cost the government nearly 20 times the maximum yearly funding of the CFPB.

AMERICANS FOR FINANCIAL REFORM.

February 16th, 2011.

Re Opposition to proposed cuts to CFPB funding under the proposed CR; the Consumer Financial Protection Bureau is a very good value.

DEAR MEMBER OF CONGRESS: On behalf of Americans for Financial Reform, a coalition of more than 250 national, state and local organizations and its other undersigned member organizations, we write in strong opposition to the funding cuts for the new Consumer Financial Protection Bureau (CFPB), as proposed in a controversial provision (Section 1517) in the Continuing Resolution to be considered on the House floor today. If amendments are offered to restore funding to the CFPB we urge you to support them. Also, oppose any amendments, such as #528 (Carter) or #577 (Price), that would further weaken the CFPB.

The controversial provision included in the CR would effectively cut the new CFPB's budget by 40 percent—from \$143 million to \$80 million—before it even takes over its job of protecting American consumers from unfair financial practices.

These proposed cuts would not subtract a dime from the deficit. They would take money designated to protect American consumers from financial fraud and leave it instead with the already well-funded Federal Reserve system.

That's because the CFPB's budget is a transfer from the Federal Reserve Board, not an appropriation. The attempt at cuts to the non-appropriated budget of a bank supervisory agency is unacceptable; no other federal bank regulators have their budgets manipulated in this way. In fact, while the CFPB's proposed Federal Reserve transfer this year of \$143 million is well under its proposed cap of approximately \$500 million to be needed once it is fully staffed, it remains the only bank supervisor with a capped budget. Not only is the CFPB the first federal agency with only one job, protecting consumers in the financial marketplace, its funding status as enacted in the Wall Street Reform and Consumer Protection Act of 2010 is a very good value and already a compromise since it is capped.

Cutting its budget would prevent it from examining the biggest banks for further violations of overdraft, credit card and mortgage rules that they have become known for. This would harm consumers. Cutting its budget would make it harder for consumers who have been slammed by these same unfair practices from participating in the economic

recovery. Cutting its budget would also harm small businesses, who have not been served well by those big banks that would benefit most from a CFPB budget cut.

And finally, cutting the CFPB's budget means a return to the system of inadequate financial supervision that failed taxpayers, depositors, investors, homeowners and other consumers. Allowing continued predatory lending to consumers will inject greater risk into the financial system. That will raise the threat of a repeat of the Wall Street-caused financial crisis that cost Americans millions of lost jobs, billions of dollars in taxpayer funded bailouts and trillions of dollars in lost home values and retirement savings.

It is absolutely essential that the House of Representatives reject the politicization of bank supervision as proposed in the CR. We encourage you to support any amendments that may be offered on the House floor to restore funding to the CFPB. With the economy still fragile, this is no time to further undercut consumer confidence by defunding a federal agency consumers will need to rely on to ensure that their interests are protected. After the worst economic crisis since the Great Crash of 1929, consumers need a full-sized cop on the beat.

Sincerely,

Americans for Financial Reform, Center for Digital Democracy, Consumer Action, Consumers Union, Greenlining Institute, National Consumer Law Center (on behalf of its low-income clients), National Council of La Raza, National Fair Housing Alliance, National People's Action, Neighborhood Economic Development Advocacy Project, Public Citizen, The Leadership Conference on Civil and Human Rights, U.S. PIRG.

Following are the partners of Americans for Financial Reform.

All the organizations support the overall principles of AFR and are working for an accountable, fair and secure financial system. Not all of these organizations work on all of the issues covered by the coalition or have signed on to every statement.

NATIONAL ORGANIZATIONS

A New Way Forward, AARP, Accountable America, Adler and Colvin, AFL-CIO, AFSCME, Alliance For Justice, American Family Voices, American Income Life Insurance, Americans for Democratic Action, Inc.

Americans for Fairness in Lending, American Sustainable Business Council, Americans United for Change, Business for Shared Prosperity, Calvert Asset Management Company, Inc., Campaign for America's Future, Campaign Money, Center for Digital Democracy, Center for Economic and Policy Research, Center for Economic Progress.

Center for Media and Democracy, Center for Responsible Lending, Center for Justice and Democracy, Center of Concern, Change to Win, Clean Yield Asset Management, Coastal Enterprises Inc., Color of Change, Common Cause, Communications Workers of America.

Community Development Transportation Lending Services, Community Law Center, Consumer Action, Consumer Association Council, Consumers for Auto Safety and Reliability, Consumer Federation of America, Consumer Watchdog, Consumers Union, Corporation for Enterprise Development, CREDO.

CTW Investment Group, Demos, Economic Policy Institute, Essential Action, Green America, Greenlining Institute, Good Business International, Help Is On the Way, Inc, HNMA Funding, Home Actions.

Housing Counseling Services, Information Press, Institute for Global Communications, Institute for Policy Studies: Global Economy Project, International Brotherhood of Teamsters, Institute of Women's Policy Research,

Keystone Research Center, Krull & Company, Laborers' International Union of North America, Lake Research Partners, Lawyers' Committee for Civil Rights Under Law.

The Leadership Conference on Civil and Human Rights, MoveOn.org Political Action, NAACP, NASCAT, National Association of Consumer Advocates, National Association of Investment Professionals, National Association of Neighborhoods, National Coalition for Asian Pacific American Community Development, National Community Reinvestment Coalition, National Consumer Law Center (on behalf of its low-income clients).

National Consumers League, National Council of La Raza, National Fair Housing Alliance, National Federation of Community Development Credit Unions, National Housing Institute, National Housing Trust, National Housing Trust Community Development Fund, National NeighborWorks Association, National People's Action, National Council of Womens Organizations.

National Workright Institute, Next Step, OMB Watch, Opportunity Finance Network, Partners for the Common Good, PICO, Progress Now Action, Progressive States Network, Poverty and Race Research Action Council, Public Citizen.

Responsible Endowments Coalition, Sargent Shriver Center on Poverty Law, Scam Victims United, SEIU, Sojourners, State Voices, Taxpayer's for Common Sense, The Association for Housing and Neighborhood Development, The Carrots and Sticks Project.

The Fuel Savers Club, The Seminal, UNET, Union Plus, United for a Fair Economy, U.S. PIRG, Unitarian Universalist for a Just Economic Community, United Food and Commercial Workers, United States Student Association, USAction.

Veris Wealth Partners, Veterans Chamber of Commerce, We The People Now, Western States Center, Woodstock Institute, Working America, World Business Academy, World Privacy Forum.

STATE ORGANIZATIONS

207 CCAG, 9 to 5, the National Association of Working Women (CO), AARP Rhode Island, Alaska PIRG, Arizona PIRG, Arizona Advocacy Network, Arizonans for Responsible Lending, Arkansas Community Organizations, Arkansas Public Policy Panel, Association for Neighborhood and Housing Development (NY).

Audubon Partnership for Economic Development LDC (New York, NY), Aurora NAACP, BAC Funding Consortium Inc. (Miami, FL), Beech Capital Venture Corporation (Philadelphia, PA), Bell Policy Center (CO), California PIRG, California Reinvestment Coalition, Center for Media and Democracy, Center for NYC Neighborhoods, Century Housing Corporation (Culver City, CA).

Changer (NY), Chautauqua Home Rehabilitation and Improvement Corporation (NY), Chicago Community Loan Fund (Chicago, IL), Chicago Community Ventures (Chicago, IL), Chicago Consumer Coalition, Citizen Potawatomi CDC (Shawnee, OK), Club Change of Martin County (Florida), Coalition on Homeless Housing in Ohio, Coffee Party of Pensacola, Florida, Coffee Party of Union Square, New York City.

Colorado AFL-CIO, Colorado Center on Law and Policy, Colorado Immigrants Rights Coalition, Colorado PIRG, Colorado Spring NAACP, Community Action of Nebraska, Community Capital Development, Community Capital Fund (Bridgeport, CT), Community Capital of Maryland (Baltimore, MD), Community Development Financial Institution of the Tohono O'odham Nation (Sells, AZ).

Community Redevelopment Loan and Investment Fund, (Atlanta, GA), Community Reinvestment Association of North Carolina, Community Resource Group (Fayetteville, AR), Connecticut Association for Human Services, Connecticut Citizen Action Group, Connecticut PIRG, Consumer Assistance Council, Cooper Square Committee (New York, NY), Cooperative Fund of New England (Wilmington, NC), Corporacion de Desarrollo Economico de Ceiba (Ceiba, PR).

CWA 7777 (CO), Delta Foundation, Inc. (Greenville, MS), Economic Opportunity Fund (EOF) (Philadelphia, PA), Empire Justice Center (NY), Enterprises, Inc., Berea KY, Fair Housing Contact Service OH, Federation of Appalachian Housing Enterprises, Inc. (Berea, KY), Fitness and Praise Youth Development, Inc. (Baton Rouge, LA), Florida Consumer Action Network.

Florida PIRG, Forward Community Investments (Madison, WI), Funding Partners for Housing Solutions (Ft. Collins, CO), Georgia PIRG, Grow Iowa Foundation (Greenfield, IA), Homewise, Inc. (Santa Fe, NM), Humanitas Community Development Corporation, Idaho Chapter, National Association of Social Workers, Idaho Community Action Network, Idaho Nevada CDFI (Pocatello, ID).

Illinois PIRG, Impact Capital (Seattle, WA), Indiana PIRG, Indiana University PIRG, Information Press (CA), Iowa PIRG, Iowa Citizens for Community Improvement, JobStart Chautauqua, Inc. (Mayville, NY), Keystone Research Center, La Casa Federal Credit Union (Newark, NJ).

Low Income Investment Fund (San Francisco, CA), Long Island Housing Services NY, MaineStream Finance (Bangor, ME), Maryland PIRG, Massachusetts Consumers' Coalition, Massachusetts Fair Housing Center, MASSPIRG, Michigan PIRG, Midland Community Development Corporation (Midland, TX).

Midwest Minnesota Community Development Corporation (Detroit Lakes, MN), Mile High Community Loan Fund (Denver, CO), Missouri PIRG, Montana Community Development Corporation (Missoula, MT), Montana PIRG, Mortgage Recovery Service Center of L.A., Neighborhood Economic Development Advocacy Project, New Hampshire PIRG, New Jersey Community Capital (Trenton, NJ), New Jersey Citizen Action.

New Jersey PIRG, New Mexico PIRG, New York PIRG, New York City AIDS Housing Network, Next Step (MN), NOAA Community Development Fund, Inc. (Boston, MA), Non-profit Finance Fund (New York, NY), Nonprofits Assistance Fund (Minneapolis, MN), North Carolina Association of Community Development Corporations, North Carolina PIRG.

Northern Community Investment Corporation (St. Johnsbury, VT), Northside Community Development Fund (Pittsburgh, PA), Ohio Capital Corporation for Housing (Columbus, OH), Ohio PIRG, Oregon State PIRG, Our Oregon, PennPIRG, Piedmont Housing Alliance (Charlottesville, VA).

Rhode Island PIRG, Rights for All People, The Rocky Mountain Peace and Justice Center, Rural Community Assistance Corporation (West Sacramento, CA), Rural Organizing Project OR, San Francisco Metropolitan Transportation Authority, Seattle Economic Development Fund dba Community Capital Development, SEIU Local 105 (Colorado), SEIU Rhode Island, Siouxland Economic Development Corporation (Sioux City, IA).

Southern Bancorp (Arkadelphia, AR), TexPIRG, The Association for Housing and Neighborhood Development, The Fair Housing Council of Central New York, The Help Network, The Loan Fund (Albuquerque, NM), Third Reconstruction Institute (NC), V-Fam-

ily, Inc., Vermont PIRG, Village Capital Corporation (Cleveland, OH).

Virginia Citizens Consumer Council, Virginia Poverty Law Center, War on Poverty—Florida, Washington Community Action Network, WashPIRG, Westchester Residential Opportunities Inc. NY, Wigamig Owners Loan Fund, Inc. (Lac du Flambeau, WI), WISPIRG.

BUSINESSES

Blu, Bowden-Gill Environmental, Community MedPAC, Diversified Env. Planning, Hayden & Craig, PLLC, The Holographic Repatterning Institute at Austin, Mid City Animal Hospital (Phoenix, AZ), UNET.

□ 1810

Mr. DICKS. Again, I strongly rise in support of the Holt amendment. If you look at history, in the years around 2003 to 2005, this budget was cut.

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

Mr. DICKS. Vote for the Holt amendment.

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

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

Mr. HOLT. 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 New Jersey 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 printed in the CONGRESSIONAL RECORD on which proceedings were postponed, in the following order:

Amendment No. 189 by Ms. WOOLSEY of California.

Amendment No. 208 by Mr. COLE of Oklahoma.

Amendment No. 514 by Mr. PRICE of North Carolina.

Amendment No. 404 by Mr. WALDEN of Oregon.

Amendment No. 516 by Mr. CAMP of Michigan.

Amendment No. 195 by Mrs. LUMMIS of Wyoming.

Amendment No. 165 by Mr. CARTER of Texas.

Amendment No. 204 by Mr. SCALISE of Louisiana.

Amendment No. 458 by Mr. FRANK of Massachusetts.

Amendment No. 506 by Mr. HOLT of New Jersey.

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

AMENDMENT NO. 189 OFFERED BY MS. WOOLSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WOOLSEY) 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 91, noes 339, not voting 3, as follows:

[Roll No. 80]

AYES—91

Amash	Honda	Quigley
Baldwin	Jackson (IL)	Rahall
Bass (CA)	Johnson, E. B.	Rangel
Becerra	Keating	Rohrabacher
Berkley	Kind	Roybal-Allard
Berman	Kucinich	Royce
Blumenauer	Lee (CA)	Sánchez, Linda
Boswell	Lewis (GA)	T.
Braley (IA)	Lofgren, Zoe	Sánchez, Loretta
Capuano	Lynch	Sarbanes
Castor (FL)	Maloney	Schakowsky
Chu	Markey	Schrader
Clay	Matsui	Serrano
Cohen	McCarthy (NY)	Speier
Cooper	McCollum	Stark
Davis (IL)	McDermott	Thompson (CA)
DeFazio	McGovern	Tierney
DeGette	Meeks	Tonko
Doggett	Michaud	Towns
Duncan (TN)	Miller, George	Tsongas
Edwards	Moore	Turner
Ellison	Nadler	Velázquez
Eshoo	Neal	Waters
Farr	Olver	Watt
Frank (MA)	Pallone	Waxman
Garamendi	Pastor (AZ)	Weiner
Grijalva	Paul	Welch
Gutierrez	Payne	Woolsey
Hinojosa	Pingree (ME)	Wu
Hirono	Polis	Yarmuth
Holt	Price (NC)	

NOES—339

Ackerman	Chabot	Franks (AZ)
Adams	Chaffetz	Frelinghuysen
Aderholt	Chandler	Fudge
Akin	Cicilline	Gallegly
Alexander	Clarke (MI)	Gardner
Altmire	Clarke (NY)	Garrett
Andrews	Cleaver	Gerlach
Austria	Clyburn	Gibbs
Baca	Coble	Gibson
Bachmann	Coffman (CO)	Gingrey (GA)
Bachus	Cole	Gohmert
Barletta	Conaway	Gonzalez
Barrow	Connolly (VA)	Goodlatte
Bartlett	Conyers	Gosar
Barton (TX)	Costello	Gowdy
Bass (NH)	Courtney	Granger
Benishek	Cravaack	Graves (GA)
Berg	Crawford	Graves (MO)
Biggert	Crenshaw	Green, Al
Bilbray	Critz	Green, Gene
Bilirakis	Cuellar	Griffin (AR)
Bishop (GA)	Culberson	Griffith (VA)
Bishop (NY)	Cummings	Grimm
Bishop (UT)	Davis (CA)	Guinta
Black	Davis (KY)	Guthrie
Blackburn	DeLauro	Hall
Bonner	Denham	Hanabusa
Bono Mack	Dent	Hanna
Boren	DesJarlais	Harman
Boustany	Deutch	Harper
Brady (PA)	Diaz-Balart	Harris
Brady (TX)	Dicks	Hartzler
Brooks	Dingell	Hastings (FL)
Brown (GA)	Dold	Hastings (WA)
Brown (FL)	Donnelly (IN)	Hayworth
Buchanan	Doyle	Heck
Bucshon	Dreier	Heinrich
Buerkle	Duffy	Heller
Burgess	Duncan (SC)	Hensarling
Burton (IN)	Ellmers	Herger
Butterfield	Emerson	Herrera Beutler
Calvert	Engel	Higgins
Camp	Farenthold	Himes
Campbell	Fattah	Hinche
Canseco	Finler	Holden
Cantor	Fincher	Hoyer
Capito	Fitzpatrick	Huelskamp
Capps	Flake	Huizenga (MI)
Cardoza	Fleischmann	Hultgren
Carnahan	Fleming	Hunter
Carney	Flores	Hurt
Carson (IN)	Forbes	Inslee
Carter	Fortenberry	Israel
Cassidy	Fox	Issa

Jackson Lee (TX)	Miller (MI)	Schiff
Jenkins	Miller (NC)	Schilling
Johnson (GA)	Miller, Gary	Schmidt
Johnson (IL)	Moran	Schock
Johnson (OH)	Mulvaney	Schwartz
Johnson, Sam	Murphy (CT)	Schweikert
Jones	Murphy (PA)	Scott (SC)
Jordan	Myrick	Scott (VA)
Kaptur	Napolitano	Scott, Austin
Kelly	Neugebauer	Scott, David
Kildee	Noem	Sensenbrenner
King (IA)	Nugent	Sessions
King (NY)	Nunes	Sewell
Kingston	Nunnelee	Sherman
Kinzinger (IL)	Olson	Shimkus
Kissell	Owens	Shuler
Kline	Palazzo	Shuster
Labrador	Pascrell	Simpson
Lamborn	Paulsen	Sires
Lance	Pearce	Slaughter
Landry	Pelosi	Smith (NE)
Langevin	Pence	Smith (NJ)
Lankford	Perlmutter	Smith (TX)
Larsen (WA)	Peters	Smith (WA)
Larson (CT)	Peterson	Southerland
Latham	Petri	Stearns
LaTourette	Pitts	Stevens
Latta	Platts	Stutzman
Levin	Poe (TX)	Sullivan
Lewis (CA)	Pompeo	Sutton
Lipinski	Posey	Terry
LoBiondo	Price (GA)	Thompson (MS)
Loeb	Quayle	Thompson (PA)
Loeb	Reed	Thornberry
Long	Rehberg	Tiberi
Lowe	Reichert	Tipton
Lucas	Renacci	Upton
Luetkemeyer	Reyes	Van Hollen
Lujan	Ribble	Visclosky
Lummis	Richardson	Walberg
Lungren, Daniel E.	Richmond	Walden
Mack	Rigell	Walsh (IL)
Manzullo	Rivera	Walsh (MN)
Marchant	Roby	Wasserman
Marino	Roe (TN)	Schultz
Matheson	Rogers (AL)	Webster
McCarthy (CA)	Rogers (KY)	West
McCaul	Rogers (MI)	Westmoreland
McClintock	Rokita	Whitfield
McCotter	Rooney	Wilson (FL)
McHenry	Ros-Lehtinen	Wilson (SC)
McIntyre	Roskam	Wittman
McKeon	Ross (AR)	Wolf
McKinley	Ross (FL)	Womack
McMorris	Rothman (NJ)	Woodall
Rodgers	Runyan	Yoder
McNerney	Ruppersberger	Young (AK)
Meehan	Rush	Young (FL)
Mica	Ryan (OH)	Young (IN)
Miller (FL)	Ryan (WI)	
	Scalise	

NOT VOTING—3

Costa Crowley Giffords

□ 1835

Mr. LUJÁN, Ms. HAYWORTH, Messrs. OWENS, MULVANEY, WALZ of Minnesota, Ms. GRANGER, Messrs. QUAYLE, COFFMAN of Colorado, and SCALISE changed their vote from “aye” to “no.”

Messrs. FARR, HONDA, Ms. BERKLEY, Mr. GUTIERREZ, and Ms. CHU changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. TURNER, Madam Chair, on rollcall vote No. 80 I inadvertently voted “aye” when I intended to vote “nay.”

AMENDMENT NO. 208 OFFERED BY MR. COLE OF OKLAHOMA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 247, noes 175, not voting 11, as follows:

[Roll No. 81]

AYES—247

Adams	Garrett	Murphy (PA)
Aderholt	Gerlach	Myrick
Akin	Gibbs	Neugebauer
Alexander	Gibson	Noem
Altmire	Gingrey (GA)	Nugent
Amash	Gohmert	Nunes
Austria	Goodlatte	Nunnelee
Bachmann	Gosar	Olson
Bachus	Gowdy	Palazzo
Barletta	Granger	Paul
Bartlett	Graves (GA)	Paulsen
Barton (TX)	Griffin (AR)	Pearce
Bass (NH)	Griffith (VA)	Pence
Benishek	Grimm	Petri
Berg	Guinta	Pitts
Biggert	Guthrie	Platts
Bilbray	Hall	Poe (TX)
Bilirakis	Hanna	Pompeo
Bishop (UT)	Harper	Posey
Black	Harris	Price (GA)
Blackburn	Hartzler	Quayle
Bonner	Hastings (WA)	Rahall
Bono Mack	Hayworth	Reed
Boren	Heck	Rehberg
Boustany	Heller	Reichert
Brady (TX)	Hensarling	Renacci
Brooks	Herger	Ribble
Brown (GA)	Herrera Beutler	Rigell
Brown (FL)	Huelskamp	Rivera
Buchanan	Huizenga (MI)	Roby
Bucshon	Hultgren	Roe (TN)
Buerkle	Hunter	Rogers (AL)
Burgess	Hurt	Rogers (KY)
Burton (IN)	Issa	Rogers (MI)
Calvert	Jenkins	Rohrabacher
Camp	Johnson (IL)	Rokita
Campbell	Johnson (OH)	Rooney
Canseco	Johnson, Sam	Ros-Lehtinen
Cantor	Jordan	Roskam
Capito	Kelly	Ross (AR)
Capps	King (IA)	Ross (FL)
Cardoza	King (NY)	Royce
Carnahan	Kingston	Runyan
Carney	Kinzinger (IL)	Ryan (WI)
Carson (IN)	Kline	Scalise
Carter	Labrador	Schiff
Cassidy	Lamborn	Schilling
	Lance	Schmidt
	Landry	Schock
	Lankford	Schweikert
	Latham	Scott (SC)
	LaTourette	Scott, Austin
	Latta	Sensenbrenner
	Lewis (CA)	Sessions
	LoBiondo	Shimkus
	Long	Shuler
	Denham	Shuster
	Dent	Simpson
	DesJarlais	Smith (NE)
	Diaz-Balart	Smith (NJ)
	Donnelly (IN)	Smith (TX)
	E.	Southerland
	Dreier	Stearns
	Duffy	Stevens
	Duncan (SC)	Stutzman
	Duncan (TN)	Terry
	Ellmers	Thompson (PA)
	Emerson	Thornberry
	Farenthold	Tiberi
	Fincher	Tipton
	Fitzpatrick	Upton
	Flake	Walberg
	Fleischmann	Walden
	Fleming	Walsh (IL)
	Flores	Webster
	Forbes	West
	Fortenberry	Westmoreland
	Fox	Whitfield
	Franks (AZ)	Wilson (SC)
	Frelinghuysen	Wittman
	Gallegly	Wolf
	Gardner	

vote on the amendment offered by the gentleman from Oregon (Mr. WALDEN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 244, noes 181, not voting 8, as follows:

[Roll No. 83]

AYES—244

Adams	Fox	McCarthy (CA)
Aderholt	Franks (AZ)	McCaul
Akin	Frelinghuysen	McClintock
Alexander	Gallegly	McCotter
Amash	Gardner	McHenry
Austria	Garrett	McKeon
Bachmann	Gerlach	McKinley
Bachus	Gibbs	McMorris
Barletta	Gibson	Rodgers
Barrow	Gingrey (GA)	Meehan
Bartlett	Gohmert	Meeks
Barton (TX)	Goodlatte	Mica
Bass (NH)	Gosar	Miller (FL)
Benishek	Gowdy	Miller (MI)
Berg	Granger	Miller, Gary
Biggart	Graves (GA)	Mulvaney
Bilbray	Graves (MO)	Murphy (PA)
Bilirakis	Griffin (AR)	Myrick
Bishop (UT)	Griffith (VA)	Neugebauer
Black	Grimm	Noem
Blackburn	Guinta	Nugent
Bonner	Guthrie	Nunes
Bono Mack	Hall	Nunnelee
Boren	Hanna	Olson
Boswell	Harper	Palazzo
Boustany	Harris	Paul
Brooks	Hartzler	Paulsen
Broun (GA)	Hastings (WA)	Pence
Buchanan	Hayworth	Peterson
Bucshon	Heck	Petri
Buerkle	Heller	Pitts
Burgess	Hensarling	Platts
Burton (IN)	Herger	Poe (TX)
Calvert	Herrera Beutler	Pompeo
Camp	Hinojosa	Posey
Campbell	Holden	Price (GA)
Canseco	Huelskamp	Quayle
Cantor	Huizenga (MI)	Reed
Capito	Hultgren	Rehberg
Carter	Hunter	Renacci
Cassidy	Hurt	Ribble
Chabot	Issa	Rivera
Chaffetz	Jenkins	Roby
Coble	Johnson (IL)	Roe (TN)
Coffman (CO)	Johnson (OH)	Rogers (AL)
Cole	Johnson, Sam	Rogers (KY)
Conaway	Jones	Rogers (MI)
Cravaack	Jordan	Rohrabacher
Crawford	Kelly	Rokita
Crenshaw	King (IA)	Rooney
Cuellar	King (NY)	Ros-Lehtinen
Culberson	Kingston	Roskam
Davis (KY)	Kinzinger (IL)	Ross (FL)
Denham	Kline	Royce
Dent	Labrador	Runyan
DesJarlais	Lamborn	Ryan (WI)
Diaz-Balart	Lance	Scalise
Dold	Landry	Schilling
Dreier	Lankford	Schmidt
Duffy	Larsen (WA)	Schock
Duncan (SC)	Latham	Schweikert
Duncan (TN)	Latta	Scott (SC)
Ellmers	LoBiondo	Scott, Austin
Emerson	Long	Scott, David
Farenthold	Lucas	Sensenbrenner
Fincher	Luetkemeyer	Sessions
Fitzpatrick	Lummis	Shimkus
Flake	Lungren, Daniel	Shuster
Fleischmann	E.	Simpson
Fleming	Mack	Smith (NE)
Flores	Manzullo	Smith (NJ)
Forbes	Marchant	Smith (TX)
Fortenberry	Marino	Southerland

Stearns	Turner	Wilson (SC)
Stivers	Upton	Wittman
Stutzman	Walberg	Wolf
Sullivan	Walden	Womack
Terry	Walsh (IL)	Woodall
Thompson (PA)	Webster	Yoder
Thornberry	West	Young (AK)
Tiberi	Westmoreland	Young (FL)
Tipton	Whitfield	Young (IN)

NOES—181

Ackerman	Green, Gene	Payne
Altmire	Grijalva	Pelosi
Andrews	Gutierrez	Perlmutter
Baca	Hanabusa	Peters
Baldwin	Harman	Pingree (ME)
Bass (CA)	Hastings (FL)	Polis
Becerra	Heinrich	Price (NC)
Berkley	Higgins	Quigley
Berman	Himes	Rahall
Bishop (GA)	Hinchee	Rangel
Bishop (NY)	Hirono	Reichert
Blumenauer	Holt	Reyes
Brady (PA)	Honda	Richardson
Brown (FL)	Hoyer	Richmond
Butterfield	Inslee	Rigell
Capps	Israel	Ross (AR)
Capuano	Jackson (IL)	Rothman (NJ)
Cardoza	Cardoza	Roybal-Allard
Carnahan	Jackson Lee	Ruppersberger
Carney	(TX)	Rush
Carson (IN)	Johnson (GA)	Ryan (OH)
Castor (FL)	Johnson, E. B.	Sánchez, Linda
Chandler	Keating	T.
Chu	Kildee	Sanchez, Loretta
Ciçilline	Kind	Sarbanes
Clarke (MI)	Kissell	Schakowsky
Clarke (NY)	Kucinich	Schiff
Langevin	Langevin	Schrader
Clay	Larson (CT)	Schwartz
Cleaver	LaTourette	Scott (VA)
Clyburn	Lee (CA)	Serrano
Cohen	Levin	Sewell
Connolly (VA)	Lewis (CA)	Sherman
Conyers	Lipinski	Shuler
Cooper	Loeb sack	Slaughter
Costa	Lofgren, Zoe	Smith (WA)
Costello	Lowey	Speier
Courtney	Luján	Stark
Critz	Lynch	Sutton
Cummings	Maloney	Thompson (CA)
Davis (CA)	Markey	Thompson (MS)
Davis (IL)	Matheson	Tierney
DeFazio	Matsui	Tonko
DeGette	McCarthy (NY)	Towns
DeLauro	McCollum	Tsongas
Deutch	McDermott	Van Hollen
Dicks	McGovern	Velázquez
Dingell	McIntyre	Visclosky
Doggett	McNerney	Walz (MN)
Donnelly (IN)	Michaud	Wasserman
Doyle	Miller (NC)	Schultz
Edwards	Miller, George	Watt
Ellison	Moore	Waxman
Engel	Moran	Weiner
Eshool	Murphy (CT)	Welch
Farr	Nadler	Wilson (FL)
Fattah	Napolitano	Woolsey
Finer	Neal	Wu
Frank (MA)	Olver	Yarmuth
Fudge	Owens	
Garamendi	Pallone	
Gonzalez	Pascrell	
Green, Al	Pastor (AZ)	

NOT VOTING—8

Brady (TX)	Giffords	Pearce
Braley (IA)	Kaptur	Sires
Crowley	Lewis (GA)	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1845

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

Stated for:

Mr. LEWIS of California. Madam Chair, during voting on Walden Amendment No. 404 to H.R. 1, I intended to vote “yes” in support of the amendment, but accidentally voted “no” due to the confusion of two-minute voting increments on a long series of amendments.

AMENDMENT NO. 516 OFFERED BY MR. CAMP
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CAMP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 137, noes 292, answered “present” 1, not voting 3, as follows:

[Roll No. 84]

AYES—137

Ackerman	Garrett	Paul
Amash	Gerlach	Paulsen
Andrews	Gohmert	Payne
Austria	Granger	Pearce
Bachmann	Harris	Pelosi
Bartlett	Hayworth	Peters
Bass (NH)	Heinrich	Petri
Benishek	Heller	Reichert
Berg	Herger	Rivera
Berkley	Higgins	Rogers (AL)
Berman	Huizenga (MI)	Rogers (MI)
Bilirakis	Jenkins	Rooney
Black	Johnson (OH)	Ros-Lehtinen
Blumenauer	Jordan	Roybal-Allard
Boren	Kaptur	Royce
Brady (TX)	Kelly	Runyan
Buchanan	Kildee	Ryan (OH)
Buerkle	King (IA)	Ryan (WI)
Camp	Kissell	Sarbanes
Campbell	Kline	Schakowsky
Cantor	Kucinich	Schmidt
Capps	LaTourette	Scott (VA)
Cardoza	Latta	Scott, David
Carter	Levin	Sensenbrenner
Castor (FL)	Lofgren, Zoe	Sessions
Clarke (MI)	Lucas	Shuster
Coble	Lungren, Daniel	Simpson
Coffman (CO)	E.	Slaughter
Cole	Maloney	Smith (TX)
Conaway	Marchant	Sullivan
Connolly (VA)	Matsui	Sutton
Conyers	McCaul	Terry
Costa	McCotter	Thompson (CA)
Cravaack	McDermott	Thornberry
Crenshaw	McIntyre	Tiberi
Culberson	McMorris	Turner
Davis (KY)	Rodgers	Upton
DeFazio	Mica	Walberg
Dent	Miller (MI)	Walden
Diaz-Balart	Miller, George	Weiner
Dingell	Murphy (PA)	West
Duffy	Nunes	Woodall
Engel	Olson	Wu
Farr	Olver	Young (AK)
Fitzpatrick	Palazzo	Young (FL)
Franks (AZ)	Pallone	
Garamendi	Pascrell	

NOES—292

Adams	Blackburn	Carnahan
Aderholt	Bonner	Carney
Akin	Bono Mack	Carson (IN)
Alexander	Boswell	Cassidy
Altmire	Boustany	Chabot
Baca	Brady (PA)	Chaffetz
Bachus	Braley (IA)	Chandler
Baldwin	Brooks	Chu
Barletta	Broun (GA)	Ciçilline
Barrow	Brown (FL)	Clarke (NY)
Barton (TX)	Bucshon	Clay
Bass (CA)	Burgess	Cleaver
Becerra	Burton (IN)	Clyburn
Biggart	Butterfield	Cohen
Bilbray	Calvert	Cooper
Bishop (GA)	Canseco	Costello
Bishop (NY)	Capito	Courtney
Bishop (UT)	Capuano	Crawford

Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Denham
DesJarlais
Deutch
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Fattah
Filner
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxo
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gardner
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harman
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Hensarling
Herrera Beutler
Himes
Hinchev
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Huelskamp
Hultgren
Hunter
Hurt
Inslee
Israel

ANSWERED "PRESENT"—1

Rigell

NOT VOTING—3

Crowley Farenthold Giffords

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1851

Mr. LYNCH changed his vote from "aye" to "no."

Mr. WU, Ms. MATSUI, and Mr. BU-
CHANAN changed their vote from "no"
to "aye."

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 195 OFFERED BY MRS. LUMMIS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Wyoming (Mrs.
LUMMIS) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 232, noes 197,
not voting 4, as follows:

[Roll No. 85]

AYES—232

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Cardoza
Carter
Heller
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers

Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin

Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton

NOES—197

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez

Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCormack
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens

Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Langevin
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—4

Crowley Giffords
Farenthold Walz (MN)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1854

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 165 OFFERED BY MR. CARTER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 250, noes 177, not voting 6, as follows:

[Roll No. 86]

AYES—250

Adams	Duncan (SC)	Kline
Aderholt	Duncan (TN)	Labrador
Akin	Ellmers	Lamborn
Alexander	Emerson	Landry
Altmire	Fincher	Lankford
Amash	Fitzpatrick	Latham
Austria	Flake	LaTourette
Bachmann	Fleischmann	Latta
Bachus	Fleming	Lewis (CA)
Barletta	Flores	Lipinski
Barrow	Forbes	Long
Bartlett	Fortenberry	Lucas
Barton (TX)	Fox	Luetkemeyer
Benishek	Franks (AZ)	Lummis
Berg	Frelinghuysen	Lungren, Daniel E.
Berkley	Gallely	Mack
Biggert	Gardner	Manzullo
Bilbray	Garrett	Marchant
Bilirakis	Gerlach	Marino
Bishop (UT)	Gibbs	McCarthy (CA)
Black	Gibson	McCaul
Blackburn	Gingrey (GA)	McClintock
Bonner	Gohmert	McCotter
Bono Mack	Goodlatte	McHenry
Boren	Gosar	McKeon
Boustany	Gowdy	McKinley
Brady (TX)	Granger	McMorris
Brooks	Graves (GA)	Rodgers
Broun (GA)	Graves (MO)	Meehan
Buchanan	Green, Gene	Mica
Buchshon	Griffin (AR)	Miller (FL)
Buerkle	Griffith (VA)	Miller (MI)
Burgess	Grimm	Miller, Gary
Burton (IN)	Guinta	Mulvaney
Calvert	Guthrie	Murphy (PA)
Camp	Hall	Myrick
Campbell	Hanna	Neugebauer
Canseco	Harper	Noem
Cantor	Harris	Nugent
Capito	Hartzler	Heck
Cardoza	Hastings (WA)	Heller
Carter	Hayworth	Hensarling
Cassidy	Heck	Herrera Beutler
Chabot	Heller	Holden
Chaffetz	Hensarling	Huelskamp
Coble	Herger	Huizenga (MI)
Coffman (CO)	Herrera Beutler	Hultgren
Cole	Holden	Hunter
Conaway	Huelskamp	Hurt
Costa	Huizenga (MI)	Issa
Costello	Hultgren	Jenkins
Cravaack	Hunter	Johanson (IL)
Crawford	Hurt	Johanson (OH)
Crenshaw	Issa	Johnson, Sam
Critz	Jenkins	Jones
Cuellar	Johnson (OH)	Jordan
Culberson	Johnson, Sam	Kelly
Davis (KY)	Jones	Kind
Denham	Jordan	King (IA)
Dent	Kelly	King (NY)
DesJarlais	Kind	Kingston
Diaz-Balart	King (IA)	Kissell
Dold	King (NY)	Kline
Donnelly (IN)	Kingston	Labrador
Dreier	Kinzinger (IL)	Lamborn
Duffy	Kissell	Robby

Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schrader

Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry

Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (LL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IN)

detained. Had I been present, I would have voted "no."

AMENDMENT NO. 204 OFFERED BY MR. SCALISE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 249, noes 179, answered "present" 1, not voting 4, as follows:

[Roll No. 87]

AYES—249

Adams	Fincher	Landry
Aderholt	Fitzpatrick	Lankford
Akin	Flake	Latham
Alexander	Fleischmann	LaTourette
Amash	Fleming	Latta
Austria	Flores	Lewis (CA)
Bachmann	Forbes	LoBiondo
Bachus	Fortenberry	Long
Barletta	Fox	Lucas
Bartlett	Franks (AZ)	Luetkemeyer
Barton (TX)	Frelinghuysen	Lummis
Bass (NH)	Gallely	Lungren, Daniel E.
Benishek	Gardner	Mack
Berg	Garrett	Manzullo
Biggert	Gerlach	Marchant
Bilbray	Gibbs	Marino
Bilirakis	Gibson	McCarthy (CA)
Bishop (UT)	Gingrey (GA)	McCauley
Black	Gohmert	McClintock
Blackburn	Goodlatte	McCotter
Bonner	Gosar	McHenry
Bono Mack	Gowdy	McIntyre
Boren	Granger	McKeon
Boustany	Graves (GA)	McKinley
Brady (TX)	Graves (MO)	McMorris
Brooks	Green, Gene	McMorris
Broun (GA)	Griffin (AR)	Rodgers
Buchanan	Griffin (VA)	Meehan
Buchshon	Grimm	Mica
Buerkle	Guinta	Miller (FL)
Burgess	Guthrie	Miller (MI)
Burton (IN)	Hall	Miller, Gary
Calvert	Hanna	Murphy (PA)
Camp	Harper	Myrick
Campbell	Harris	Neugebauer
Canseco	Hartzler	Noem
Cantor	Hastings (WA)	Nugent
Capito	Carter	Heck
Cardoza	Cassidy	Heller
Carter	Chabot	Hensarling
Cassidy	Chandler	Herger
Chabot	Coble	Herrera Beutler
Chaffetz	Coffman (CO)	Huelskamp
Coble	Cole	Huizenga (MI)
Coffman (CO)	Conaway	Hultgren
Cole	Costello	Hunter
Conaway	Cravaack	Hurt
Costa	Crawford	Issa
Costello	Crenshaw	Jenkins
Cravaack	Cuellar	Johnson (IL)
Crawford	Culberson	Johnson (OH)
Crenshaw	Davis (KY)	Johnson, Sam
Critz	DeFazio	Jones
Cuellar	Denham	Jordan
Culberson	Dent	Kelly
Davis (KY)	DesJarlais	King (IA)
Denham	Diaz-Balart	King (NY)
Dent	Dold	Kingston
DesJarlais	Dold	Reichert
Diaz-Balart	Dreier	Renacci
Dold	Duffy	Rigell
Donnelly (IN)	Duncan (SC)	Rivera
Dreier	Duncan (TN)	Robby
Duffy	Emerson	Lance

NOES—177

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chiu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez

NOT VOTING—6

Crowley
Farenthold
Giffords
Larson (CT)

Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

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

□ 1857

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

Stated against:
Mr. McINTYRE. During rollcall vote number 86 on February 17, 2011, I was unavoidably

Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin

Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton

Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

The result of the vote was announced as above recorded.

AMENDMENT NO. 458 OFFERED BY MR. FRANK OF MASSACHUSETTS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. FRANK) 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.

Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Filner
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallely
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harman

Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslie
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McCotter
McDermott
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell

Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez

Green, Al
Grijalva
Gutierrez
Hanabusa
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchoy
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe y
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McColum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone

Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Ribble
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Green, Al

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.

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

The vote was taken by electronic device, and there were—ayes 160, noes 270, not voting 3, as follows:

[Roll No. 88]
AYES—160

Ackerman
Altmire
Andrews
Baldwin
Barrow
Bass (CA)
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cooper
Costello
Costen
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Green, Al

Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchoy
Hinojosa
Holt
Honda
Hoyer
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Lee (CL)
Loeb sack
Lofgren, Zoe
Lowe y
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McColum
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Olver
Pallone
Pastor (AZ)
Payne
Pelosi

Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Renacci
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Stearns
Sutton
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Yarmuth

ANSWERED "PRESENT"—1

Amash

NOT VOTING—4

Crowley
Farenthold
Giffords
Mulvaney

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1901

So the amendment was agreed to.

NOES—270

Adams
Aderholt
Akin
Alexander
Amash
Austria
Baca
Bachmann

Biggert
Bilbray
Billrakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner

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

□ 1904

Mr. PALLONE changed his vote from "no" to "aye."
So the amendment was rejected.
The result of the vote was announced as above recorded.

NOT VOTING—3

Farenthold
Giffords

AMENDMENT NO. 506 OFFERED BY MR. HOLT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 163, noes 265, not voting 5, as follows:

[Roll No. 89]

AYES—163

Ackerman	Green, Al	Pascarell
Altmire	Green, Gene	Payne
Andrews	Grijalva	Pelosi
Baca	Gutierrez	Perlmutter
Baldwin	Hanabusa	Peters
Barrow	Harman	Pingree (ME)
Bass (CA)	Hastings (FL)	Polis
Berkley	Heinrich	Price (NC)
Berman	Higgins	Rangel
Bishop (GA)	Himes	Reyes
Bishop (NY)	Hinchev	Richardson
Boswell	Hirono	Richmond
Brady (PA)	Holden	Rothman (NJ)
Braley (IA)	Holt	Roybal-Allard
Brown (FL)	Honda	Ruppersberger
Butterfield	Hoyer	Rush
Capps	Inslee	Ryan (OH)
Capuano	Israel	Sánchez, Linda
Carnahan	Jackson (IL)	T.
Carney	Jackson Lee	Sanchez, Loretta
Carson (IN)	(TX)	Sarbanes
Castor (FL)	Johnson (GA)	Schakowsky
Chu	Johnson, E. B.	Schiff
Ciциlline	Jones	Schwartz
Clarke (MI)	Kaptur	Scott (VA)
Clarke (NY)	Keating	Scott, David
Clay	Kildee	Serrano
Cleaver	Kissell	Sewell
Clyburn	Langevin	Sherman
Cohen	Larsen (WA)	Sires
Conyers	Lee (CA)	Slaughter
Costello	Lipinski	Smith (WA)
Courtney	Loeb sack	Speier
Critz	Lofgren, Zoe	Stark
Cummings	Lowey	Sutton
Davis (CA)	Lujan	Thompson (MS)
Davis (IL)	Lynch	Tierney
DeFazio	Maloney	Tonko
DeGette	Markey	Towns
DeLauro	Matsui	Tsongas
Deutch	McCarthy (NY)	Van Hollen
Dicks	McClintock	Velázquez
Doggett	McCollum	Visclosky
Donnelly (IN)	McGovern	Walz (MN)
Doyle	McIntyre	Wasserman
Edwards	McNerney	Schultz
Ellison	Meeks	Waters
Engel	Miller (NC)	Watt
Eshoo	Miller, George	Waxman
Farr	Moore	Weiner
Fattah	Moran	Wilson (FL)
Filner	Murphy (CT)	Woolsey
Frank (MA)	Nadler	Wu
Fudge	Napolitano	Yarmuth
Garamendi	Olver	
Gonzalez	Pallone	

NOES—265

Adams	Bass (NH)	Bonner
Aderholt	Becerra	Bono Mack
Akin	Benishkek	Boren
Alexander	Berg	Boustany
Amash	Biggert	Brady (TX)
Austria	Bilbray	Brooks
Bachmann	Bilirakis	Broun (GA)
Bachus	Bishop (UT)	Buchanan
Barletta	Black	Bucshon
Bartlett	Blackburn	Buerkle
Barton (TX)	Blumenauer	Burgess

Burton (IN)	Hinojosa	Pitts
Calvert	Huelskamp	Platts
Camp	Huizenga (MI)	Poe (TX)
Campbell	Hultgren	Pompeo
Canseco	Hunter	Posey
Cantor	Hurt	Price (GA)
Capito	Issa	Quayle
Cardoza	Jenkins	Quigley
Carter	Johnson (IL)	Rahall
Cassidy	Johnson (OH)	Reed
Chabot	Johnson, Sam	Rehberg
Chaffetz	Jordan	Reichert
Chandler	Kelly	Renacci
Coble	Kind	Ribble
Coffman (CO)	King (IA)	Rigell
Cole	King (NY)	Rivera
Conaway	Kingston	Roby
Connolly (VA)	Kinzinger (IL)	Roe (TN)
Cooper	Kline	Rogers (AL)
Costa	Kucinich	Rogers (KY)
Cravaack	Labrador	Rogers (MI)
Crawford	Lamborn	Rohrabacher
Crenshaw	Lance	Rokita
Cuellar	Landry	Rooney
Culberson	Lankford	Ros-Lehtinen
Davis (KY)	Larson (CT)	Roskam
Denham	Latham	Ross (AR)
Dent	LaTourette	Ross (FL)
DesJarlais	Latta	Royce
Diaz-Balart	Levin	Runyan
Dingell	Lewis (CA)	Ryan (WI)
Dold	Lewis (GA)	Scalise
Dreier	LoBiondo	Schilling
Duncan (SC)	Long	Schmidt
Duncan (TN)	Lucas	Schock
Ellmers	Luetkemeyer	Schrader
Emerson	Lummis	Schweikert
Fincher	Lungren, Daniel	Scott (SC)
Fitzpatrick	E.	Scott, Austin
Flake	Mack	Sensenbrenner
Fleischmann	Manzullo	Sessions
Fleming	Marchant	Shimkus
Flores	Marino	Shuler
Forbes	Matheson	Shuster
Fortenberry	McCarthy (CA)	Simpson
Fox	McCaul	Smith (NE)
Franks (AZ)	McCotter	Smith (NJ)
Frelinghuysen	McDermott	Smith (TX)
Gardner	McHenry	Southerland
Garrett	McKeon	Stearns
Gerlach	McKinley	Stivers
Gibbs	McMorris	Stutzman
Gibson	Rodgers	Sullivan
Gingrey (GA)	Meehan	Terry
Gohmert	Mica	Thompson (CA)
Goodlatte	Michaud	Thompson (PA)
Gosar	Miller (FL)	Thornberry
Gowdy	Miller (MI)	Tiberi
Granger	Miller, Gary	Tipton
Graves (GA)	Mulvaney	Turner
Graves (MO)	Murphy (PA)	Upton
Griffin (AR)	Myrick	Walberg
Griffith (VA)	Neal	Walden
Grimm	Neugebauer	Walsh (IL)
Guinta	Noem	Webster
Guthrie	Nugent	Welch
Hall	Nunes	West
Hanna	Nunnelee	Westmoreland
Harper	Olson	Whitfield
Harris	Owens	Wilson (SC)
Hartzler	Palazzo	Wittman
Hastings (WA)	Pastor (AZ)	Wolf
Hayworth	Paul	Womack
Heck	Paulsen	Woodall
Heller	Pearce	Yoder
Hensarling	Pence	Young (AK)
Herger	Peterson	Young (FL)
Herrera Beutler	Petri	Young (IN)

NOT VOTING—5

Crowley Farenthold Giffords
Duffy Gallegly

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

□ 1907

So the amendment was rejected.
The result of the vote was announced as above recorded.
Stated against:
Mr. GALLEGLY. Madam Chair, on rolcall No. 89, I was inadvertently detained. Had I been present, I would have voted “no.”

□ 1910

AMENDMENT NO. 50 OFFERED BY MS. MCCOLLUM
Ms. MCCOLLUM. Mr. Chairman, I have an amendment at the desk.
The Acting CHAIR (Mr. HASTINGS of Washington). The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ None of the funds made available by this Act may be used by the Department of Defense for sponsorship of NASCAR race cars.

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

Ms. MCCOLLUM. Mr. Chairman, first I would like to thank the staff, the committee staff on both the Republican and the Democratic side, and I would like to thank the floor staff for their patience, their hard work, their dedication and their help to me this evening.

Mr. Chairman, my amendment ends tens of millions of taxpayer dollars being wasted on sponsorship for NASCAR race cars by the Department of Defense.

□ 1920

With trillion-dollar deficits, this amendment is where the rubber meets the road for my Republican tea party colleagues who want to cut wasteful spending.

Defense Department waste is nothing new. Many Americans remember in the 1980s the Pentagon was spending \$400 for a hammer and \$600 for a toilet seat. Now we have the Army spending \$7 million for a decal on a racing car. Talk about taxpayer sticker shock.

For \$7 million the Army buys a decal on a race car and a few driver appearances. But it's not only the Army spending millions of dollars. The Air Force sponsors a NASCAR race car for millions. So does the National Guard. Incredibly, over the past decade hundreds of millions of taxpayer dollars have subsidized race car owners and millionaire drivers in the name of military recruitment.

Now here's the \$7 million question: Does slapping a sticker on a race car convince a young man or a young woman to volunteer to serve our country in the Armed Forces? Not according to the Marine Corps.

Fact. In 2006, the Marine Corps dropped its sponsorship of NASCAR. A Marine Corps spokesman said, We don't have a tracking mechanism to track how many people contracted because of seeing an advertisement on the hood of a car.

Fact. The same year, the Coast Guard dropped a \$5 million NASCAR deal.

Fact. In 2008, the Navy dropped NASCAR sponsorship, saying, “it's not always easy to measure a return on investment.”

Unbelievably, that year the Navy also paid one driver, Dale Earnhardt,

Jr., the outrageous sum of \$800,000 in taxpayer funds—twice the salary of the President of the United States—just to make public appearances.

For all the tough budget cutters in Congress, you should know that the Citizens Against Government Waste has endorsed this amendment. So I would urge my Republican colleagues who are cutting homeless veterans, cutting law enforcement officers, cutting firefighters, why not cut some real waste and at the same time free NASCAR from its dependency on the American taxpayer?

This amendment gives Members a clear choice: a vote to end wasteful spending or a vote to keep wasting the American people's money. I urge a "yes" vote to end the funding to NASCAR.

I want to stress again, many parts of the military were using NASCAR sponsorship as part of their driver recruitment. They found that they could not track the success of this program, so they ended it, using their resources towards something that they knew that they could track, knew that they had something that was successful.

So, Members, I urge you to end the taxpayer funding to NASCAR. Let's put the dollars to work in the Department of Defense for something they know is trackable and accountable.

Mr. Chairman, 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, we support the gentlewoman's efforts to ensure that every taxpayer dollar is spent wisely and effectively. Our committee has always been focused on that.

Effective recruiting is critical to the military's ability to attract new qualified military men and women and maintain our all-volunteer force. The Department of Defense uses its sponsorship of NASCAR and other sporting events to create awareness of the different military services and the unique advantages and programs that come with serving our Nation.

Quite frankly, Mr. Chairman, it's a great public-private partnership. NASCAR sponsorship has proven to be a very cost-effective recruiting tool, with some estimates stating that for every dollar the military puts in NASCAR sponsorship, it gets \$4 in advertising through television, merchandise, and other outlets. We believe the dollars are well spent. Thus I oppose the amendment.

I yield to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I want to thank my colleague from New Jersey for yielding.

Let's be clear: This amendment will not save one single dime. My colleague from Minnesota simply is misinformed. Every dime spent in this sponsorship

program is measurable. You can measure the number of media impressions you have, which the U.S. Army's participation in NASCAR sponsorship netted it 484 million media impressions, 34 million of which were offered specific Army recruiting messages.

So let's be very clear. This sponsorship is about recruiting. This amendment is about politics in certain districts for certain groups of people. But the vast majority of NASCAR fans—one out of five—have served or are currently serving in the U.S. military. It's a target-rich environment for Army's recruiting message and a target-rich environment for military and the military message.

So I would just urge my colleagues to vote against this irresponsible amendment that is certainly politically charged, but at the end of the day will not save the taxpayers one single dime.

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

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

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

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 232 OFFERED BY MR. NADLER

Mr. NADLER. 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:

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

SEC. _____. Not more than \$10,000,000,000 of the funds made available by this Act may be used for United States military operations in Afghanistan.

Mr. NADLER. Mr. Chairman, I'm pleased to offer this amendment along with the gentlewoman from California (Ms. LEE) and the gentlewoman from California (Mr. STARK).

The continuing resolution provides approximately \$100 billion for Department of Defense operations in Afghanistan. This amendment states that not more than \$10 billion of the funds made available by the bill may be used for military operations in Afghanistan. The intent is clear: It is time to bring U.S. involvement in the war in Afghanistan to an end and to bring our troops home. The war effort in Afghanistan is no longer serving its purpose of enhancing the security of the United States, which should be our goal.

We were attacked on 9/11 by al Qaeda. Al Qaeda had bases in Afghanistan. It made sense to go in and destroy those bases. And we did. We have every right, we have every duty to destroy bases which are being used to plot against

the United States. But the CIA tells us that there are now fewer than 100 al Qaeda personnel in all of the country of Afghanistan. Congress and the American people helped greatly reduce U.S. involvement in Iraq. Through the elections in 2006 and 2008 we forced a new direction in Iraq and helped bring thousands of troops home. We must now do the same in Afghanistan.

The intent of this amendment is to reduce the funding for Afghanistan sufficiently to leave enough funds to provide for the safe and orderly withdrawal of our troops but not funding for ongoing combat operations.

The gentleman from Virginia (Mr. WOLF) earlier today said he would propose an amendment to establish a blue ribbon commission to examine our war effort and to ask the question of how best to fight the war. With all due respect, that is the wrong question. The right question, the first question is: Why do we need to fight this war at all?

□ 1930

It is past time to admit that our legitimate purpose in Afghanistan—to destroy al Qaeda bases—has long since been accomplished. But it is a fool's errand to try to remake a country that nobody since Genghis Khan has managed to conquer. What makes us think, what arrogance gives us the right to assume that we can succeed where the Mongols, the British, the Soviets failed? No government in Afghanistan, no government in Kabul, has ever been able to make its writ run in the entire country.

Why have we undertaken to invent a government that is not supported by the majority of the people, a government that is corrupt, and try to impose it on this country? Afghanistan is in the middle of what is at this point a 35-year civil war. We have no business intervening in that civil war, we have no ability to win it for one side or the other, and we have no necessity to win it for one side or the other. This whole idea of counterinsurgency, that we are going to persuade the people who are left alive after our firepower is applied to love the government that we like is absurd. It will take tens of years, hundreds and hundreds of billions of dollars, tens of thousands of American lives, if it can be done at all, and we don't need to do it. It's their country. If they want to have a civil war, we can't stop them. We can't choose the rulers that they have, we don't have to like the rulers that they have, and we don't have to like their choices. It's not up to us.

At this point we must recognize that rebuilding Afghanistan is both beyond our ability and beyond our mandate to prevent terrorists from attacking the United States. And if it be said that there are terrorists operating in Afghanistan, that may be, but it is also true of Yemen, Somalia and many other countries. We do not need to invade and conquer and occupy all those

countries, and Afghanistan provides no greater necessity or justification for military operations.

We are debating on this floor hundreds of budget cuts—cuts that will grievously hurt millions of Americans—in order to reduce our expenditures by about \$60 billion. Yet we are throwing \$100 billion a year—plus countless lives—down a drainpipe, for no useful purpose at all—and with very little discussion of our purposes and of whether our policy matches our purposes.

To continue so bad a policy at so high a cost is simply unconscionable. It is unjustifiable to sacrifice more money and more lives this way. I urge my colleagues to join me and Ms. LEE and Mr. STARK in voting to bring the U.S. involvement in the war in Afghanistan to a close. Vote for this amendment. Let's bring our troops home. Let's stop wasting our lives and our money and our treasure and our forces. Let's bring our troops home. Let's devote our resources to something that helps the people of this country.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. I rise in opposition to the gentleman's amendment.

Mr. Chairman, I'm not going to debate the issue of the war in Afghanistan. The fact is we're there, our soldiers are getting hurt every day, and too many of them are dying. So we're not going to debate that particular part of the war. What we're going to debate is this amendment. I've said in the last 3 days, a number of times, we're not going to do anything in this defense appropriations bill in the savings that would have an adverse effect on the war fighter. This amendment would affect the war fighter, especially those in Afghanistan.

This \$10 billion that the gentleman would leave in the fund to finance the operations in Afghanistan, that's already been spent. In the first quarter of this fiscal year, the Afghanistan operation cost \$16 billion, and he would only leave 10, which means we're already in deficit of \$6 billion during the first quarter of the year. What kind of confusion would there be in Afghanistan immediately? What would our troops be thinking? Where would they have to go? What would they have to do? What would the rules of engagement be? You can't do this to our soldiers, our war fighters who are in Afghanistan. Don't look at this amendment because of the political tone relative to feeling that we should be in Afghanistan or we shouldn't be in Afghanistan. The fact is we're there. Our soldiers are fighting. They're getting hurt. They're dying. The fact is we can't let them hang out there without proper funding.

Now if you want to bring the troops home from Afghanistan, the truth is \$10 billion won't even accomplish that. It will take more to bring everybody

out of Afghanistan that we have deployed there, with the equipment, with the infrastructure, with the headquarters, would cost them much more than the \$10 billion the gentleman would leave just to redeploy them back to the United States of America.

This amendment does affect the war fighter. I will not support any part of an appropriations bill or an authorizing bill that has an adverse effect on those who stand to fight for America.

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

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

Ms. LEE of California. Mr. Chairman, first of all, let me just thank Congressman NADLER for his ongoing support, consistent support for efforts to end the war and for offering this amendment, which is really very straightforward.

Mr. NADLER. Will the gentlelady yield?

Ms. LEE of California. I yield to the gentleman from New York.

Mr. NADLER. Thank you.

The remarks of the gentleman from Florida were incorrect. This amendment limits \$10 billion from this CR, enough to bring the troops home during the pendency of this CR. Funds that were already spent were appropriated from the previous CRs. So it hasn't already been spent.

Ms. LEE of California. Reclaiming my time, let me just be clear up front, that our service men and women have performed with incredible courage and commitment in Afghanistan. They have done everything asked of them. But the truth is that they have been put in an impossible situation. In fact, this concern of "war without end" is why I opposed the resolution. I know we disagreed with that, but many of us agree now that we should not have this war without end continued. But I opposed the use of military force on September 14 because it was a blank check, I believed then, and it remains one now.

There are a few things we know with certainty regarding the situation in Afghanistan. We know corruption persists unabated, and in many cases has been fueled by the U.S. occupation and influx of foreign cash. President Karzai has proven himself time and time again unwilling, or at least unable, to meaningfully root out corruption within his own administration. We know that the United States troop presence has increased from somewhere around 5,000 troops in 2002 to more than 100,000 troops in 2011. At the same time, military and civilian casualties have increased at record rates. 2010, unfortunately, was the deadliest year in Afghanistan.

We also know that al Qaeda's presence in Afghanistan has been all but eliminated. The administration has been consistent in its assessment that there are maybe between 50 and 100 members of al Qaeda remaining in Af-

ghanistan. The fact is the modern threat of terrorism can emanate from the tribal regions of Yemen or, yes, a hotel room in Germany. It's not feasible or in our national security interest to address this threat through a military-first, boots on the ground strategy. And we know, as military and foreign policy experts from across the political spectrum have told us repeatedly, that the situation in Afghanistan will not be resolved by a military solution. The United States has squandered more than \$1.1 trillion on the wars in Iraq and Afghanistan. Economists estimate the total direct and indirect costs of these two wars by their end may be a total of \$6 trillion.

No one can deny that the increasing costs of the war in Afghanistan are constraining our efforts to invest in job creation and jump-start the economy. At the same time we are fighting here in Congress to protect investments in education, health care, public health and safety, transportation, the war in Afghanistan will cost more than \$100 billion in 2011.

Regardless of the situation in Afghanistan, the Pentagon will come back to us and ask for more time, more troops and more resources. If we're not doing so well there, they'll ask for more time, more troops, more resources. If we're doing well there, they will say we want more time, more resources and more troops.

It's time to say enough is enough. It's time to begin the safe and orderly withdrawal of U.S. troops and military contractors from Afghanistan. We should do so today. I speak today as a daughter of a lieutenant colonel who fought in several wars, one who knows the trauma and the devastation of wars on families.

I want to just thank Congressman NADLER for his leadership and I hope that we all will support my legislation that I introduced today, the Responsible End to the War in Afghanistan Act.

□ 1940

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

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

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

Ms. WATERS. I rise to support the Nadler-Lee-Stark amendment.

I would like to thank them for bringing this amendment to the floor. I would like to thank all of them and the other Progressives in this House for the work that has been done in an attempt to make sense out of the wars in both Iraq and Afghanistan, and for all of the traveling, the speeches, and the organizing that has been done around this war issue.

Mr. Chairman, we continue to fight to bring our troops home. I know that there are those who would think that perhaps because they have not heard a lot from us that somehow we had removed ourselves from the struggle, but

that is certainly not true. We have been respectful. We have allowed this administration to make some commitments. The American people decided to give the administration the opportunity to work to bring our troops home, and we are still committed to that.

This CR would provide \$100 billion for military operations in Afghanistan. That doesn't sound as if we are trying to wind down. That doesn't sound as if we are ready to recognize that it is time to get out of Afghanistan. Why are we there?

Unfortunately, this war has been very traumatic on our soldiers, on their families, and on the American public. Yes, as has been said over and over again, we salute our soldiers. We appreciate the sacrifices that they have made—and have they made sacrifices. There have been more suicides in this war and in the Iraq war than we have had in all of the wars of the United States of America. It breaks my heart to hear about the brain injuries and the loss of limbs that these soldiers have suffered.

Why is this happening? What are we doing?

Leon Panetta, the head of the CIA, says there are fewer than 100 al Qaeda operatives in Afghanistan. That is more than \$1 billion per al Qaeda operative. Again, let me reiterate: the CIA tells us there are fewer than 100 al Qaeda operatives in Afghanistan. At the rate that we're going with the CR providing \$100 billion for military operations, that is more than \$1 billion per al Qaeda operative.

Our amendment would limit the funds for military operations in Afghanistan to \$10 billion to provide for the safe and orderly withdrawal of forces.

As we stand here debating this \$100 billion allocation in the CR, I cannot help but contrast that with the fact that our domestic agenda is being cut and cut and cut, not only by this CR but by the budgets, both from the opposite side of the aisle and from the White House. The homelessness is shameful in America. We have people who are wondering how they're going to keep their homes warm. We are cutting heating oil in America. The environment is taking a licking in this CR.

At the same time that we talk about innovation and creating jobs, I don't see anything in this CR that will create any jobs. What I see are unwise expenditures such as we are witnessing with the \$100 billion. What I see on the opposite side of the aisle is a dedicated commitment to getting rid of regulations that can save us money and create jobs.

So, led by the Progressives, we stand strong in our commitment that this war must end. We must bring our soldiers home. It is time for us to concentrate on the domestic agenda. There are those who would tell us we are training the military in Afghanistan, that we are going to have Afghanistan

soldiers who will be ready to take over. I don't see that happening.

What is "win"? What is "success"? How do you define it? I haven't found anybody on the opposite side of the aisle who can define that.

I would say it is time for us to have the courage to do what must be done. Let's support the Nadler-Lee-Stark amendment.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind Members that the rules provide that Members are not to walk between the Chair and the Member under recognition.

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

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

Mr. POLIS. Mr. Chairman, the ongoing war in Afghanistan is, quite simply, the wrong war in the wrong time and in the wrong place. Intelligence experts agree that a terrorist threat to our Nation does not emanate from within the borders of the nation of Afghanistan.

There is a very real terrorist threat to the people of this country; but by its very nature, it is a stateless menace. It is a menace that is likely to use as its base of operation wherever anarchy prevails and wherever the rule of law is lacking. We cannot effectively combat this threat by occupying one country after another after another.

It is true that, when we occupy a country, al Qaeda and other terrorist operations will likely flee for other areas; but there are unfortunately, Mr. Chairman, plenty of areas of the world that provide hospitable footholds for al Qaeda, which is why a more effective strategy this Nation is currently also engaged in—but which to a certain extent is not complementary to the heavy-handed occupation strategy—is that of more light targeted operations and intelligence gathering and operations against terrorist operatives wherever they are. To be bogged down in one particular nation state, one that is host to a negligible number of al Qaeda operatives—it has been estimated that there are only 50 to 100 al Qaeda operatives—is simply counterproductive to the goal of keeping the American people safe.

Beyond being counterproductive, Mr. Chairman, this is money that we can't afford. This amendment, which I strongly support, will cut \$90 billion from the occupation of Afghanistan, allowing \$10 billion to be used to safely bring the conflict to an end and to maintain a lighter footprint of military operations to ensure that al Qaeda does not regain a stronghold within the borders of Afghanistan.

It is clear, Mr. Chairman, that the current strategy is not working. The expenditures in Afghanistan currently are \$100 billion. That is more than \$1 billion per al Qaeda operative within the borders of Afghanistan. Most of al

Qaeda's operations have moved across the border to Pakistan, and they have gained a foothold in Yemen. Meanwhile, we remain bogged down in a costly war without any clear end game that can be articulated by the people on the ground.

When we enter a military scenario, it is critical to define what success looks like. The nation-building operation undertaken with regard to the occupation of Afghanistan does not have a clear outcome that is reachable. The situation there will not be better in 6 months or in a year or in 2 years or in 3 years.

It is time to stop sending American taxpayer money that we don't have to a war that does not further the security interests of the American people. That is why I am a strong supporter of the Nadler-Lee-Stark amendment, and I encourage my colleagues to vote "yes."

I yield to the gentleman from New York (Mr. NADLER).

□ 1950

Mr. NADLER. I thank the gentleman for his remarks and for yielding.

I just want to make one comment on what was said a moment ago by the gentleman from Florida. This amendment reduces funding in this CR to \$10 billion. It should be enough to withdraw the troops. But the argument was made that to reduce the funding is not to support our troops, to rob them of the implements of doing their job. But the fact is that the only power that Congress has to effectuate the war-making power, to control whether we should be at war somewhere or another, is the power of the purse.

We are not saying, by adopting this amendment, we would not be saying that we want our troops there with no weapons and so forth. We would be saying use the funds to bring the troops home. It is more supportive of the troops to bring them home from a war that they should not be fighting, that is not vital to our national security, it is more supportive to bring them home than it is to give them weapons to fight an unnecessary war in which some of them, unfortunately, will lose their lives.

So I say support our troops. Bring them home. Support the country. Stop fighting where it doesn't make sense, and spend our military resources where it helps the national security of the United States, which is not in Afghanistan right now.

Mr. POLIS. I would simply like to conclude that with the passage of the Nadler-Lee-Stark amendment as part of an underlying continuing resolution will allow America to focus on the real stateless terrorist threats to our Nation by preventing us from being bogged down in one particular occupation in a country that has no significant al Qaeda presence.

I yield back.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

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

Ms. JACKSON LEE of Texas. I thank the authors of this amendment which I rise to support, the Nadler and Stark and Lee amendment. I believe it is a starting point, for those of us who have consistently raised questions about where we are and making sure we follow and adhere to long-standing commitments to our troops and to their families that have served boldly and ably both in Iraq and now in Afghanistan, how we can orderly bring them home.

Mr. Chairman, a couple of years ago as we continued to feel frustration in Iraq, I raised the question and filed legislation called the Day of Honor in which we would bring our troops home from Iraq and then, subsequently, Afghanistan and honor them throughout the Nation.

In fact, I remember arguing with the Bush administration and raising the issue as to why our fallen soldiers, when they came in to Dover Air Force Base, did not have the honor of public view if agreed to by their families. I believe our troops are owed a debt of gratitude, respect and honor. Those who are fighting now deserve that respect and honor.

This legislation in no way diminishes or dismisses their service or the blood that they have shed. But what it says is that we are now in the midst of a major budget crisis. And as we have seen over the last 24 hours, we are willing to cut children and substance abuse and mental health and teachers and environmental protection, if you will, oversight, literally gut the running of the government. These soldiers want to come home to jobs. We have done nothing about creating jobs.

I frankly believe this is a starting point of astute analysis as to what we are doing going forward. We already know that we are looking forward to bringing troops home and to downsizing, redeploying. We begin redeploying by redeploying money.

And let me give you an example. On the floor just a few hours ago, there was an amendment discussed by the Transportation Committee to almost gut the Transportation Security Administration. Now, I chaired that subcommittee in the last Congress, and I serve as the ranking member in this Congress.

If we had done that, it would have had a double detriment to the security of the homeland. Mr. Chairman, 900 positions would have been lost, impacting 450 airports, governing some 445,000 TSA officers. Maybe some of those officer positions could go to returning soldiers who are looking for work. In addition, it would impact the intelligence gathering and disseminating. It would also impact covert testing that goes on at passenger checkpoints, and also cargo where we have seen that we are still in the eye of the storm. There is no doubt that aviation travel is in the eye of the storm for homeland security and protecting the homeland.

So while we have \$100 billion set aside for a war of which we have already been given the direction as downsizing, redeploying, bringing troops home, and yet we have \$100 billion.

So I would simply say this is a time when we should come together and determine that we are moving to bring our troops home; that we are going to use smart money and work on diplomacy, getting Afghanistan to invest the moneys it has and building democracy and educating its children. We support that.

I recall one of my early visits to Afghanistan, taking books to schoolchildren and the excitement of the schools way beyond Kabul where they were excited to receive these books, and the students were excited to receive and to be able to be educated. Of course, in leaving Afghanistan and going to Iraq, we have lost a certain momentum that had gathered. School girls can't even go to school. That comes through diplomacy and buying into a sovereign nation that believes in some dignity for all people.

So I applaud the troops that are on the ground, and I applaud their leadership. But if we have amendments that would gut the Transportation Security Administration and keep us from protecting the homeland, then we know that we are going in the wrong direction. Support an amendment that reduces the amount of money to be spent for Afghanistan, to invest in the homeland and the security of that homeland, and promote agencies like the Transportation Security Administration agency that is fighting every day to secure the American people.

I ask my colleagues to support the amendment.

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

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

Mr. NADLER. 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 New York will be postponed.

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

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

Mrs. EMERSON. Mr. Chair, I yield to the gentleman from Virginia (Mr. GOODLATTE) for a colloquy.

Mr. GOODLATTE. Mr. Chairman, I rise to enter into a colloquy with the chairwoman.

Without consulting with my office in any way, the General Services Administration took advantage of the lack of specific congressional direction in the stimulus bill and initiated renovation work on the Richard H. Poff Federal Building, a Federal building in my district, in Roanoke, Virginia. This ren-

ovation was funded at \$51 million. However, the total cost for the renovations are now in excess of \$65 million when you factor in the relocation costs for the agencies that were located in the Poff building.

I have repeatedly demanded a comprehensive cost-benefit analysis from the GSA showing that this project is financially worthwhile, as is required by law. To date, I have not received such an analysis.

It is completely unacceptable for GSA to move forward any further with this project until such an analysis is produced.

I would like to request that you and the committee commit to working with me to demand that the GSA provide a comprehensive cost-benefit analysis that shows these renovations are worthwhile before any further funds are appropriated to renovate this Federal building.

Mrs. EMERSON. I thank the gentleman from Virginia, and please know that not only am I very happy to work with the gentleman on trying to conduct better oversight of the GSA and ensure that it does cost-benefit analyses, but I have also had quite a similar experience in my hometown in Missouri of cost overruns and no type of real cost-benefit analysis or explanation for those cost overruns other than perhaps inattention to detail.

So I am thrilled to be able to work with you and look forward to doing that.

Mr. GOODLATTE. I thank the gentlewoman.

Mrs. EMERSON. Mr. Chairman, I have another colloquy with the gentleman.

I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I rise to enter into a colloquy with the chairwoman.

I intended to offer an amendment that would have prevented funds from being used in this bill to subsidize wireless phone service in the underlying legislation. As you know, the Universal Service Fund provides Federal money to subsidize landline and cell phone service for low-income individuals.

I can understand the need to ensure that low-income individuals have a basic telecommunications link of some sort for emergency calls. However, the State and local governments are the appropriate levels of government to provide this service.

□ 2000

Especially in a time of fiscal distress like we are currently facing, I do not believe it is the role of the Federal Government to be subsidizing cell phone service.

Would the chairwoman commit to work with me on report language in the fiscal year 2012 appropriations bill addressing this issue?

Mrs. EMERSON. I thank the gentleman from Virginia for bringing this to our attention and commend you for

doing so. And we'll be happy to work with you to try to address this issue, particularly in report language in the FY 2012 bill.

Mr. GOODLATTE. I thank the chairman.

Mrs. EMERSON. I yield back the balance of my time, Mr. Chair.

AMENDMENT NO. 214 OFFERED BY MR. KLINE

Mr. KLINE. 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:

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

SEC. _____. None of the funds made available by this Act may be used to—

(1) implement, administer, or enforce the final regulations on “Program Integrity: Gainful Employment—New Programs” published by the Department of Education in the Federal Register on October 29, 2010 (75 Fed. Reg. 66665 et seq.);

(2) issue a final rule or otherwise implement the proposed rule on “Program Integrity: Gainful Employment” published by the Department of Education on July 26, 2010 (75 Fed. Reg. 43616 et seq.);

(3) implement, administer, or enforce section 668.6 of title 34, Code of Federal Regulations, (relating to gainful employment), as amended by the final regulations published by the Department of Education in the Federal Register on October 29, 2010 (75 Fed. Reg. 66832 et seq.); or

(4) promulgate or enforce any new regulation or rule with respect to the definition or application of the term “gainful employment” under the Higher Education Act of 1965 on or after the date of enactment of this Act.

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

Mr. KLINE. Mr. Chairman, in an op-ed published in *The Wall Street Journal*, President Obama laid out his plan to conduct a comprehensive regulatory review to “remove outdated regulations that stifle job creation and make our economy less competitive.” I have pledged to be a partner in that effort. Job creation and American competitiveness are our top priorities. That's why I am offering an amendment to deny funds from being used to implement and enforce a job-destroying Department of Education regulation.

More than 3 million students attend proprietary schools. These schools, also known as for-profit schools or career colleges, provide students with skills that can be applied immediately to specific jobs in the workforce. With more than 6 million workers unemployed for more than 26 weeks, proprietary schools address a critical need in today's economy. These schools also help address the needs of local communities. Proprietary institutions are nimble and easily adapt to the demands of an ever-changing local economy. If a community lacks trained nurses or qualified auto mechanics, proprietary school can quickly develop programs to fill those needs.

For years, proprietary schools have served young adults, single parents,

first-generation college students, and low-income individuals. They have opened doors to bright futures and strengthened our economy. That's why recent efforts by this administration have been so troubling.

Last year, the Department of Education put forward regulations that will deny students access to many of these institutions. The regulation includes a number of provisions, including unprecedented reporting requirements placed solely on the backs of these proprietary schools. The regulation also requires schools to seek preapproval from the Department of Education before creating any new program, tying down in bureaucratic red-tape the flexibility that has benefited communities and workers.

The public outcry to the regulation has been resounding. More than 90,000 public comments were sent in to the Department during the rulemaking process. A strong bipartisan coalition of Members of Congress has voiced their concerns to the administration, but those concerns seem to be ignored. In 2008, Congress had an opportunity to define “gainful employment,” yet it chose not to. It recognized such a definition would limit student choice and stifle employment. Instead, the administration is barreling ahead with bad policy.

We all support transparency and accountability. We should empower students with good information about all institutions so they can make the most informed choice about their education. We should do our part to root out bad actors. We can do that while opposing an outright attack on the private sector. That's what this is: an attack on the private sector of education. Colleges that planned to expand their campuses have put those plans on hold.

This effort will force schools to turn away students and close their doors. Some have already laid off workers. Capella, based in my home State of Minnesota, announced just yesterday they will lay off 125 staff members. The regulation is destroying jobs today and will continue to do so.

Make no mistake, this isn't just another regulation that will destroy jobs. This is an assault on students' ability to find an institution that best meets their needs.

The President has laid out a goal to lead the world in college graduates in less than 10 years. This goal represents the reality that far too often our workers are unprepared to succeed in a highly competitive global economy. But we cannot lead the world if we follow the path this regulation would force us to take.

Let's support our students. Let's support their right to choose a college that meets their needs. Let's support a strong and competitive workforce. I ask my colleagues to support this amendment.

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

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

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

Ms. DELAURO. I rise in opposition to the Kline amendment, which would prevent the Department of Education from moving forward on a rule that would deny Federal financial aid to career education programs that leave students in too much debt and without gainful employment.

The new gainful employment rule will hold career education employment programs responsible through a simple proposition: A career education program should only receive Federal financial assistance if, upon graduation, students can earn enough money to pay off the debt that they accrue. In short, a program is worth the Federal investment only if the price of the education is justified by its outcome. Isn't this exactly what responsible budgeting is all about?

This rule would apply to both for-profit and nonprofit colleges, but the for-profit sector has mounted an aggressive lobbying campaign in opposition. Why? The average tuition in a for-profit college is several times greater than at a community college. For-profit college students account for only 10 to 12 percent of college students, but they receive 23 percent of all Federal student loans and grants. Graduation rates at for-profit colleges are at or below 50 percent while their profit margins are as high as 30 percent. Twenty-five percent of for-profit school students default on their loans after 3 years.

If we are going to build the workforce of the future, we need to increase the number of Americans with college degrees. But students should not have to mortgage their futures to pay for college, and they should be secure in knowing that when they graduate, they will have a degree or a credential that will help them to secure a job and to repay their student loans. Leaving college without a credential or with one that is of little value in the job market can leave students unable to climb out of debt. And that is what happens to far too many students who have been taken in by the aggressive marketing tactics of for-profit colleges.

Why would any college contest the idea that an education should be worth its price tag? Colleges are in a business to educate students, not simply to take their money.

This rule will protect both students and taxpayers. I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

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

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

Mr. REHBERG. As chairman of the Committee on Appropriations Subcommittee on Education, we have no objections to this amendment.

I have often said—jokingly, of course—that the reason the Internet is

so successful in America is that the government hasn't figured out how to screw it up yet. Well, they are doing everything they can to screw up education. We can finally get an institution or a structure that is able to move very quickly to meet the needs of students, and this government is trying to create a bureaucracy to keep them from being successful, and it's inappropriate.

The Department of Education is attempting to define, through a new regulation, what it means for someone graduating from a proprietary school to be gainfully employed. Wouldn't that be nice if we applied that same standard to our public school system around the country, that our students had to be gainfully employed before they received any money? This is a prime example of Federal overreach.

Fear of this regulation is having a real economic impact now even before it goes into effect. Schools are already scaling back program offerings because of the threat of this "gainful employment" regulation. And if it goes final, approximately 5.4 million students could be shut out of higher education by 2020.

Portions of the regulation are set to go into effect July 1, 2011, so it is necessary to include this language in the continuing resolution. Waiting for the fiscal year 2012 appropriations process will be too late for these schools. Business groups ranging from the National Restaurant Association and the U.S. Chamber of Commerce support this as well as various State Chamber of Commercences. They all support the amendment and oppose the regulation. I hope you do the same.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. I move to strike the last word in opposition to the amendment.

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

Mr. GEORGE MILLER of California. Mr. Chairman, in my district, after it invented the Internet, it turned it over to the private sector to grow it.

Mr. Chairman, Members of the House, this amendment should not be adopted. It should not be adopted because this amendment is designed to disrupt the regulatory process to determine whether or not students who are enrolled in some—and I say "some"; I say this as a supporter of proprietary colleges and career colleges—some classes that only leave them in debt, don't leave them better prepared for the workforce, don't leave them better prepared for the career. There is substantial evidence that that's the case. High default rates, students not completing, students ending up in a lot of debt. They are doing this with almost 90 percent of taxpayer dollars.

I think we have an obligation to the students and to the taxpayers. That's what the administration is trying to do with this regulation.

It's been mentioned that there were 90,000 comments. 89,000 of them were a

form letter. You would have thought that they could have varied them a little bit for the money they were paying to get it out, but they didn't. But the point is this: The administration ought to be allowed to complete this process because this really is about the future of these students.

□ 2010

Students from these schools in many instances graduate with much higher debt. Some of these schools, they default. In excess of 40, 45 percent of them end up in default, and, as you know, that is not debt that you can discharge in a bankruptcy. So these students start out in big trouble if these schools are not providing the kind of educational atmosphere and, hopefully, the success ratio that they should. That should be a concern to every Member of this Congress. That should be a concern to the taxpayers, and it is a concern to this administration.

If this regulation doesn't turn out, the Congress can tell them they can't do it. That's our power. That's the way it works. But to come in in the middle of the game when it's this serious with this money on the table, with these kinds of default rates, and some of these institutions and some of these classes, we're making a big mistake by putting our thumb on one side of the scale at this point in the process.

As I've said from the time I have been on this committee as these schools started to grow and become more a part of our higher education, I have supported them. I continue to support them. Somebody just said, if you're going to meet the goal of college graduation, it's hard to believe how you're going to do it without these schools. But as we all know, you put 90 cents out of every dollar coming from the taxpayer on the street, there's always a few people who show up to pick it up without providing the services.

We went through this in the HMOs back in the nineties. There were people who said they were becoming health care HMOs. No, they were really real estate companies who were trying to get a lot of people to enroll and hopefully they could sell them to somebody else. In this one, it's a question of whether or not you're offering a curriculum that truly benefits the students, gives them the opportunity.

But, you know, when we see the kinds of scandals that have erupted in the past at some of these institutions—again, not all of them—you have to ask the questions: What's going on? People have paid tens of millions of dollars in fines because of how they have attracted students. When you have a business plan that's based upon attracting homeless people, you better make sure that there is some opportunity for that homeless person to thrive in that educational class other than just end up in debt and still homeless. That was a business plan.

So I'm just asking for caution. I know you want to run to justice. I

know the power of these institutions and I know the pressure that you're saying you have to stop this, you have to stop this. We're talking about a few classes within all of these institutions where there is a history, there may very well be a history that all the student got out of it was debt. This isn't about what you end up doing in your career over time, but it's about whether or not you got what you paid for and they delivered services that they promised.

I hope that Congress will reject this amendment. Let the Department continue to work on the regulation, and again, if it doesn't work, if it doesn't make sense and is threatening schools, I suspect that we will all join in making sure that the regulation doesn't go into effect.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I move to strike the last word.

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

Mr. ROE of Tennessee. Mr. Chairman, I rise in support of this amendment.

Over the past year, a number of us have met with Education Secretary Duncan to express our serious concerns with any proposal that evaluates education programs based on the level of debt students are accumulating. Despite improvements that have been made to the rule, I remain concerned about the direction this rule is taking our education system.

I understand and agree with those who are concerned about the high cost of education, but shouldn't we let students and their family evaluate for themselves whether the risk of carrying a high debt load is one they want to take on? It seems to me to be a far better use of our resources to be encouraging informed decisions by putting out accurate information to students about graduation rates, placement rates, and even average student debt burdens.

The fact is career colleges are meeting a community need by educating and training people in specific professions like nursing. In six short years, we are a million nurses short in this country. If there are problems with a specific program, and there are many—in fact, there may be bad programs in this country. Let's come up with a criteria that actually evaluates the programs' effectiveness.

Either way, I think it makes sense to put a halt to this rule and use the additional time to urge the Department to go back and put out a rule that will ensure students continue to have access to educational choice.

I urge adoption of the rule.

I yield back the balance of my time.

Mr. POLIS. I move to strike the last word in opposition to the amendment.

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

Mr. POLIS. Mr. Chairman, I rise to oppose the amendment, which is a broad, sweeping measure, not only

against important protections for students, which I'll elaborate on, but it also leads to potential exposure for taxpayers and taxpayer money.

This amendment would not only eliminate the ability to have the critical gainful employment regulation, some element of quality control to make sure that after receiving sometimes very expensive education somebody's actually more employable, but it would also undo existing transparency that's already approved and published, to disallow basic information on student outcomes, including graduation rates as well as loan default and payment rates.

Now, the reason this is such an important matter to Congress is that this is a critical matter for taxpayers. Taxpayers have been paying the cost for excessive loan default rates of poorly performing for-profit colleges. Specifically, for-profit higher education institutions received \$24 billion in title IV loans and Pell Grants in 2009, accounting for about a quarter of the Federal college loan dollars, despite them comprising only about 10 percent of the higher education institutions.

Meanwhile, students from the for-profit colleges have loan default rates after 3 years about twice the rate of all college defaults and rising to 25 percent. Now, these are averages. That doesn't matter. What matters is: Does it work? Does it work for kids? Are they getting their money's worth? Are taxpayers getting their money's worth by helping people attend these institutions, or are we graduating students with a mountain full of debt, no more employable than the day they walked into that door.

To make the matter even worse, in 2009, the average tuition of the for-profit institution is \$14,000 per year, compared to \$7,000 per year for average 4-year universities and \$2,500 for community colleges.

Now, again, what I would look at would be the return on investment. Are they providing twice the value of a 4-year or community college? The data says no. Are they providing six times the value of community colleges and making somebody employable in the future? The answer, by and large, again is no. That's why the Higher Education Act authorized the Education Department regulations that this amendment would block.

I strongly support the process that the administration has gone through, including the process on the rule on gainful employment.

The administration has not turned a deaf ear to the industry, to the legitimate concerns of quality operators. The first rule that they put out there was—I think they've acknowledged had some room for improvement. They've been working daily in conjunction with the responsible players in the for-profit education industry to establish a real playing field to ensure that we are not doing these students and taxpayers a disservice through this program. GAO

has detailed the issues in its report last summer, and the Leadership Conference on Civil and Human Rights wrote to the U.S. Education Department a couple of weeks ago that the rule will benefit minority students, as they disproportionately enroll at for-profit schools, overpaying for poorer quality education, as compared to the public counterparts.

The proposed rule is a reasonable way to ensure gainful employment for students, and I applaud the administration for taking on this difficult battle for minority students, to ensure basic transparency and to protect taxpayer funds.

I urge a "no" vote on the amendment.

I yield back the balance of my time. Mrs. BIGGERT. I move to strike the last word.

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

Mrs. BIGGERT. Mr. Chairman, I rise in support of the Kline amendment. It is imperative that Congress put the brakes on what has become this administration's culture of runaway regulation.

Specifically, the amendment under consideration will prohibit the use of funds in the underlying bill for the implementation of a misguided regulation commonly referred to as the gainful employment rule, which has already led to job loss and uncertainty in the proprietary college sector. Moving forward, I'm concerned that that rule will jeopardize access to many educational and training programs that provide students with skills to meet the demands of an ever-changing labor market.

In function, this rule would prohibit college programs from receiving Federal student loans unless new complicated loan repayment criteria are met. As such, the rule incentivizes institutions to pursue only those repayment plans which satisfy arbitrary government goals rather than the plans that best fit students' needs. This may be loan repayment; also ignoring measures of seemingly equal importance such as on-time graduation rates and clear placement.

Equally troubling, under the rule, proprietary institutions would, sadly, be forced to navigate an additional restrictive layer of Federal bureaucracy, requiring Federal approval in order to offer any new programs. Unfortunately, this provision fails to realize what is the agile nature of these proprietary institutions that uniquely position them to help unite a properly equipped workforce with employers in today's uncertain job market. By unlawfully restricting the flexibility, we risk failure to capitalize on emergency economic opportunities.

□ 2020

Moreover the gainful employment rule applies almost exclusively to one sector of higher education, the propri-

etary schools which tend to teach job-specific skills, often to at-risk populations such as low-income, minorities, single parents, high school dropouts with GEDs, and first-generation college students who do not have financial help from parents. Somehow there is the notion that the bad actors of the Federal higher education loans world is exclusively within the proprietary college sector. This is preposterous, but the fact is that the administration has chosen to discriminate against these schools. The fact remains, a student can graduate from any institution of higher education with inadequate income to repay their debts, and students should not suffer simply because the school that best suits their needs operates under a for-profit model.

I have repeatedly asked the Department of Education to refrain from implementing this rule until we have clear data on the state of our Nation's overall higher education system. If the administration were serious about addressing unscrupulous recruiting practices at the college level, this data would be compiled and made available, and particularly to Members of Congress. As it stands, we have little more than this singular, last-minute vote to slow down the administration's race to squeeze the for-profit college sector out of existence.

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

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

Mr. ELLISON. Mr. Chair, I would like to point out a few important facts about the for-profit educational sector, and that is that the low-income students make up about half of the enrollment for for-profit colleges and minorities comprise about 37 percent. So this really is a matter of low-income and minority students facing what are high-cost loans for students, and often 90 percent of the money comes from the Federal Government.

Now, as I listen to my friends in the Republican caucus, I would think that they would want the best value for the public dollar. This rule means that some money spent will result in the outcome that is sought in the beginning, which is gainful employment.

Too many of the students who go to these schools are coming out with nothing other than big debt, and no education, no gainful employment at all. And this is a problem. And I'm surprised that we would not say that, look, we are going to make sure that when the Federal dollar is put forward, there will be value coming back for it.

Now, I am no opponent of for-profit colleges. I think ones that are performing well are certainly welcomed in the market and serve a valuable role. But there are bad actors. And I think it's important to point out we have seen this movie before, Mr. Chairman. We have seen it when people said, Look, poor people, low-income people

of color need to get mortgages. And, well, you know what? Well, they can get subprime mortgages. Now, not all subprime mortgages were predatory mortgages, but some were. And enough were to be able to take advantage of people on a very severe scale.

This rule, if it goes into effect, if allowed to proceed forward, would make sure that these students and the government get good value for their money, and no for-profit college that is not relying on a business model that bilks the consumer, the student, should object. No college, no for-profit college that relies on a business model that actually is designed to help the students they propose to help should object to saying, Look, we're going to deliver what we say we're going to deliver, which is gainful employment.

This is no friendly thing for the poor and low-income students of color. This is an abuse. Not all for-profit colleges, but some. And the Federal Government has a responsibility to make sure that these students are not taken advantage of.

By the logic of some of the proponents of this amendment, we should say that, look, any loan shark, pawn shop, payday lender, we ought to just thank them because, you know what, they serve the poor. Well, they had better serve the poor in a fair, scrupulous way and not take advantage of people in a circumstance where they are at a disadvantage.

So I urge members to vote this amendment down and to allow the proper rulemaking procedure to go forward.

I yield back the balance of my time.

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

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

Mr. ROKITA. Mr. Chairman, I rise to support this amendment. This so-called "gainful employment" regulation is another example of this big Federal Government run amok.

Today, Hoosiers in Indiana, and all Americans, are free to choose from accredited colleges and pick the one that they believe fits their needs. These are accredited colleges. No one has accused them of unfairly serving the poor—no one rightfully has—or anyone else. They are accredited. They are licensed.

The Federal Government gets involved in student loans and grants already, more so, I would say, than I and others would like it to. But at least, Mr. Chairman, we still let individuals make their own decisions on where to go to school.

The new rule makes a mockery of our American tradition of free choice, replacing it with a bizarre program where the Federal Government decides what job you should seek and what school you can attend. Let me walk you through it.

Under this rule, the Obama administration has proposed a plan that, number one, creates a matrix that exam-

ines the student loan debt to future income of a prospective student; then, it compares that ratio to the student loan repayment rates of graduates of the same program; and, number three, and finally, it decides if the student can have access to the loans they would need to attend the school or program of their choice.

So for those of us listening, watching at home, what this means is, if you are contemplating going to school so that you can economically better yourself, or because you otherwise want to enrich your life, you just can't go to the college or school of your choosing if you need a government loan.

Instead, a nameless, faceless bureaucracy using some bizarre arbitrary formula gets to decide whether or not you have chosen a field of study that will pay enough to justify the investment, in the mind of that particular bureaucrat. Unbelievable.

The government and the Obama administration are now micromanaging this part of our lives, too. Talk about central planning, Mr. Chairman.

To make matters worse, this new program will disproportionately hurt Hoosiers and other Americans who are least able to do anything about it: Working Americans who need new training and new skills to move forward in the workforce. This was what this Congress should be about.

If this regulation becomes reality, it will immediately prevent 400,000 people from developing new skills to benefit the workforce. By 2020, nearly 5.4 million students will be denied the higher education program of their choice.

In a global economy, we cannot compete without an educated and flexible workforce. This amendment will allow Americans the choice they deserve and the educational flexibility our Nation needs. I urge a "yes" vote.

I yield back the balance of my time.

□ 2030

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

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

Ms. WATERS. Mr. Chairman, I rise today in strong opposition to the Kline-Fox-Hastings-McCarthy amendment that would stop the Department of Education's proposed gainful employment regulation. Proprietary colleges account for only 7 percent of the higher education student population; yet last year 44 percent of student loan borrowers who defaulted within 2 years of beginning their repayment were students who had attended for-profit schools.

Mr. Chairman, I know something about these private postsecondary schools. One could make the argument, and you will hear, oh, not all of the schools. Of course, not 100 percent of the schools are ripoff schools, but a huge majority of them are. I have experienced some of this firsthand.

While I was working with poor students in South Los Angeles, we were

trying to get them into GED classes. The recruiters would come along and tell them that they could get them into their schools, they could help them to get Pell Grants, and they could help them get a career, and, lo and behold, they would sign up. You would see them a few days later, some were going to be dental assistants and they had a little green jacket on and they had a little box that they carried to make it look as if they were carrying dental tools. But it was just a matter of months later when you would find sometimes the school was out of business. They had been going to school, there were no teachers, there was no equipment.

They were ripoff schools. And I want to tell you, they make a lot of money. Take a look at this one school, Capella. They earned \$335 million in profits; 78 percent of that was government money.

Now, my friends on the opposite side of the aisle will have you believe they want to save the government money. They want to make sure that they do everything to protect the government from spending the taxpayers' money unwisely. Something is wrong with this picture when they take the floor and argue for the continued ripoff of our students and our taxpayer money to these schools.

Let me tell you who some of them are. Corinthian, bad reputation; Everest, ITT, Westwood. And, guess what? Kaplan University. Guess who owns Kaplan? The Washington Post. Do you think The Washington Post makes most of its money from the newspaper? You got another thought coming. Their profits and their revenue for the most part is coming from Kaplan University, which has been found to have done all kinds of things to get these students in, charging them higher prices for these classes. They are not getting jobs, they don't get a career, and they end up not only owing the government money, but they are prevented from having a decent quality of life because now they can't get a section 8, they can't get another Pell Grant, and, you know what? In many States they are going after Social Security money and retirement money.

This is the next big scandal in America. You think that the meltdown that we just had and the foreclosures that we are experiencing across this country are bad. You wait until the investigations are done and the truth is told and the amount of money is counted from the ripoffs.

Now, I know that this is a powerful lobby that I am working against. I understand that. They roam these Halls, and they have plenty of resources, and they put out plenty of materials. They buy full-page ads. They are up on television, the Joe Blow School of Computer Learning that has no school. I want to tell you, I understand how tough this is.

But what I don't understand is how they could be joined by people who

claim to care about the taxpayers' money and claim that they are fighting to reduce government, when in fact they are supporting the ripoff schools that are increasing the amount of Pell Grants that we give to schools, who will not get any jobs or create any careers.

This is not right. We should not have to suffer this kind of misrepresentation. Members of this House should be in support of students who want to learn. The worst thing that can happen to students who drop out of school, to students who haven't made it, to all of a sudden think that somehow they are going to get a job and get into one of these ripoff schools and get disappointed time and time again.

I know what populations they are targeting. I see them. They are targeting the welfare mothers. They are targeting gang-bangers. They are targeting all kinds of people that they know are going to have a difficult time succeeding.

So you keep doing this, it is going to catch up with you. I ask that this amendment not be supported.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I move to strike the last word.

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

Mr. THOMPSON of Pennsylvania. Mr. Chairman, the President has promoted a policy to have 5 million new college graduates by 2020, and I commend the President for that goal. However, I have to stop and wonder, how are we going to achieve that mission if the Department of Education is going to put up roadblocks such as the proposed rules for gainful employment?

In reality, career college also serves many purposes for many different people from all walks of life. This is not an issue of black or white, rural or urban, young or old, or Republican or Democrat. This is an issue of access to opportunity.

I represent a very rural district in Pennsylvania. Many of my constituents don't have access to a community college, and they live a significant distance from any university. Many proprietary schools have sprung up out of necessity. Many students in Pennsylvania choose these schools because of their convenience. They realize that career colleges offer course work of all types and work to accommodate the busy schedules that we all have. They realize that life does not just stop for 4 years so that you can go to a school. And they realize these institutions will give them the skills they need to enter the workforce and earn a decent living.

Mr. Chairman, I have concerns that the Department of Education has stepped way beyond its authority and begun determination of an arbitrary ruling on gainful employment. I ask my colleagues to support this bipartisan amendment.

I yield back the balance of my time.

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

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

Mr. HASTINGS of Florida. Mr. Chairman, I rise in support of this amendment that will prohibit the use of funds by the Department of Education for its misguided gainful employment rule.

Perhaps it would be helpful for the body and the public to know what this gainful employment is that we are talking about. Under the Higher Education Act, proprietary colleges and universities and career training programs are required to offer programs that lead to gainful employment in a legally recognized occupation in order to participate in the Federal student aid programs.

The term "gainful employment" has been in the statute for over 40 years; and during the most recent reauthorization of the Higher Education Act, there was absolutely no debate or discussion on a need to further define the term.

Now, when this originated, several of our colleagues on both sides of the aisle, and I am deeply appreciative of the chairman and my colleagues, in a bipartisan fashion we went about our business trying to understand just what kind of proposed rule it is that the Department is talking about and just how it is that it will impact the overall public.

What this amendment would do is prohibit the use of funds for implementation of the draft regulation that the Department issued on October 29, 2010, and will prohibit the Department from promulgating or enforcing new regulations regarding gainful employment.

Let me put a face on these schools, as my colleagues that are opposed have done.

Perhaps some of them have never eaten at a restaurant where the person that prepared the food went to a proprietary institution. I have.

Perhaps none of them have had physical therapy where the person administering it graduated from a proprietary school. I have.

And, most importantly, I want this body to understand that of the eight people that had the last hands-on experiences with my mother for 2 years, all were nurses in two different hospitals and at home, and all graduated from proprietary schools.

□ 2040

We all agree that both taxpayer funds and students' best interests should be protected in higher education. But I can tell you this: rushing into a blanket approach that will limit student access to higher education and fail to adequately address problem institutions is not the way to go.

You know what we did here in this institution? What we did here for the people that work with us, young people that graduate from Ivy League schools, historically black schools, all over this place, we created a program that will allow them to help pay off their student loans. Some of us hire people at

what I would not call gainful employment that may have graduated from institutions that I attended or that the President attended.

I don't understand why the Department refuses to recognize job placement, professional certification, passing rates, employer verification, or anything else related in determining an institution's effectiveness. If it's unreasonable amounts of student debt that they're trying to address, I agree that that is a concern. Let's have a frank discussion on student debt. But it is not only the institutions that are responsible. Students, lenders, policymakers, as well as institutions must be part of this process and must be held accountable.

This proposed rule is very broad and its implementation so burdensome that many schools will undoubtedly close. And I don't buy into that fallacious argument that 50 percent of these people don't graduate or don't go on to do this, that, or the other. In this economy in the United States of America, a whole lot of students are graduating from a whole lot of schools and are not getting jobs today. And many of these schools that we're attacking, unreasonably, are places where I know, at least in the congressional district that I'm privileged to serve, that many of these people have received jobs—and many of them leave the institutions, like the last two nurses that worked with my mom that had a job when they left the institution.

This may please some of my friends in this body, and the Department of Education, but what will happen to the single mother looking to change careers who needs the flexibility of a private sector college? What about the first-generation college student who needs the added support.

Mr. Chairman, I urge that we support this amendment.

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

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

Mr. FLAKE. Mr. Chairman, I rise in support of the amendment. If the Department wants to issue a rule, do a rule that actually targets the abuses rather than takes on a segment of the industry that may or may not be complicit in the kind of allegations that are there. This is overly broad. Let's have them go back to the drawing board and actually target abuses that occur, not a segment of the industry that's actually providing services.

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

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

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong opposition to the Kline amendment. Although I know that career colleges play an important role in higher education, I cannot support this amendment because the scope of the prohibition is too broad and the timing

of this amendment prior to the release of any final regulation preempts the traditional regulatory process.

Together, the amendment's comprehensive ban on the Department's ability to "implement, administer, or enforce" any current, pending, or future regulation of gainful employment inappropriately and prematurely restricts the responsibility of the administration to regulate institutions of higher education.

In the many meetings I've had with career college stakeholders, each one of them has admitted that there are bad actors. Despite this uniform recognition, this amendment would tie the hands of the Department of Education from any effort to encourage these schools to improve their practices and protect their students.

I support career colleges, yet I am resolute in my belief that the Federal Government has the responsibility to protect students and hold institutions of higher education accountable—especially those that access public dollars. I stand with over 50 civil rights groups, Historically Black Colleges and Universities, and student groups who support strong gainful employment protections for students, including key civil rights groups such as the NAACP, the Leadership Conference on Civil and Human Rights, and the Children's Defense Fund; the three HBCU advocacy groups—NAFEO, the United Negro College Fund, and the Thurgood Marshall; and key education groups such as the American Federation of Teachers, the NEA, and the Council for Opportunity in Education.

Let's be clear and make no mistake. The Kline-Foxx amendment is not about protecting low-income minority students. If that was the case, then those concerns would have been expressed by not cutting Pell Grants for over a million students by approximately \$845 per student. If the goal was truly to support low-income minority students, the CR would not have cut \$200 million in institutional aid from nonprofit HBCUs, predominantly black colleges and universities, and Hispanic-Serving Institutions. If the goal was truly to help low-income minority students, the CR would not have cut \$44 million from GEAR UP and TRIO—programs that are designed to help first-generation students prepare and succeed in college.

The reality is that this amendment completely stops the Department of Education from any form of oversight of career colleges that educate 10 percent of higher education students, receive approximately 24 percent of Federal grants and loans, and account for 48 percent of loan defaults.

I say let's slow down the process. Let's stop now. Let's give the Department of Education an opportunity to review its work and come back to us with some regulations that take care of the needs of students and not protect just the institutions.

I yield back the balance of my time.

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

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

Mr. TOWNS. Mr. Chairman, I strongly support the Kline-Foxx-McCarthy-Hastings amendment, which would prohibit the use of funds by the Department of Education for the implementation of the Gainful Employment Act. I am concerned that if this rule is implemented, it will apply an unnecessary broad-brush approach to a complicated situation. This rule, if implemented in its proposed form, will effectively close high-quality programs while leaving programs of questionable value open. So this is not the way to deal with this issue.

We all know that a college education, whenever possible, is one of the best paths a student can take to secure employment in a time when our Nation's unemployment rate is just under 10 percent. In some communities, it's double that. Let's not close off any meaningful job training programs. The Department should not forget that these programs serve 2.8 million, and many of them are economically disadvantaged minority students who will lose access to the educational opportunities that they cannot get elsewhere. These students are nontraditional and need the extra assistance offered by these flexible programs.

Supporting this amendment is supporting access and choice. Supporting this amendment is supporting educational opportunities for minorities. A "yes" vote is a vote for economically disadvantaged students. Many of them are the first in their families to attend college. These students wish to have the opportunity to attend a flexible program that trains them to be the best they can be.

□ 2050

I urge my colleagues to understand how important this is to be able to provide an opportunity for these young people in many instances. One incident; you cannot draw national conclusions because you know one student that did not finish. You can pick the finest university and the most prestigious university in this country and you can find examples. Let us be serious. We need to provide opportunities for people to be able to have a better quality of life.

On that note, I encourage my colleagues to vote "yes" on this amendment.

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

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

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

Mr. ANDREWS. Mr. Chairman, I join a strong coalition of Democrats and Republicans in urging a "yes" vote on

the Kline-Hastings amendment. I do so because I believe that every student should be guaranteed the right of knowing that he or she is going to get a high quality education for every tuition dollar they spend and because every taxpayer should be guaranteed that not one dime of Pell Grant or student money goes to any school under any ownership or management that does not properly spend the public's money. This is a goal that I believe is shared universally by each speaker on each side who has spoken here tonight. Our difference is not over whether we should guarantee students and taxpayers high quality and gainful employment. Our difference is over how to accomplish that.

Here is my concern about the rule that has been proposed thus far. It is both under-inclusive and over-inclusive. To understand that, consider two schools. The first school successfully places 50 percent of its graduates in the job for which it's training people. So let's say it's a job in medical records technology and 50 percent of the students from that school are placed successfully. That school has a tuition that generates a rate so that 7 percent of the graduate's income goes to pay back their student loan. The second school successfully places 90 percent of its graduates in the medical records technology field, but its tuition generates a repayment rate of 10 percent. So again the first school only places half of its graduates in the job for which it's training people and the second school places 90 percent of its jobs for which it's training people. Under this rule, the first school survives and the second school is thrown out of the program. Let me say this again. The school with the 50 percent placement rate continues to get taxpayer dollars, but the school with the 90 percent placement rate doesn't. This doesn't make any sense and it is the basis for our bipartisan objection.

What should we do? If we're going to measure gainful employment, let's come up with a proposal that measures gainful employment. Let's ask the question that when students graduate from a school, whether it's for-profit, nonprofit or public, whether those students in fact gain employment and whether that employment raises their income and, therefore, is gainful. Let's measure what the law actually says.

Finally, I think there is the issue of whom should make this decision. As Chairman KLINE pointed out, as Mr. HASTINGS pointed out, as others have, the statutory phrase "gainful employment" has been with us for a very long time. But this Congress has never chosen to define it. So the issue here is a separation of powers issue. Who should determine what gainful employment means? Should it be an administrative agency or should it be the duly elected representatives of the people? I think it should clearly be the duly elected representatives of the people.

So I would urge my friends, both Democrat and Republican, to vote yes

for a procedure that will correct this rule, let us join together, Republicans and Democrats, and do a bill, work on legislation that will give us the kind of outcome that we should really have here.

Now why are we doing this? We're doing it so the person with three jobs gets fair treatment here. You all know her. She's the person who works 35 or 40 hours a week on her feet, and that's a full-time job; she's raising children, and that's a full-time job; and she's going to school, and that's a full-time job. Let's not put the additional burden of taking away or jeopardizing the quality school that she has chosen for herself. Everyone in this Chamber, I believe, supports high quality career education. Instead of a rule that subverts that principle, let's write a bill that advances that principle. Let's vote "yes" for the Kline-Hastings amendment.

Mr. HONDA. Mr. Chair, I rise against this amendment and to express my strong support for the Department of Education's proposed federal student aid funding rules for postsecondary education programs that prepare students for gainful employment in a recognized occupation.

The program includes a loan repayment rate measure to assess how effectively program attendees repay the student loans they borrow; debt to earnings measures that assess the relationship between the student loan debt of program completers and their earnings; and a stringent performance threshold for each of the three measures.

I strongly support these "Gainful Employment Rules" because they protect students from fraud, which has adversely impacted the minority student population.

These rules were a response to the Department of Education's recent investigation findings that some for-profit institutions were promising students' job placement upon completion of their programs and not following through on their commitment. Consequently, students who enrolled in these schools were unable to pay off student loans because they were never placed in the jobs they were promised and could not find employment. According to the Institute for College Access and Success, the student default rate at for-profit colleges is the highest at 25 percent in comparison to private non-profit schools at 7.6 percent, and public schools at 10.8 percent respectively.

Not surprisingly, nearly one in five students who attend for-profits default on their loans within 3 years. Students seeking an education are completely unaware of the dire long term implications of loan default including the inability to receive credit to rent an apartment; buy a car or home; or receive future loans for postsecondary education. Moreover, evidence has shown that some programs tend to overcharge students for an education that can be acquired at a much lower cost at a private non-profit or public institution.

Despite this increased federal assistance, tuition at for-profit institutions continues to far outpace other schools. Attendance at a two-year for-profit institution costs more than five times as much as a community college, forcing students to take out more loans, including risky private loans. The percent of bachelor's

degree recipients from for-profit institutions who carry debt in excess of \$30,000 is more than four times that of their peers at public institutions.

I am especially troubled by the fact that low-income and minority students are increasingly concentrated in for-profit institutions. Approximately one out of every four African-American, Latino, and low-income students start their post-secondary education at a for-profit institution. According to a study by the Education Trust, for-profit institutions represent about 9 percent of all student enrollments, but 16 percent of black students and 24 percent of Pell Grant recipients attend these schools. Four-year, for-profit institutions have an average graduation rate of 22 percent, while public institutions have a rate of 55 percent and private institutions 65 percent. For black and Hispanic students, the graduation rates are similarly low at for-profits—16 percent and 28 percent, respectively—far below the rates for such students at public and non-profit colleges.

In the 2008–2009 school year, the federal government invested \$4.31 billion in grant aid at for-profit institutions, quadruple what it had invested just a decade earlier. With this level of public investment, the Department of Education has a fiduciary responsibility to make sure that its investment is being administered correctly and that the for-profits are delivering on the commitment they make to their students. The Department's "Gainful Employment Rules" will accomplish these goals, and I support their adoption.

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

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

Mr. KLINE. 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 Minnesota will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. PENCE

Mr. PENCE. 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:

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

SEC. ____ None of the funds made available by this Act may be made available for any purpose to Planned Parenthood Federation of America, Inc. or any of the following affiliates of Planned Parenthood Federation of America, Inc.:

- (1) Planned Parenthood Southeast in Atlanta, Georgia.
- (2) Planned Parenthood of the Great Northwest in Seattle, Washington.
- (3) Planned Parenthood Arizona in Phoenix, Arizona.
- (4) Planned Parenthood of Arkansas and Eastern Oklahoma in Tulsa, Oklahoma.
- (5) Planned Parenthood of Greater Memphis Region in Memphis, Tennessee.
- (6) Planned Parenthood Affiliates of California in Sacramento, California.
- (7) Planned Parenthood Los Angeles in Los Angeles, California.
- (8) Planned Parenthood Mar Monte in San Jose, California.
- (9) Planned Parenthood of Orange & San Bernardino Counties, Inc. in Orange, California.

(10) Planned Parenthood Pasadena and San Gabriel Valley, Inc. in Pasadena, California.

(11) Planned Parenthood of the Pacific Southwest in San Diego, California.

(12) Planned Parenthood of Santa Barbara, Ventura & San Luis Obispo Counties in Santa Barbara, California.

(13) Planned Parenthood: Shasta-Diablo in Concord, California.

(14) Six Rivers Planned Parenthood in Eureka, California.

(15) Planned Parenthood of the Rocky Mountains in Denver, Colorado.

(16) Planned Parenthood of Southern New England, Inc. in New Haven, Connecticut.

(17) Planned Parenthood of Delaware in Wilmington, Delaware.

(18) Planned Parenthood of Metropolitan Washington, D.C., Inc. in Washington, District of Columbia.

(19) Florida Association of Planned Parenthood Affiliates in Sarasota, Florida.

(20) Planned Parenthood of Collier County in Naples, Florida.

(21) Planned Parenthood of Greater Orlando, Inc. in Orlando, Florida.

(22) Planned Parenthood of North Florida in Jacksonville, Florida.

(23) Planned Parenthood of South Florida and the Treasure Coast, Inc. in West Palm Beach, Florida.

(24) Planned Parenthood of Southwest and Central Florida, Inc. in Sarasota, Florida.

(25) Planned Parenthood of Hawaii in Honolulu, Hawaii.

(26) Planned Parenthood of Greater Washington and North Idaho in Yakima, Washington.

(27) Planned Parenthood of Illinois in Chicago, Illinois.

(28) Planned Parenthood of the St. Louis Region in St. Louis, Missouri.

(29) Planned Parenthood of Indiana, Inc. in Indianapolis, Indiana.

(30) Iowa Planned Parenthood Affiliate League in Des Moines, Iowa.

(31) Planned Parenthood of East Central Iowa in Cedar Rapids, Iowa.

(32) Planned Parenthood of the Heartland in Des Moines, Iowa.

(33) Planned Parenthood of Southeast Iowa in Burlington, Iowa.

(34) Planned Parenthood of Kansas and Mid-Missouri in Overland Park, Kansas.

(35) Planned Parenthood of Kentucky, Inc. in Louisville, Kentucky.

(36) Planned Parenthood Southwest Ohio Region in Cincinnati, Ohio.

(37) Planned Parenthood Gulf Coast, Inc. in Houston, Texas.

(38) Planned Parenthood of Northern New England in Williston, Vermont.

(39) Planned Parenthood of Maryland, Inc. in Baltimore, Maryland.

(40) Planned Parenthood League of Massachusetts in Boston, Massachusetts.

(41) Planned Parenthood Affiliates of Michigan in Lansing, Michigan.

(42) Planned Parenthood of West and Northern Michigan in Grand Rapids, Michigan.

(43) Planned Parenthood Mid and South Michigan in Ann Arbor, Michigan.

(44) Planned Parenthood of South Central Michigan in Kalamazoo, Michigan.

(45) Planned Parenthood of Minnesota, North Dakota, South Dakota in St. Paul, Minnesota.

(46) Planned Parenthood of Southwest Missouri in St. Louis, Missouri.

(47) Tri-Rivers Planned Parenthood in Rolla, Missouri.

(48) Planned Parenthood of Montana, Inc. in Billings, Montana.

(49) Planned Parenthood of the Heartland in Omaha, Nebraska.

(50) Planned Parenthood Affiliates of New Jersey in Trenton, New Jersey.

(51) Planned Parenthood Association of the Mercer Area in Trenton, New Jersey.

(52) Planned Parenthood of Central New Jersey in Shrewsbury, New Jersey.

(53) Planned Parenthood of Greater Northern New Jersey, Inc. in Morristown, New Jersey.

(54) Planned Parenthood of Metropolitan New Jersey in Newark, New Jersey.

(55) Planned Parenthood of Southern New Jersey in Camden, New Jersey.

(56) Planned Parenthood of New Mexico, Inc. in Albuquerque, New Mexico.

(57) Family Planning Advocates of New York State in Albany, New York.

(58) Planned Parenthood Hudson Peconic, Inc. in Hawthorne, New York.

(59) Planned Parenthood Mohawk Hudson in Utica, New York.

(60) Planned Parenthood of Mid-Hudson Valley, Inc. in Poughkeepsie, New York.

(61) Planned Parenthood of Nassau County, Inc. in Hempstead, New York.

(62) Planned Parenthood of New York City, Inc. in New York, New York.

(63) Planned Parenthood of the North Country New York, Inc. in Watertown, New York.

(64) Planned Parenthood of South Central New York, Inc. in Oneonta, New York.

(65) Planned Parenthood of the Rochester/Syracuse Region in Rochester, New York.

(66) Planned Parenthood of the Southern Finger Lakes in Ithaca, New York.

(67) Planned Parenthood of Western New York, Inc. in Buffalo, New York.

(68) Upper Hudson Planned Parenthood, Inc. in Albany, New York.

(69) Planned Parenthood Health Systems, Inc. in Raleigh, North Carolina.

(70) Planned Parenthood of Central North Carolina in Chapel Hill, North Carolina.

(71) Planned Parenthood Affiliates of Ohio in Columbus, Ohio.

(72) Planned Parenthood of Central Ohio, Inc. in Columbus, Ohio.

(73) Planned Parenthood of Northeast Ohio in Akron, Ohio.

(74) Planned Parenthood of Northwest Ohio in Toledo, Ohio.

(75) Planned Parenthood of Southeast Ohio in Athens, Ohio.

(76) Planned Parenthood of Central Oklahoma, Inc. in Oklahoma City, Oklahoma.

(77) Planned Parenthood Advocates of Oregon in Eugene, Oregon.

(78) Planned Parenthood of Southwestern Oregon in Eugene, Oregon.

(79) Planned Parenthood Columbia Willamette in Portland, Oregon.

(80) Planned Parenthood Pennsylvania Advocates in Harrisburg, Pennsylvania.

(81) Planned Parenthood Association of Bucks County in Warminster, Pennsylvania.

(82) Planned Parenthood of Central Pennsylvania, Inc. in York, Pennsylvania.

(83) Planned Parenthood of Northeast and Mid-Penn in Trexlertown, Pennsylvania.

(84) Planned Parenthood of Western Pennsylvania in Pittsburgh, Pennsylvania.

(85) Planned Parenthood Southeastern Pennsylvania in Philadelphia, Pennsylvania.

(86) Planned Parenthood of Middle and East Tennessee, Inc. in Nashville, Tennessee.

(87) Texas Association of Planned Parenthood Affiliates in Austin, Texas.

(88) Planned Parenthood Association of Cameron & Willacy Counties, Inc. in Brownsville, Texas.

(89) Planned Parenthood Association of Hidalgo County, Inc. in McAllen, Texas.

(90) Planned Parenthood Association of Lubbock, Inc. in Lubbock, Texas.

(91) Planned Parenthood of Central Texas, Inc. in Waco, Texas.

(92) Planned Parenthood of North Texas, Inc. in Dallas, Texas.

(93) Planned Parenthood of the Texas Capital Region in Austin, Texas.

(94) Planned Parenthood of West Texas, Inc. in Odessa, Texas.

(95) Planned Parenthood Trust of San Antonio and South Central Texas in San Antonio, Texas.

(96) Planned Parenthood Association of Utah in Salt Lake City, Utah.

(97) Planned Parenthood Advocates of Virginia in Charlottesville, Virginia.

(98) Planned Parenthood of Southeastern Virginia, Inc. in Hampton, Virginia.

(99) Virginia League for Planned Parenthood in Richmond, Virginia.

(100) Planned Parenthood Public Policy Network of Washington in Seattle, Washington.

(101) Mt. Baker Planned Parenthood in Bellingham, Washington.

(102) Planned Parenthood of Wisconsin, Inc. in Milwaukee, Wisconsin.

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

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

Mr. PENCE. Mr. Chairman, I believe that ending an innocent human life is morally wrong. But I rise tonight because I also believe it's morally wrong to take the taxpayer dollars of millions of pro-life Americans and use it to fund organizations that provide and promote abortion—like Planned Parenthood of America. The American people deserve to know that Planned Parenthood is not only the largest abortion provider in America, Planned Parenthood is also the largest recipient of taxpayer funding under title X.

According to their latest annual report, Planned Parenthood received more than \$363 million in taxpayer money while boasting of having performed an unprecedented 324,008 abortions during the same period.

The amendment that I bring to the floor tonight would deny any and all funding to Planned Parenthood Federation of America and its affiliates for the rest of the fiscal year. But let me be clear. This amendment would not cut funding for health services. It would simply block those funds already in the bill from subsidizing America's largest abortion provider.

Now I am aware that title X family planning funds are eliminated in this bill. But eliminating title X funding has never been my goal. I support the important work of title X clinics across the country. The reality is that Planned Parenthood receives hundreds of millions of taxpayer dollars from Federal funding sources other than title X, and our effort tonight is specifically to focus on denying any and all Federal funding to the largest abortion provider in America.

The reasons for doing so are many. The case for defunding Planned Parenthood has made headlines for years. In 2002, Planned Parenthood was found civilly liable in Arizona for failure to report statutory rape. Since that time, Planned Parenthood affiliates have been found violating reporting laws in Indiana and California, and found to

have violated statutory reporting laws in places like Ohio. Recently in California, Washington, New Jersey and New York, Planned Parenthood clinics have been accused of fraudulent accounting over billing practices. And, of course, last week as the Nation watched in horror, new undercover videos were released that showed Planned Parenthood employees in multiple States apparently willing to aid human sex traffickers by coaching them on how to falsify documents to secure secret abortions for underage prostitutes. As the father of two teenage daughters, there are not words strong enough to portray my contempt for this pattern of fraud and abuse against young women by Planned Parenthood, and that's what brings us here today.

Now I know that some consider this amendment to be something of a war on Planned Parenthood. But this is not about Planned Parenthood's right to be in the abortion business. Sadly, abortion on demand is legal in America. This is about who pays for it. Nobody is saying that Planned Parenthood can't be the leading advocate of abortion on demand in America, but why do I have to pay for it? Nobody is saying that Planned Parenthood can't continue to be the largest abortion provider in America. But why do tens of millions of pro-life American taxpayers have to pay for it?

□ 2100

Let me be clear as I come to the floor.

I long for the day that Roe v. Wade is sent to the ash heap of history, when we move past the broken hearts and the broken lives of the past 38 years. But as this debate rages on, I call on my colleagues in both parties:

Let's at least respect what has been the historic and overwhelming consensus of the American people: that we ought not use their taxpayer dollars to provide or promote abortion at home and abroad. Let's end taxpayer support for abortion providers, specifically Planned Parenthood, once and for all.

I urge my colleagues to take a stand for taxpayers and to take a stand for life, to take a stand against a pattern of corruption, and to take a stand for young women in crisis pregnancies, who deserve access to unbiased and compassionate health care services.

Let's end the taxpayer support of Planned Parenthood. The Pence amendment's purpose is to do simply that and, in so doing, to stand with the American people, to stand with the American taxpayer, and to stand without apology for the sanctity of human life.

I yield back the balance of my time. Ms. DELAURO. Mr. Chair, I rise in opposition to the amendment.

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

Ms. DELAURO. We were told by our Republican colleagues that they were here to create jobs, to turn the economy around, and to reduce the deficit,

but here they go again—spending time on an extreme, divisive social agenda.

Mr. Chairman, in a breathtaking and radical step, the Republican majority has already proposed to eliminate title X funding, which has connected millions of American women to health care since 1970. Now this amendment by the Congressman from Indiana continues the same pattern of contempt for women's health and basic rights. With this amendment, my colleague is trying to specifically exclude one provider of legal health services, Planned Parenthood, from Federal funds. This amendment has nothing to do with the deficit. It is an attack by one Congressman on one organization, and it needlessly puts the lives of American women in danger.

Planned Parenthood carries out millions of preventative and primary care services every year. This includes immunizations and routine gynecological exams. This includes nearly 1 million screenings for cervical cancer, identifying more than 90,000 women who are at risk for cervical cancer. Every year, cervical cancer kills 4,000 women. If you can identify the risk early on, then you can save a woman's life. Planned Parenthood cares for more than 3 million American men and women every year.

In my State of Connecticut, more than 62,000 men and women benefit from health care at Planned Parenthood clinics. Over 70 percent of those patients have a family income of less than \$16,245 a year. In other words, this is the only way they can afford care. In fact, 6 of every 10 women who seek care at a title X-funded center like Planned Parenthood consider it their main source of medical care.

The vital preventative care and family planning services supported by title X save money and save lives. For every dollar invested in title X, taxpayers save just under \$4. But under the guise of budget cutting, the new majority is launching an assault on title X and endangering women's health. Understand their purpose. Understand it clearly: to impose their traditional view of a woman's role.

This legislation is not about the Federal funding of abortion. Federal funds, including title X, are already banned from going towards abortion services under the Hyde amendment. Rather, much like the repeal of health care reform, this is part of a Republican agenda to force women back into traditional roles with limited opportunities.

This amendment will cause more than 3 million people to lose access to basic primary and preventative health care. I am a cancer survivor. I am a cancer survivor who is only here because my cancer was found at stage 1. I can tell you that losing access to screening will cost lives and will kill women in this country.

It comes down to this: The proposals to eliminate title X and to defund Planned Parenthood are bad policies that hurt women and do nothing for our economy. In fact, it costs money.

This Republican Congress is trying to turn back the clock on women's health and to turn back the clock on women's basic rights. They are taking us back to a day when family planning was not a given opportunity for women. Instead of making it harder for women to get health care, we should be standing up for these vital services. I encourage and urge my colleagues to defeat this amendment.

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

The Acting CHAIR (Mrs. CAPITO). The gentlewoman from Ohio is recognized for 5 minutes.

(Mrs. SCHMIDT asked and was given permission to revise and extend her remarks.)

Mrs. SCHMIDT. Every day, Americans sit at their kitchen tables, and they do a number of things, including trying to figure out how to stretch that dollar and how to stop unnecessary spending. And they are asking us in Congress to do the same. I look at this room as our kitchen table.

Over the last week, we have debated that issue: How do we stretch the American tax-paying dollar?

Tonight, Madam Chair, I rise in support of the Pence amendment because it ensures that our precious tax dollars will no longer go to a group whose main purpose is to provide abortions.

Make no mistake: Planned Parenthood is our Nation's largest abortion provider. It receives one-third of its \$1.1 billion from tax-paying Americans. For the sake of abortion, Planned Parenthood holds itself above the law, ignoring mandatory reporting requirements, skirting parental consent, and aiding and abetting child sex-trafficking.

Madam Chair, this hurts young girls in the process.

Four years of investigations show 17 Planned Parenthood clinics in 10 different States facilitating the sexual exploitation of women. In 2008, the Mona Lisa Project showed 10 Planned Parenthood clinics in California, Indiana, Arizona, Tennessee, Alabama, and Wisconsin ignoring mandatory reporting laws and finding ways to skirt parental consent laws, covering up sexual abuse so girls can get secret abortions.

I only wish this weren't true, but in my own hometown of Cincinnati, Ohio, twice Cincinnati Planned Parenthood did just that. In one case, it was a father who brought his daughter to the abortion clinic. When she was taken into the room, she told the abortion provider it was he who raped her.

They did nothing. He is now in jail.

We have an ongoing case right now of a coach who took a young girl to the clinic, and said, I'm her guardian. When later the parents took her to the doctor and the doctor asked—When did she have this abortion?—the parents were shocked.

He is now on trial.

So this isn't something that is out there of "a wish come maybe." This is

something that actually happened in my own city.

In 2011, seven Planned Parenthood clinics in New Jersey, Virginia, New York, and Washington, D.C., aided and abetted the sexual trafficking of children, helping actors posing as a pimp and a prostitute to "manage" an underage sex ring to get secret abortions, contraceptives, and STD testing to keep their commercial child rape business "safe."

Planned Parenthood called the behavior of a Richmond counselor, who coached the pimp and the prostitute on how to use judicial bypass to get secret abortions for their underage sex slaves, "professional."

Like former Planned Parenthood director Abby Johnson says, "It's not a training problem; it's an ideology problem."

Now, Planned Parenthood will tell you they are trying to prevent abortions, but last year alone, they performed 324,008 abortions and prevented 283,000. One in 10 Planned Parenthood clients receives an abortion. They are the largest provider of abortions in America.

America's taxpayers are asking us to be wise with their dollars. When you ask the question—should we be paying for abortions?—American taxpayers say "no."

Should we be providing America's largest abortion provider taxpayer funding to help keep its lights on so that on one side it can provide family planning services and on the other side provide abortions?

I believe the folks at the kitchen table in America are saying "no."

□ 2110

Tonight in this Chamber, at America's kitchen table, I am asking our Members to say no to this practice and support the Pence amendment.

I yield back the balance of my time. Mrs. LOWEY. Madam Chair, I move to strike the requisite number of words.

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

Mrs. LOWEY. Madam Chairwoman, I rise in strong opposition to the amendment. Our constituents sent us here to create jobs. Instead, the majority is pushing an extreme right-wing agenda to limit women's health.

In the course of considering the underlying bill that eliminates the Federal family planning program, a Member of the majority—in fact, another gentleman from Indiana—proposed providing birth control to horses. And now we are considering an amendment attacking Planned Parenthood, which has provided health services to one in five American women. So it seems to me that Republicans believe that horses should have family planning, but women should not.

I strongly urge those who support this affront to women's health to clearly explain to their constituents that

they want to make it harder to access pap tests, breast exams, routine gynecological examinations, flu vaccinations, smoking cessation services, cholesterol screening, contraceptives, and all of the other services that Planned Parenthood provides.

My friends, this is not about abortion. Federal law prohibits Federal dollars from being spent on abortion. This amendment is about denying women access to basic health services. I oppose this amendment because we should be focusing on creating jobs and protecting women's health.

I yield back the balance of my time.

Mrs. BACHMANN. Madam Chair, I move to strike the last word.

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

Mrs. BACHMANN. Madam Chair, I thank the gentleman from Indiana (Mr. PENCE) for bringing forth this tremendous amendment this evening for us to consider. I am grateful for his willingness to bring this forward because this is a concerning issue for so many Americans, concerning on so many issues, and concerning for people as well who are concerned about the use of tax funds.

There is an article that appeared in *The Wall Street Journal* in 2008 that was a fairly deep expose' of Planned Parenthood and what Planned Parenthood was doing with their money. I would like to quote from that article:

Flush with cash, Planned Parenthood affiliates nationwide are aggressively expanding their reach, seeking to woo more affluent patients with a network of suburban clinics and huge new health centers that project a decidedly upscale image.

Executives say they are rebranding their clinics to appeal to women of means, a move that opens new avenues for boosting revenue, and they hope new political clout. Two elegant new health centers have been built, and at least five more are on the way; the Planned Parenthood facility in Denver, Colorado, is 52,000 square feet. They feature touches such as muted lighting, hardwood floors, and airy waiting rooms in colors selected by marketing experts.

Planned Parenthood has also opened more than two dozen quick-service "express centers," many in suburban shopping malls, including my home State of Minnesota. Some Planned Parenthoods sell jewelry. Some sell candles, books, and T-shirts right next to the contraception. It is "a new branding," says the president, Leslie Durgin, senior vice president at Planned Parenthood of the Rocky Mountains.

Planned Parenthood is the Nation's largest abortion provider. They reported a record \$1 billion in annual revenues. One-third of that comes from the Federal and State grants that we are discussing this evening.

And the nonprofit ended their year with a surplus of \$115 million, or a third of the grants that they received

from government, and with net assets of nearly \$1 billion. In 2008, Planned Parenthood had 882 clinics nationwide. One of their competitors—and they do have independent, for-profit competitors—said Planned Parenthood is "not unlike other big national chains. They put local, independent businesses in a tough situation."

Even as the total number of abortions in the United States has dropped, the number performed by Planned Parenthood has grown to nearly 290,000 a year. In 2005, Planned Parenthood accounted for one in every five abortions, and they are pushing to increase their market share.

The president of Planned Parenthood of the Rocky Mountains also said she has encouraged more Planned Parenthood clinics to offer abortions. Sarah Stoesz, who heads the Planned Parenthood operation in my State of Minnesota, said she recently opened "three express centers in wealthy Minnesota suburbs, in shopping centers and malls, places where women are already doing their grocery shopping, picking up their Starbucks, living their daily lives."

And stopping off for an abortion.

"I like to think of it as the LensCrafters of family planning," Steve Trombley, the top executive in Illinois, said as he toured an express center a few doors down from a hair salon and a Japanese restaurant in the well-to-do suburb of Schaumburg, Illinois.

The strategy draws new patients and money. In Illinois, Planned Parenthood officials say they take a loss of nearly \$1 a packet on birth-control pills that go to poor women under Title X. However, they make nearly \$22 on each month of pills sold to an adult who can afford to pay full price out of pocket. And the majority of woman who stop by the new Planned Parenthood in Schaumburg are in that group of affluent women.

In 2008, Planned Parenthood's political action arm planned to raise \$10 million to influence the fall campaigns. Under Federal tax law, the health care wing of Planned Parenthood can't support political candidates, but they can mobilize voters and they can advocate on issues like abortion rights and sex education in schools, all paid with Federal grants.

To encourage the new wave of patients to join the cause, an express center in Parker, Illinois, sells political buttons next to the condoms and sets out invitations for political activism by the magazine rack. The center opening in Denver in 2008 uses 20 percent of their space for health care; 40 percent of their space they use for meetings, including political work.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. KINGSTON. Madam Chair, I move to strike the requisite number of words.

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

Mr. KINGSTON. I yield to my friend in the well, the gentlewoman from Minnesota.

Mrs. BACHMANN. I thank the gentleman.

In Portland, Oregon, a planned 40,000-square-foot headquarters will include space for candidate forums and phone banks, as well as a clinic. Again, all paid for with an additional subsidy from the Federal and State taxpayer. Mr. Greenberg said donors were initially skeptical about the size and the \$16.5 million cost, but eventually they came around because the building becomes "a symbol for our outreach and a symbol for our community activism."

Madam Chair, it is clear after extensive study and review by this *Wall Street Journal* what we are seeing today is that Planned Parenthood is focused on political activity, and they are focused on becoming big business. When you have the executive director of Planned Parenthood in Illinois saying they want to become the LensCrafters of big abortion, I think we should listen to them. If they want to become the LensCrafters, then let them become the LensCrafters.

As my colleague, Mr. PENCE, said, abortion is legal today in the United States, but the taxpayers shouldn't have to support it. And if they want to become the LensCrafters, Planned Parenthood, a billion-dollar organization, should lose the \$300 million they receive in Federal grants, and they should also have their tax-exempt status seriously studied by the Internal Revenue Service. If they are competing with for-profit businesses and putting them out of business, then Planned Parenthood has no business holding a nonprofit status that benefits that organization.

On any number of levels, Madam Chair, this year, more than any other year, we need to completely defund Planned Parenthood and begin a process to end the tax-exempt status of this now profit-seeking, political-seeking organization.

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

□ 2120

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

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

Ms. LEE. I rise in opposition to the Pence amendment and the war on women throughout this bill. And to the gentleman from Indiana, just take a look at what is being proposed and why I call it a war on women.

First, the elimination of funding for lifesaving family planning programs funded by title X which help provide a range of critical services, including testing for sexually transmitted infections, contraceptives, and annual health exams which, by the way, do not include abortions services, though I wish that law was overturned.

This war on women totally eliminates the President's teen pregnancy prevention initiative which supports evidence-based sex education and are specifically designed to reduce abortion. It imposes a funding restriction on how the District of Columbia can use its own funds to pay for health care and abortion services. It includes an amendment to restrict State Medicaid funding for family planning, which are predominantly women of color in many communities.

This is really a shame and a disgrace. This includes an amendment to reinstate the Federal refusal rule issued in the waning days of the Bush administration which would dramatically expand the current ability of health providers to refuse to provide health care services that they oppose ideologically while jeopardizing the ability of patients to get health care. And that's just on the domestic front.

The bill eliminates funding for the United Nations Population Fund, which provides critical reproductive health care, including family planning services to the world's poorest women and which does not provide abortion services, though they are much needed. This bill would also reinstate the global gag rule and prevent family planning organizations that provide abortions with their own private money from receiving Federal funds. This bill cuts \$100 million from USAID's family planning programs.

But that's not enough for some people, as an amendment was filed to completely, mind you, completely eliminate these programs which help prevent more than 7.8 million unintended pregnancies around the world.

These decisions by the Republican majority will endanger women's health, severely restrict women's rights, insert the government into the private medical decisions of women and their families, and are nothing short of an all-out war against women.

And we are fighting back. Instead of working together to get our economy moving again, to help the unemployed, and to create jobs, the Republicans are seeking to impose an ideological agenda on the country. And now we have the Pence amendment, an amendment that would restrict title X funding from going to Planned Parenthood, one of the oldest, most important, most trusted, most utilized public health organizations in the country.

Let's be clear, this is not about abortion. Existing restrictions prevent Federal funding for abortion. This is about a direct attack on an organization that provides critical health services aimed largely at women in underserved communities throughout the country.

With over 85 local affiliates and more than 800 health centers across the country, the services provided by Planned Parenthood are invaluable. Every year, Planned Parenthood affiliates see nearly 3 million patients and provide contraception to nearly 2.5 million patients and over 1.1 million preg-

nancy tests. They provide nearly 1 million Pap tests, identifying about 93,000 women at risk of cervical cancer. They provide 830,000 breast exams, nearly 4 million tests for sexually transmitted infections, including HIV. They provide health education for nearly 1.2 million people.

How are any of these activities objectionable? Are you against women getting breast exams? Do you object to women and girls getting tested for HIV? Are you opposed to women controlling their own bodies and determining if and when they want to get pregnant? Let's be clear, government funding does not make up the whole sum of Planned Parenthood's finances, but government funding does provide invaluable support to help local health centers provide services for women to avoid cancer, to protect their health, and to lead healthy and fulfilling lives.

So let's stop this attack on a trusted health provider, and let's stop this war on women. That's not what the American people want. They want jobs. They want a chance to work hard and take care of their families. They don't want to argue with their insurance provider or with their employer or their government or their elected officials about abortion. We should be working together to unite our country and to tackle the challenges that Americans face each and every day, not pursuing divisive, ideologically driven agendas.

So I urge a "no" vote on this CR and on all these amendments that wage war on women.

I yield back the balance of my time.

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

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

Mr. PITTS. Madam Chair, we have seen in just the past couple of weeks incidents that remind us of the horrors associated with the abortion industry. We have seen in a women's health clinic in west Philadelphia women and children brutally killed in late-term abortions. We have seen a series of videos that have given us a behind-the-scenes look at the standard operating procedures at Planned Parenthood clinics across the countries. The videos depict investigative journalists receiving advice on how to run their prostitution business and how to obtain illegal abortions.

Some people have said, Character is who you are when no one is watching. Or to put it another way, It is what you do when you think no one is watching. Planned Parenthood, the number one abortion provider in the country, has revealed its true character in these videos. Unfortunately, Planned Parenthood staff exposed their true colors, and they neglected to act with integrity when faced with a situation dealing with sex trafficking. It was more important to them to promote abortion than to help rescue underage girls enslaved in prostitution.

In this country, 95 percent of abortions occur in clinics, not hospitals.

These clinics don't need Federal tax dollars to support their unethical practices. Planned Parenthood recently reported providing 332,278 abortions in the year 2009. That's the last reported year. Planned Parenthood, itself, has recently made plain the centrality of abortion to its mission, mandating that every Planned Parenthood affiliate have at least one clinic performing abortions within the next 2 years.

Despite being a billion-dollar-a-year corporation, Planned Parenthood receives \$363.2 million, 33 percent of its income, from government grants and contracts, that is, from taxpayer dollars. Unfortunately, Planned Parenthood actively ignores statutory rape reporting laws and campaigns against efforts to enforce or strengthen them, as illustrated in the recent videos.

Planned Parenthood in Kansas claims to be "a trusted source of health care and education for thousands of women, men and children," yet was charged with 107 criminal counts, including failure to report sexual abuse and falsifying documents in order to perform illegal late-term abortions. Planned Parenthood in California has privately admitted to overcharging the State and Federal Governments by at least \$180 million for birth control pills, despite internal and external warnings that its billing practices were improper. Planned Parenthood in Indiana has been accused of endangering the safety and well-being of minor girls by intentionally circumventing State parental involvement laws and breaking State law by refusing to report statutory rape.

There are many other sources of family planning money to other organizations and to State and local governments. Unfortunately, Planned Parenthood is exploiting women and children. They have shown themselves to be an extreme organization with unethical practices. Our daughters and granddaughters deserve better.

I urge support of the Pence amendment.

I yield back the balance of my time.

□ 2130

Ms. SCHAKOWSKY. I move to strike the last word.

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

Ms. SCHAKOWSKY. Madam Chairman, House Republicans have made their agenda really clear. What's obvious is that it's really not about creating jobs. It's not about addressing the economy, but rather the extreme agenda is to undermine women's access to reproductive health care and attack women's health providers that women rely on in their communities.

We've seen an all-out assault on Planned Parenthood. Instead of attacking unemployment, Republicans are waging a war against women. This is not about Federal funding of abortion, and it is not about quality of care. This is about cutting off women's access to

affordable care in an effort to score political points. This amendment does nothing to improve the economy. It will result in lost jobs, and it will take away the only source of primary and preventive care from millions of American women.

Planned Parenthood, a trusted organization by women, plays a critical role in our Nation's health care system, and the Pence amendment would have a devastating impact on communities across the country. Planned Parenthood serves over 3 million Americans every year. More than 90 percent of the care Planned Parenthood health centers offer is preventive care. Planned Parenthood provides lifesaving cancer screenings, routine gynecological examinations, contraceptive services, immunizations and testing and treatment for sexually transmitted infections.

Planned Parenthood saves money. So this is not about saving Federal dollars. It saves money. For every dollar spent on the services I mentioned, and others, \$3 are saved.

One in five American women has received care from a Planned Parenthood health center at some point in her life, making it one of the largest women's health care providers in the country. And now is not the time to constrict women's access to and funding for Planned Parenthood. And American women will suffer if the extreme Republican agenda becomes law. Six in 10 women who access care from women's health centers like Planned Parenthood's health centers consider it to be their main source of health care. This amendment intends to literally wipe Planned Parenthood off the map.

Planned Parenthood is an invaluable community-based provider, and it is critical to achieving the goal of improving quality health care in this country, including efforts to improve women's health, lowering the rate of unintended pregnancies, and decreasing infant mortality.

I find it ironic, very disturbing, that the very same people that want to take away family planning funding and access to safe and legal abortions, which are not funded by public dollars, have also proposed a nearly \$750 million cut to the Women, Infant and Children program to pregnant women and newborn children. This, like the repeal of health care reform, is part of the Republicans' divisive social agenda that goes too far.

Now is the time to be working on the issues that are most important to Americans, creating jobs and improving the economy, rather than legislation that takes health care away from women.

I yield back the balance of my time.

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

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

Mr. FLAKE. Madam Chairman, I want to thank the gentleman from Indiana for bringing this amendment for-

ward. It was said earlier in this discussion that this is a war being waged by one Congressman on one organization. I don't think that that's accurate. I think that this is an effort by many Members of Congress, each of whom represents some 650,000 individuals, who do not want to see their tax dollars used to fund abortion. I think it's as simple as that. And when you see the videos that have been referenced earlier today about what went on in these clinics, and the misrepresentation that was there, and the out and out illegal behavior that was encouraged, that warrants some kind of action. And I think that's what this effort is about.

So I think it behooves us to tone down the rhetoric and to actually decide what is this effort about. And it's about ensuring that individuals who do not want their tax dollars used to fund abortions may have that right to say so here in the House of Representatives on the floor here, and to vote to have their Members of Congress, their Representatives here vote in the way that they feel they should vote. That's what this effort's about. I commend the gentleman for bringing it forward.

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

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

Ms. WASSERMAN SCHULTZ. Madam Chair, sadly, our colleagues on the other side of the aisle have no idea how to create jobs or turn the economy around, so their true colors have come to the surface. And Speaker BOEHNER made that clear when asked about the potential job losses that will result from horrendous budget cuts that we have been debating for the last couple of days, when he responded, so be it.

So I rise today to urge my colleagues to vote "no" on this amendment. This is a dangerously ideologically motivated stunt that will imperil the lives and well-being of millions of women and their families. This amendment is not just a war on Planned Parenthood, as the gentleman from Indiana said. It's a war on women.

Planned Parenthood clinics are a crucial part of our national health care fabric. Through Federal funds, including Medicaid reimbursements and title X funding on an annual basis, Planned Parenthood health centers are able to offer nearly one million lifesaving screenings for cervical cancer, 830,000 breast examination, contraception to nearly 2.5 million patients, nearly 4 million tests and treatments for sexually transmitted infections, including HIV, and education programs for 1.2 million individuals. These are much needed services that we could not afford to lose.

In addition to completely de-funding Planned Parenthood, this amendment would also strike all Federal funding for title X programs. This would be a

colossal mistake and truly a matter of life and death to millions of women nationwide.

Since 1970, the title X family planning program has been a key component of our Nation's health care infrastructure and an essential element in the winning strategy to reduce unintended pregnancies.

Today title X serves over 5 million low-income individuals every year. In every State, women and men rely on title X for basic primary and preventative health care including annual exams, lifesaving cancer screenings, contraception and testing and treatment for sexually transmitted diseases. In fact, in 2009 alone title X providers performed 2.2 million Pap tests, 2.3 million breast exams, and over 6 million tests for sexually transmitted diseases, including nearly a million HIV tests.

As a breast cancer survivor whose cancer was caught at the earliest stage, like my friend from Connecticut, I know how critical these screenings are in saving women's lives. And preventative care isn't limited to cancer screenings and education on how to avoid STDs.

Supporters of this bill mistakenly argue that this cut is necessary to prevent Federal funding for abortions. Let me be clear: Federal funding for abortions is already prohibited by law. This has been the case for decades. Yet this amendment attempts to take funding prohibitions to an unconscionable new level and, if passed, will result in millions of women not being able to obtain necessary preventive care like birth control and cancer screenings.

If Republicans truly want to reduce abortions in this country, they would vote against this amendment. Indeed, title X actually reduces the number of abortions. Title X services help to prevent nearly 1 million unintended pregnancies each year, almost half of which would otherwise end in abortion. Current statistics from the Guttmacher Institute indicate that nearly half of pregnancies in the United States are unintended. We should be providing women and their families with the resources they need, not striking them.

Indeed, Planned Parenthood and the title X program provide vital family planning services which help improve the life of the mother and the child. It's a simple fact. Family planning keeps women and children healthy. When women plan their pregnancies, they are more likely to seek prenatal care, improving their own health and the health of their children. In fact, access to family planning is directly linked to the declines in maternal and infant mortality rates. There should be no shadow of a doubt that this amendment is anti-woman and anti-family.

While my colleague from Indiana may frame this amendment in the context of fiscal responsibility, that is once again a mistaken premise. This amendment would not cut the deficit. In fact, title X actually saves taxpayer dollars. Since many of the patients

served by title X are on Medicaid, preventative care like cancer screenings and contraceptive counseling actually means fewer costs to the taxpayer in the long run. Indeed, for every public dollar invested in family planning, \$3.74 is saved in Medicaid-related costs. That's savings to both Federal and State governments.

And one of the most detrimental and dangerous things we could do to women and their families right now is to defund the leading title X provider nationwide, Planned Parenthood. Every year, Planned Parenthood works tirelessly to improve the health of communities across this country. Six in 10 women who access care from centers like Planned Parenthood say it is their main source of health care. We cannot cut these women off from the health services that should be available to all of them.

Efforts to undermine the title X program and this essential health care provider are not only reckless; they are also anti-woman, anti-child, and anti-taxpayer.

□ 2140

Madam Chair, this is a horrendous amendment that would devastate access to health care for millions of American women and should be defeated.

Mrs. HARTZLER. Madam Chair, I move to strike the last word.

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

Mrs. HARTZLER. I rise in support of this amendment.

Planned Parenthood has funded abortion from the taxpayer for too long. It has been said that this is a threat to women's health. Well, Planned Parenthood isn't about health. It's about profit.

They have a record of preferring abortion over the truth. I have seen firsthand their view of truth.

Several years ago I was a teacher, and I taught child development. I had a student who came to me who just found out that she was pregnant. The night before, she had visited a Planned Parenthood clinic to discuss her options. She was 4 weeks along.

She asked a simple question, What does it look like? The answer? Oh, don't worry about it. It's just a blob of tissue. They encouraged her to have an abortion; but, thankfully, she wanted more information.

She and a friend came to me for information. They wanted to know if I had pictures of what a fetus looked like at 4 weeks old, since I taught child development. I did. She looked at the pictures of the baby with its developing fingers and eyes and a beating heart. Her response? She was shocked.

That's not a blob of tissue. That's a baby. And then she asked this question: Why would they tell me that, Mrs. HARTZLER? Sadly, I didn't have an answer. They didn't care about the truth. They didn't care about the

young woman before them. They cared about a profit.

This pattern continues with recent revelations that they were willing to cover up child sexual trafficking and child sexual abuse and aid and abet prostitution. Where was Planned Parenthood when they had a chance to protect young women? They turned a blind eye. I'd call it a war against young women.

And yet this organization received \$363 million of revenue a year from you and me, the taxpayer.

Hardworking men and women in this country should not have to write a check on April 15 to fund these abominable practices. At a time when we are borrowing 40 cents out of every dollar we spend and running a huge deficit, we need to look for savings to the taxpayer wherever we can. Certainly, saving \$363 million from this abortion provider is a smart and a right thing to do, so that all Americans, born and unborn, will have the opportunity to enjoy the blessings and the rights of life, liberty, and the pursuit of happiness.

So as a woman and a mother and a former teacher, I am proud to support the Pence amendment, and I ask all my colleagues to stand on the side of truth, life, and the young women of this country.

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

Mrs. CAPPS. Madam Chair, I move to strike the last word.

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

Mrs. CAPPS. I rise this evening to speak in strong opposition to the Pence amendment. The Pence amendment is an attack on women's health. This much is clear.

What isn't clear is what these women who today are cared for by Planned Parenthood doctors and nurses would do for care if the Pence amendment should pass.

Planned Parenthood serves 3 million Americans every year. These are Americans who rely upon Planned Parenthood to receive their annual wellness exams; Americans who rely upon Planned Parenthood to receive contraceptive services to prevent unplanned pregnancies; Americans who get tested and treated for sexually transmitted infections, improving their health and protecting the health of their community; Americans who rely on Planned Parenthood for their cancer screenings, tests that can detect cervical cancer or breast cancer early, when it is easier and less expensive to treat, saving our entire health care infrastructure millions of health care dollars.

And these Americans cannot just go somewhere else, somewhere that my colleague on the other side of the aisle would find more palatable. Sixty percent of those who use Planned Parenthood services consider it to be their main source of health care, their medical home.

A vote to strip Planned Parenthood of its funding is a vote to cut these Americans off from their health care system. Surely we can't want that.

In my own congressional district, Planned Parenthood of Santa Barbara, Ventura, and San Luis Obispo Counties serve over 31,000 patients every year. I must ask the supporters of this mean-spirited amendment, where should these 31,000 people go, especially now when this reckless Republican omnibus spending package cuts community health centers by \$1 billion?

And what about your constituents? In the amendment's author's own State of Indiana, 18,000 citizens rely upon Planned Parenthood services each year, 18,000 Hoosiers whose elected Representatives are voting to shut down their doctors' office.

Finally, Madam Chair, I know that the supporters of this amendment are trying to characterize this as a vote about abortion. It's not about abortion. It's a vote about whether or not you believe in providing women and Americans comprehensive health care. Because, despite all the misinformation being thrown around here, 95 percent of Planned Parenthood services have nothing to do with abortion. And as has been strongly and firmly stated, there are no Federal dollars used for those receiving abortion services.

The last time I checked, 97 percent is an A-plus, which calls into real question the motivation behind this amendment. Combined with the mean-spirited bills moving through the Energy and Commerce and Judiciary Committees, attacking women's health service access, with the zeroing out of title X family planning funds in this bill, with a reinstatement of the global gag rule, with a 50 percent slash in international family planning money, and a completely devastating slash to the Women, Infants and Children's nutrition program, along with other cuts I have mentioned, it adds up to only one conclusion: House Republican leadership is starting an all-out war on women's health care. The targets? Women's insurance coverage, their providers, their health care choices.

For more than 90 years, Planned Parenthood's doctors, nurses, and other health professionals have been providing health care to millions of women, and one in four American women voters has received care from a Planned Parenthood health center at some point in her life.

So let's take a stand against this attack on women's health care. I urge a "no" vote on the Pence amendment.

I yield back the balance of my time.

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

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

Mr. DOLD. Madam Chair, I rise today in opposition to the amendment. The elimination of family planning dollars would deny access to preventative care for millions of women each year.

From the numerous conversations I've had with doctors, including my own sister who is an OB/GYN, I believe in the importance of encouraging access to basic preventative care.

Since 1970, the title X family planning program has been a component of our Nation's health care infrastructure and has been an essential element in providing contraception and education to millions of Americans.

Today, title X family planning services over 5 million low-income individuals each and every year. Through a recent study, we learned that for every dollar invested in family planning approximately \$3.74 is saved in Medicaid-related costs.

Title X funding provides critical preventative health care, including annual exams, cancer screenings, HIV testing, and family planning.

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While we must always ensure that funds are applied properly, completely prohibiting any funds from going to the main provider of title X family planning services I believe would be shortsighted and would negatively impact the lives of women who depend on these health care services.

I yield back the balance of my time.

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

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

Mr. NADLER. Madam Chairman, I am not going to repeat all of what has been said about the Republican war on women, about the fact that the Republican majority was elected pledging jobs and all we see is a war on various social services and women and nothing about jobs, but I am going to say this: I have been listening very carefully to the supporters of this amendment, to Mr. PENCE and others, and what do I hear? I hear that we must punish Planned Parenthood by defunding them because they have committed a number of sins.

Sin Number 1, they perform abortions. They are a very large abortion provider, and even though none of those abortions are paid for with Federal funds, that is prohibited under the Hyde amendment however you read it, we don't like Planned Parenthood because they are a large abortion provider.

Number two, we don't like Planned Parenthood because they have committed allegedly various terrible things. Some provocateurs went into their offices and said that they were representing sex workers and they were offered services, and any organization that is willing to do this should not get Federal funds.

We are going to punish Planned Parenthood, number one, because they are a large abortion provider and we don't like abortion providers; and, number two, because they do other things, which if in fact they do, which I don't think they do, but if in fact they do, they are bad things.

There is a major problem with this. There is a major problem with this rhetoric and with this reasoning. And, by the way, the CR to which this is an amendment eliminates title X family planning funding anyway, so it will eliminate most of the funds that go to Planned Parenthood. But whatever funds that are available, they can go to other people to provide those services, not Planned Parenthood, because we don't like Planned Parenthood for various reasons.

A bill that punishes someone, some person or organization who is named or is identifiable, by legislative action is called a bill of attainder. That is the definition of a bill of attainder: A legislative punishment, penalty, a legislative penalty, a legislative-enacted penalty—in this case, no funding—directed at some identifiable person or organization to punish them for something.

Article I, Section 9 says, "No bill of attainder or ex post facto law shall be passed"; a fundamental foundation of constitutional law.

If Planned Parenthood or anybody else is doing terrible things and ought to be punished, that is up to the courts. If, indeed, Planned Parenthood is trafficking with sex traffickers, let them be prosecuted. If, indeed, Planned Parenthood is doing anything illegal, let them be prosecuted. Let the organization be prosecuted. Let the individual employees who are doing these things be prosecuted at law. That is our system. But you don't punish an organization because they are doing something of which you don't approve.

Now, if you want to say we don't think that there ought to be any contraceptive services in the United States and therefore we are going to have no title X funding, the CR does say that. I don't agree with it, but it is constitutional. But to say that if we have title X funding, if we have maternal services funding, none of it can go to Planned Parenthood, it can go to somebody else, but not Planned Parenthood, that is a legislatively enacted punishment because Planned Parenthood is or is allegedly doing things of which you don't approve.

Now, I heard a lot at the beginning of this Congress about we have to make sure that we adhere to the Constitution. This is a bill of attainder, because it is a legislatively enacted punishment of a named organization because that organization is doing things or is allegedly doing things of which we don't approve.

So I submit that in addition to all the other reasons why this shouldn't be done that have been enacted here, this is flatly unconstitutional, and I challenge anyone to say how this is not a bill of attainder. Again, the black letter definition of a bill of attainder is a legislatively enacted penalty aimed at some person or organization that is identifiable, named right here, for some reason, that they have done various things, provided abortions, done illegal things or otherwise.

So in addition to all the other problems, this amendment is unconstitutional and will be struck down by the courts if it should pass.

I yield back the balance of my time.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. BROWN of Georgia) assumed the chair.

MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 17. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 514. An act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011.

The SPEAKER pro tempore. The Committee will resume its sitting.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The Committee resumed its sitting.

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

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

Mr. BUCSHON. Madam Chairman, I rise today in support of the Pence amendment that prohibits any funds from the underlying bill going to Planned Parenthood of America. I want to start with a personal story as a physician.

I performed lifesaving surgery on infants as young as 22 weeks' gestation at birth. Madam Chairman, I have held these lives in my own hands. They are viable human lives at birth and, unfortunately, Planned Parenthood uses taxpayer funds to cut these lives short; tragically, sometimes within weeks of medically proven viability outside the womb. Again, I have held these lives in my hands.

Abortion, of course, for any reason is wrong, but this situation I have personal experience with is particularly distressing for me because I am a physician and also I am a father of four.

I want to reiterate that Planned Parenthood has received \$363.2 million in taxpayer funding as of its 2009 annual report, one-third of their \$1 billion income. During that same time period,