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Vol. 157

WASHINGTON, MONDAY, OCTOBER 24, 2011

No. 160

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
October 24, 2011.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### PRAYER

Reverend Avelino Gonzalez, St. Joseph's Catholic Church, Washington, D.C., offered the following prayer:

Dear Lord, God of history, and our Father, you have anointed this great Nation to be the promoter and defender of freedom, unity, justice, peace, and the common good. You inspired our Founding Fathers, at the inception of our Republic, to recognize that mankind is endowed with self-evident and unalienable rights which reflect our unique status of being created in Your image and likeness.

We beseech You today, and ask You to pour out Your Holy Spirit upon our Republic and upon the Members of this House of Representatives so that all the deliberations and decisions of this governing body may be in conformity with our great call to defend these transcendent rights, and thereby, help build a civilization of authentic love, justice, and peace.

We ask this in Your Most Holy and Eternal name. Amen.

### EMPLOYING INDIVIDUALS WITH DISABILITIES

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

Mr. MCKINLEY. Mr. Speaker, recently the Civitan Club of Wheeling, West Virginia, hosted a learning session on "Employing Individuals with Disabilities." With nearly 50 million Americans living with disabilities, I applaud the efforts of the Wheeling Civitan Club for recognizing the importance of providing individuals with disabilities the tools necessary to be successful.

President Ronald Reagan called for people to provide understanding, encouragement, and opportunities to help persons with disabilities lead productive and fulfilling lives.

As an individual with a significant hearing impairment, and a grandfather of a child with special needs, I am very familiar with the hardships of overcoming the obstacles of disabilities.

Disabilities have no boundaries. They cut across the lines of racial, ethnic, educational, social, and economic backgrounds and can occur in any family. I encourage us all to learn about the people in our community who have disabilities, and to recognize that all of us have talents and abilities that can make this a better place in which to live.

### CLASS ACT

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

Mr. BURGESS. Mr. Speaker, last week, Secretary of Health and Human Services Kathleen Sebelius announced that despite her Department's best efforts, what is known as the CLASS Act is not fiscally viable and will not be implemented.

The CLASS Act would have created a long-term care insurance option for employees. But you know what? It had been called a Ponzi scheme of the first order. Not my words, not even my Governor's words. Those are the words of

Senator KENT CONRAD, the Democratic chairman of the Senate Budget Committee.

Mr. Speaker, this is just another example of bad policy that was caused by the rushed approach to create and pass the Patient Protection and Affordable Care Act. Instead of focusing on reducing the price of long-term care insurance, the CLASS Act would have cost the taxpayers more money for the creation of yet another Federal program.

Now, incredibly, the CLASS Act is being abandoned by the Department of Health and Human Services, but the President refuses to let it go. We'll have a hearing on this in my committee later this week, Energy and Commerce.

But, Mr. Speaker, we can and we must do better. We need to repeal this health care law and replace it with commonsense market-based solutions that enhance our medical system, put the patient at the center of care, and drive down the cost of health care.

### HONORING FATHER ISAAC MASGA AYUYU

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

Mr. SABLAN. Mr. Speaker, we recently celebrated an important anniversary in the Northern Mariana Islands for one of our longest-serving spiritual leaders. Reverend Father Isaac Masga Ayuyu has led the island faithful for 25 years. Pale' Ike, as he's fondly known, is the first ordained priest from the island of Rota, and the fifth local person to join the priesthood. He serves today as Parochial Vicar of Mount Carmel Cathedral on Saipan, and as Director of Worship for the Diocese.

Pale' Ike has had many mentors on his way to the priesthood, in particular, his parents, Francisca Masga

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Ayuyu and the late Corbiniano Songao Ayuyu, whose support he recalls each time he celebrates mass with the challenge that was a gift from them.

In our faith-based community, priests are ever in demand. Pale' Ike baptizes the newly born and conducts funeral rights for the recently departed. He tends to the spirit of those who are homebound or in hospitals. And he conducts weddings, he hears confessions, he says mass.

Outside of this tradition of priestly duties, he also has a lead role in community functions. Where there is a large family gathering, he is expected to attend. When someone builds a new home, Pale' Ike is called upon to bless it.

For your 25 years in the priesthood and as part of our daily life, thank you, Pale' Ike.

COMMUNICATION FROM DISTRICT DIRECTOR, THE HONORABLE JOHN ABNEY CULBERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Brittany Seabury, District Director, the Honorable JOHN ABNEY CULBERSON, Member of Congress:

OCTOBER 17, 2011.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a deposition subpoena for documents and testimony by the U.S. District Court for the Southern District of Texas to appear as a witness in a pending civil lawsuit.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

BRITTANY SEABURY,  
District Director for  
U.S. Representative John Abney Culberson.

COMMUNICATION FROM THE HONORABLE JOHN ABNEY CULBERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN ABNEY CULBERSON, Member of Congress:

OCTOBER 17, 2011.

Hon. JOHN A. BOEHNER,  
Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a deposition subpoena for documents and testimony by the U.S. District Court for the Southern District of Texas to appear as a witness in a pending civil lawsuit.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JOHN ABNEY CULBERSON,  
Member of Congress.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1615

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUNYAN) at 4 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

KANTISHNA HILLS RENEWABLE ENERGY ACT OF 2011

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 441) to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 441

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kantishna Hills Renewable Energy Act of 2011".

SEC. 2. DEFINITIONS.

In this Act:

(1) APPURTENANCE.—The term "appurtenance" includes—

(A) transmission lines;

(B) distribution lines;

(C) signs;

(D) buried communication lines;

(E) necessary access routes for microhydro project construction, operation, and maintenance; and

(F) electric cables.

(2) KANTISHNA HILLS AREA.—The term "Kantishna Hills area" means the area of the Park located within 2 miles of Moose Creek, as depicted on the map.

(3) MAP.—The term "map" means the map entitled "Kantishna Hills Micro-Hydro Area", numbered 184/80,276, and dated August 27, 2010.

(4) MICROHYDRO PROJECT.—

(A) IN GENERAL.—The term "microhydro project" means a hydroelectric power generating facility with a maximum power generation capability of 100 kilowatts.

(B) INCLUSIONS.—The term "microhydro project" includes—

(i) intake pipelines, including the intake pipeline located on Eureka Creek, approximately 1/2 mile upstream from the Park Road, as depicted on the map;

(ii) each system appurtenance of the microhydro projects; and

(iii) any distribution or transmission lines required to serve the Kantishna Hills area.

(5) PARK.—The term "Park" means the Denali National Park and Preserve.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. PERMITS FOR MICROHYDRO PROJECTS.

(a) IN GENERAL.—The Secretary may issue permits for microhydro projects in the Kantishna Hills area.

(b) TERMS AND CONDITIONS.—Each permit under subsection (a) shall be—

(1) issued in accordance with such terms and conditions as are generally applicable to rights-of-way within units of the National Park System; and

(2) subject to such other terms and conditions as the Secretary determines to be necessary.

(c) COMPLETION OF ENVIRONMENTAL ANALYSIS.—Not later than 180 days after the date on which an applicant submits an application for the issuance of a permit under this section, the Secretary shall complete any analysis required by the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.) of any proposed or existing microhydro projects located in the Kantishna Hills area.

SEC. 4. LAND EXCHANGE.

(a) IN GENERAL.—For the purpose of consolidating ownership of Park and Doyon Tourism, Inc. lands, including those lands affected solely by the Doyon Tourism microhydro project, and subject to subsection (d), the Secretary may exchange Park land near or adjacent to land owned by Doyon Tourism, Inc., located at the mouth of Eureka Creek in sec. 13, T.16 S., R. 18 W., Fairbanks Meridian, for approximately 18 acres of land owned by Doyon Tourism, Inc., within the Galena patented mining claim.

(b) MAP AVAILABILITY.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) TIMING.—The Secretary shall seek to complete the exchange under this section by not later than February 1, 2015.

(d) APPLICABLE LAWS; TERMS AND CONDITIONS.—The exchange under this section shall be subject to—

(1) the laws (including regulations) and policies applicable to exchanges of land administered by the National Park Service, including the laws and policies concerning land appraisals, equalization of values, and environmental compliance; and

(2) such terms and conditions as the Secretary determines to be necessary.

(e) EQUALIZATION OF VALUES.—If the tracts proposed for exchange under this section are determined not to be equal in value, an equalization of values may be achieved by adjusting the quantity of acres described in subsection (a).

(f) ADMINISTRATION.—The land acquired by the Secretary pursuant to the exchange under this section shall be administered as part of the Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, H.R. 441, the Kantishna Hills Renewable Energy Act, would authorize the Secretary of the Interior to issue permits for a microhydro project within a nonwilderness area of Denali National Park. Additionally, it will facilitate a small land exchange between the National Park Service and Doyon, Ltd., which owns and operates the facilities that will take advantage of the proposed microhydro project. Finally, at the request of the National Park Service, this bill will allow the Park Service to permit similar projects that exist or may exist in the future. Roughly only six acres of land would be affected.

Doyon is one of 13 Alaska Native Regional Corporations formed under the Alaska Native Claims Settlement Act. Currently, the facilities at Kantishna, which are located at the end of a 90-mile park road, operate exclusively off diesel fuel. Not being connected to any grid system, the roadhouse must produce all its energy onsite. This means trucking thousands of gallons of diesel fuel over the long and treacherous park road. Energy created by this microhydro project could cut the roadhouse's diesel usage in half and drastically reduce the need of these trips.

Down the road at the new Eielson Visitor Center, the National Park Service operates a similar microhydro project to great success, and the Kantishna Roadhouse seeks to take advantage of similar technology that could help rid their reliance on costly diesel fuel.

Working with both the National Park Service and Doyon, we have before us a bill that was crafted in a truly collaborative fashion that is a win-win that lowers the fossil fuel use in the park, lowers costs for the lodge operators, and protects park resources.

I urge adoption of the measure, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. I really must commend my colleague and my friend, Mr. YOUNG, on the introduction of this piece of legislation as we're looking for more individual entities to go to green energy and save fossil fuel. Besides, it saves many other things that we've talked about in our committees and subcommittees, so I'm glad to see this, Mr. YOUNG.

We fully support projects designated to reduce the pollution caused by the use of fossil fuels. In this instance, a small hydroelectric project will be used to supply some of the power currently being generated by a diesel generator for a backcountry lodge.

□ 1620

The project will also reduce the number of trips needed to haul diesel fuel into the park. Hopefully, the National Park Service can find many other units where cleaner energy technology can be employed and thus save everybody some heartache.

I commend, again, my colleague and my friend for introduction of this piece of legislation.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I again urge the passage of this legislation, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 441, "The Kantishna Hills Renewable Energy Act of 2011," which authorizes the Secretary of the Interior to issue permits for microhydro projects in the Kantishna Hills area within the Denali National Park and Preserve in Alaska. These projects will harness the power of water to create up to 100 kilowatts of electricity that will be used to serve much of the area.

As the Representative from the 18th Congressional District in Houston, TX, our nation's energy capital, I firmly believe in supporting viable renewable energy projects. In my home state the energy industry and its supporting businesses has created thousands of jobs and has fostered economic growth. It is imperative that we find ways to meet our nation's grown appetite for energy.

According to the National Hydropower Association, in the United States hydropower projects are responsible for providing 81 percent of the nation's renewable electricity generation and about 10 percent of the nation's total electricity. In terms of everyday use, this is enough to power 37.8 million homes.

The average Americans consumes 10,896 kilowatts of electricity each year. In Texas, alone, over 9 million residences are using electricity, at a rate of about 1,000 kilowatts a month. This costs Texans an estimated \$141.23 a month in electric bills. At a time when we are all tightening our belts. If one of our solutions can be found by simply harnessing water, then it deserves more than a second glance.

Water has been used as a power source for centuries, from Africa to Asia to Europe. As of today, there are 85,000 small-scale hydro power plants in China alone. We are not talking about large-scale projects that have an impact on wildlife habitats.

A large-scale hydro project often requires a sizeable dam. These large-scale dams have raised numerous environmental concerns. Micro projects have significantly less impact on the environment because they use the natural flow of a river and make only minute modifications to the stream channel and flow of water in order to generate power.

Before us, today, are renewable energy projects that will have a marginal impact on the environment (when compared to large-scale plants); a project that will create jobs; and a project that will create much needed energy. On balance this project appears to find symmetry between protecting the environment, creating jobs and meeting our nation's energy needs.

I believe that finding ways to address and meet our growing energy needs is vital to the economic success of our nation. We should

allow the expansion of renewable energy projects that have a limited impact on the environment, will create jobs, and will meet our energy needs. I believe working with the energy community to bolster creative industry approaches and protecting our environment will result in job creation. I believe that sound energy policies not only will protect our environment but are important to the long term health and wellbeing of our citizens.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 441, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to issue permits for microhydro projects in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes."

A motion to reconsider was laid on the table.

#### AUTHORIZATION OF HYDROGRAPHIC SERVICES SPECIFIC TO THE ARCTIC.

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 295) to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 295

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) by inserting before the text the following: "(a) IN GENERAL.—"; and

(2) by adding at the end the following new subsection:

"(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for fiscal year 2012—

"(1) \$5,000,000 is authorized for use to acquire hydrographic data, provide hydrographic services, conduct coastal change analyses necessary to ensure safe navigation, and improve the management of coastal change in the Arctic; and

"(2) \$2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, H.R. 295 would use existing authorized appropriations in the Hydrographic Survey Improvement Act of 1998 for fiscal year 2012 to fund surveys and mapping activities in the Arctic.

Currently, base hydrographic data in the Arctic is woefully inadequate and not sufficient to support current, let alone future, marine activity. With the last major hydrographic survey activity having occurred more than 60 years ago, after World War II, and with other areas not having been surveyed since the 1800s, there's a lot of work to do.

As we all know, the Arctic has become the focus of many of its surrounding nations to determine ownership of the sea bed and any potential energy sources in the area. In addition, the lack of sea ice is opening up shipping routes to commercial and recreational vessels.

H.R. 295 is an effort to move this process forward, and this bill is necessary to emphasize the need for the agency to collect hydrographic data and provide hydrographic services in the Arctic region. Last Congress, similar legislation passed out of the House by a roll call vote of 420-0.

I urge adoption of the measure, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. I rise in support of H.R. 295, as amended, which would amend the Hydrographic Services Improvement Act of 1998 to authorize appropriations specifically for the acquisition of hydrographic data and coastal change analysis in the Arctic Ocean.

Again, I commend my colleague for this forward-looking piece of legislation. We sometimes ignore scientific evidence that will help us be able to gauge where the rest of the world is going to be in regard to changes in the atmosphere, et cetera.

And as scientific evidence does show, melting Arctic sea ice is drastically changing the Arctic landscape. The collection of data authorized by this bill would help NOAA delineate the U.S.-extended Continental Shelf, monitor coastal and ice pack changes, and also provide information so critical to international commerce, to our national defense, and to our natural resource management in that area.

I again commend and thank my colleague, Congressman YOUNG from Alaska, for introducing the bill, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 295, "the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes" which amends the Hydrographic Services Improvement Act of 1998 to provide the National Oceanic and Atmospheric Administration (NOAA) with the funds necessary to accurately map the U.S. Arctic.

Thomas Jefferson signed into law legislation that would result in a complete survey of our coast. The National Oceanic and Atmospheric Administration (NOAA) has been honoring this mandate by charting our waters for over 200 years. NOAA develops and supplies a variety of products which enables vessels to safely navigate our waterways. These products include nautical charts, tide, current and weather information. These projects are vital to safe navigation of our coast.

I represent the 18th District of Texas, which contains one of the world's leading ports, the Port of Houston. I understand the importance of providing pilots and captains with precise and accurate maps. Having a detailed representation of our nation's terrain ensures the safety of ships, their crew and their cargo. We must remember that every single day, thousands of vessels enter America's ports. These ports are vital to our economy.

The Port of Houston, which consists of the uppermost 26 miles of the Houston Ship Channel, is a significant economic engine locally, regionally and nationally. Each year, the port is responsible for nearly \$285 billion in economic activity, supports more than 1.5 million direct and indirect jobs and generates \$16.2 billion in tax revenue annually nationwide. Ships that enter ports like the Port of Houston carry cargo that is going to enter our stream of commerce and boost our economy. Across our nation this is a one trillion dollar industry that supports more than 13 million jobs in the United States. It is important to note that over 98 percent of the tonnage and more than 59 percent of the value of our foreign trade is conveyed via the maritime transportation system.

By expanding our map to include the Arctic, we expand the ability of ships and airplanes to safely maneuver through those waters, thereby expanding commerce and creating jobs. In addition, having a detailed map of the Arctic is vital to our national security and can aid in the detection of climate change in the region.

As the Ranking Member of the Subcommittee on Transportation Security and Infrastructure Protection and Member of the Border and Maritime Subcommittee, I know that it is imperative that we protect our borders by land, air and by sea. As any Commander would agree, it is difficult to mount a defense without having a map to clearly navigate the terrain. The services provided by NOAA would allow us to map terrain that has not been adequately mapped in decades.

Over the last five years there has been a dramatic change in sea ice extents. They have

decreased in thickness by 35 percent. This may be a significant sign for environmental change. The decrease in sea ice means that more ships may have access to the area, thereby opening additional trade routes. To be clear, the erosion of sea ice has a serious impact on the livelihoods of people living in the region. The only way to begin to find an answer to the issues posed in the Arctic is to have a studied and detailed analysis of its current structure and how that structure has changed and may continue to change. These maps will help to generate commerce, which will create jobs and help our economy. At the same time these maps will be vital to noting any significant changes to our environment. Lastly, knowing our waters ensures that we will be able to defend ourselves against all enemies. If indeed the erosion of the sea ice extends, it will provide additional access to trade routes. It also provides additional access to our nation. These maps will be an invaluable aid to protecting our borders.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 295, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### MCKINNEY LAKE NATIONAL FISH HATCHERY CONVEYANCE ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1160) to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1160

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "McKinney Lake National Fish Hatchery Conveyance Act".

#### SEC. 2. CONVEYANCE OF MCKINNEY LAKE NATIONAL FISH HATCHERY.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STATE.—The term "State" means the State of North Carolina.

(b) CONVEYANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall convey to the State, without reimbursement, all right, title, and interest of the United States in and to the property described in subsection (c), for use by the North Carolina Wildlife Resources Commission as a component of the fish and wildlife management program of the State.

(c) DESCRIPTION OF PROPERTY.—The property referred to in subsection (b) is comprised of the property known as the "McKinney Lake National Fish Hatchery", which—

(1) is located at 220 McKinney Lake Road, Hoffman (between Southern Pines and Rockingham), in Richmond County, North Carolina;

(2) is a warmwater facility consisting of approximately 422 acres; and

(3) includes all improvements and related personal property under the jurisdiction of the Secretary that are located on the property (including buildings, structures, and equipment).

(d) USE BY STATE.—

(1) USE.—The property conveyed to the State under this section shall be used by the State for purposes relating to fishery and wildlife resources management.

(2) REVERSION.—

(A) IN GENERAL.—If the property conveyed to the State under this section is used for any purpose other than the purpose described in paragraph (1), all right, title, and interest in and to the property shall revert to the United States.

(B) CONDITION OF PROPERTY.—If the property described in subparagraph (A) reverts to the United States under this paragraph, the State shall ensure that the property is in substantially the same or better condition as the condition of the property as of the date of the conveyance of the property under this section.

(C) EXCEPTION.—This paragraph shall not apply with respect to use of the property under subsection (e).

(e) USE BY SECRETARY.—The Secretary shall require, as a condition and term of the conveyance of property under this section, that the State shall, upon the request of the Secretary, allow the United States Fish and Wildlife Service to use the property in cooperation with the Commission for propagation of any critically important aquatic resources held in public trust to address specific restoration or recovery needs of such resource.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

This bill would transfer title to 422 acres of land from the Fish and Wildlife Service to the North Carolina Wildlife Resources Commission. The commission has been effectively managing this property since 1998 under a Memorandum of Understanding with the Service, and they have been providing anglers with 150,000 channel catfish each year. Both the State and the Obama administration testified in support of this conveyance, and I note that Congress has previously conveyed 10 national fish hatcheries to various States and municipalities.

I urge the adoption of this measure, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. I rise in support of H.R. 1160, as amended, which would convey the McKinney Lake National Fish Hatchery to the North Carolina Wildlife Resources Commission for the purposes of fish and wildlife management. This would allow for the continued operation of the hatchery and the important role it plays in the State's urban fishing program and in addressing the restoration or recovery needs of aquatic resources held in public trust.

As we've heard before, with the warming of the oceans, we are in critical need of helping conserve our fishing industry. So to me this is really a critical piece of legislation.

I do commend my colleague, Congressman KISSELL from North Carolina, for introducing his bill, which is supported by his State and the administration, and would yield to the gentleman for such time as he may consume.

Mr. KISSELL. I would like to thank my colleague for yielding time.

Mr. Speaker, I do rise in strong support of H.R. 1160, the McKinney National Fish Hatchery Conveyance Act. I'd like to thank the chairman, ranking member, and staff of the Natural Resources Committee for helping us put this bill together. I also want to thank those from the North Carolina Wildlife Resources Commission and those from the U.S. Fish and Wildlife Service that also helped my staff in putting this together.

As said, the McKinley Fish Hatchery is 422 acres located in south central North Carolina, near Hoffman, North Carolina. It consists of 23 ponds with the main lake being McKinley. The water resources there cover 18 acres. This effort was first started in the mid-1990s; but due to structural problems on the dam of McKinley Lake itself, the conveyance was unable to be completed.

And as also mentioned, there's been a series of MOAs between the U.S. Fish and Wildlife Service and the North Carolina Wildlife Commission.

□ 1630

In the meantime, those structural problems have been satisfied. They're no longer an issue, and we're ready to proceed with this. There has been bipartisan support, with 10 of our colleagues in North Carolina cosponsoring this bill, and both Senators from North Carolina have signed off on similar legislation in the Senate.

The prime purpose and use of the fish hatchery now is in the community fishing program that's sponsored by the North Carolina Wildlife Resources Commission taking fingerling-size channel catfish that are grown here in the hatchery throughout North Carolina to ponds and lakes in communities and allowing people from North Carolina who may not have access otherwise to come in and enjoy the pleasures of fishing. I'm especially proud of the efforts that are made for those that might have trouble with a handicap. It

allows them access to fishing. And there are also programs designed to get our children involved and to grow up knowing the pleasures of fishing.

Once again, this is a win-win situation for all involved. I encourage my colleagues to vote "yes" and to make this conveyance complete.

Mr. Speaker, I would like to thank the Chairman, Ranking Member, and the Majority, and Minority Staff of the Natural Resources Committee for helping bring this bill to the floor today. I rise in support of H.R. 1160 the "McKinney Lake National Fish Hatchery Conveyance Act," a bill I have introduced in both the 111th and 112th Congress.

Located in Hoffman, North Carolina the McKinney Lake Fish Hatchery is a warm water hatchery, and contains 23 ponds covering more than 18 acres of water. This primary use of the hatchery is growing fingerling-sized (3–4 inches) channel catfish to harvestable size (8–12 inches) for the N.C. Wildlife Resources Commission's Community Fishing Program.

The Commission's Community Fishing Program provides angling opportunities to thousands of citizens, including children and disabled individuals, throughout the year. These Community Fishing Program sites are intensively managed bodies of water that receive monthly stockings of catchable-sized channel catfish from April–September. The McKinney Lake hatchery in conjunction with the Watha State Fish Hatchery near Wilmington provides the channel catfish for these monthly stockings. Many of these Community Fishing Program sites feature handicap-accessible fishing piers and solar-powered fish feeders helping to provide an enjoyable angling experience for citizens of all ages.

The "McKinney Lake National Fish Hatchery Conveyance Act," while first introduced in the 111th Congress as H.R. 6115 and this congress as H.R. 1160 actually has its beginnings in 1995. At that time the U.S. Fish and Wildlife Service offered to transfer ownership and operation of this hatchery to the NC Wildlife Resources Commission to help meet the state's fisheries management objectives. However, due to the structural deficiencies of the lake's dam, the transfer was never completed. Since then, the dam issues have been corrected, and the NC Wildlife Resources Commission has had full management of the hatchery under a memorandum of agreement, MOA, with the U.S. Fish and Wildlife Service, USFWS. The State of North Carolina and the USFWS have entered into 5 subsequent MOA's since 1995, with the most current being signed on November 10, 2009 and continuing until September 30, 2012.

H.R. 1160 was drafted by my staff with the cooperation, and consultation, of both the North Carolina Wildlife Resources Commission and the USFWS. The product of this cooperation is a bill that has garnered the support of 9 bi-partisan original co-sponsors from the North Carolina House delegation, as well as companion legislation (S. 651) in the Senate. The Senate version is co-sponsored by both North Carolina Senators.

In conclusion, H.R. 1160 would complete a land conveyance that by all accounts should have occurred in the late 1990's. In addition the state of North Carolina would be able to continue producing catfish for the popular and important Community Fishing Program, on land and facilities that they would have ownership of. The State ownership of this land

would incentivize them to make long term improvements and investments in the property, keeping it a viable fish hatchery. I appreciate the opportunity to stand in support of H.R. 1160 today, and would urge my colleagues to support the passage of this legislation.

Mrs. NAPOLITANO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 1160, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

### SOUTH UTAH VALLEY ELECTRIC CONVEYANCE ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 461) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 461

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "South Utah Valley Electric Conveyance Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **DISTRICT.**—The term "District" means the South Utah Valley Electric Service District, organized under the laws of the State of Utah.

(2) **ELECTRIC DISTRIBUTION SYSTEM.**—The term "Electric Distribution System" means fixtures, irrigation, or power facilities lands, distribution fixture lands, and shared power poles.

(3) **FIXTURES.**—The term "fixtures" means all power poles, cross-members, wires, insulators and associated fixtures, including substations, that—

(A) comprise those portions of the Strawberry Valley Project power distribution system that are rated at a voltage of 12.5 kilovolts and were constructed with Strawberry Valley Project revenues; and

(B) any such fixtures that are located on Federal lands and interests in lands.

(4) **IRRIGATION OR POWER FACILITIES LANDS.**—The term "irrigation or power facilities lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are encumbered by other Strawberry Valley Project irrigation or power features, including lands underlying the Strawberry Substation.

(5) **DISTRIBUTION FIXTURE LANDS.**—The term "distribution fixture lands" means all Federal lands and interests in lands where the fixtures

are located on the date of the enactment of this Act and which are unencumbered by other Strawberry Valley Project features, to a maximum corridor width of 30 feet on each side of the centerline of the fixtures' power lines as those lines exist on the date of the enactment of this Act.

(6) **SHARED POWER POLES.**—The term "shared power poles" means poles that comprise those portions of the Strawberry Valley Project Power Transmission System, that are rated at a voltage of 46.0 kilovolts, are owned by the United States, and support fixtures of the Electric Distribution System.

(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYSTEM.

(a) **IN GENERAL.**—Inasmuch as the Strawberry Water Users Association conveyed its interest, if any, in the Electric Distribution System to the District by a contract dated April 7, 1986, and in consideration of the District assuming from the United States all liability for administration, operation, maintenance, and replacement of the Electric Distribution System, the Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law convey and assign to the District without charge or further consideration—

(1) all of the United States right, title, and interest in and to—

(A) all fixtures owned by the United States as part of the Electric Distribution System; and

(B) the distribution fixture land;

(2) license for use in perpetuity of the shared power poles to continue to own, operate, maintain, and replace Electric Distribution Fixtures attached to the shared power poles; and

(3) licenses for use and for access in perpetuity for purposes of operation, maintenance, and replacement across, over, and along—

(A) all project lands and interests in irrigation and power facilities lands where the Electric Distribution System is located on the date of the enactment of this Act that are necessary for other Strawberry Valley Project facilities (the ownership of such underlying lands or interests in lands shall remain with the United States), including lands underlying the Strawberry Substation; and

(B) such corridors where Federal lands and interests in lands—

(i) are abutting public streets and roads; and

(ii) can provide access that will facilitate operation, maintenance, and replacement of facilities.

(b) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—

(1) **IN GENERAL.**—Before conveying lands, interest in lands, and fixtures under subsection (a), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) **EFFECT.**—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) **POWER GENERATION AND 46KV TRANSMISSION FACILITIES EXCLUDED.**—Except for the uses as granted by license in Shared Power Poles under section 3(a)(2), nothing in this Act shall be construed to grant or convey to the District or any other party, any interest in any facilities shared or otherwise that comprise a portion of the Strawberry Valley Project power generation system or the federally owned portions of the 46 kilovolt transmission system which ownership shall remain in the United States.

#### SEC. 4. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under section 3(a)(1)—

(1) the conveyed and assigned land and facilities shall no longer be part of a Federal reclamation project;

(2) the District shall not be entitled to receive any future Bureau or Reclamation benefits with respect to the conveyed and assigned land and facilities, except for benefits that would be available to other non-Bureau of Reclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, including the transaction of April 7, 1986, between the Strawberry Water Users Association and Strawberry Electric Service District.

#### SEC. 5. REPORT.

If a conveyance required under section 3 is not completed by the date that is 1 year after the date of the enactment of this Act, not later than 30 days after that date, the Secretary shall submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

H.R. 461, sponsored by Congressman JASON CHAFFETZ of Utah, conveys the federal title of electricity distribution lines to a local entity. This transfer resolves ownership confusion caused by lack of proper federal paperwork and will lead to more efficient management of the project. The general concept of so-called title transfers is a promising one: they place projects under local control; they reduce federal paperwork; and they provide instant ownership equity for a local entity to leverage private financing dollars. These benefits will all be achieved without a cost to the American taxpayer. This bill is an excellent example of a win-win scenario.

I urge adoption of the measure, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. H.R. 461, as the majority mentioned, would transfer title of an electric distribution system from the Bureau of Reclamation to the South Utah Valley Electric Distribution system. The South Utah Valley Electrical Distribution system already



operates and maintains the existing facilities. The act would eliminate the Bureau of Reclamation's obligations to oversee the maintenance of the distribution system and to administer the associated lands.

The Strawberry Valley Reclamation Project is a great example of the important role the Federal Government has played in helping to spur the economy of local communities in the West. Without Reclamation's involvement years ago, it is very highly unlikely that we would be able to transfer these facilities to the local entities today. So I commend my friend and colleague, Congressman CHAFFETZ from Utah, for supporting this important piece of legislation that helps the area so well.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. I rise in support of H.R. 461, the South Utah Valley Electric Conveyance Act of 2011. I would first like to thank the chairman and the ranking member of the Natural Resources Committee for advancing this needed bill to the floor. It wouldn't have happened without good support and consideration on both sides of the aisle. For that I'm very grateful.

The South Utah Valley Electric Conveyance Act would clarify ownership of an electric distribution system that was built as part of the federally sponsored Strawberry Valley Project. Construction of the Strawberry Valley Project began in 1906 and currently includes the Strawberry Dam and Reservoir, diversion dams, canals, three power plants, and a 296-mile electric transmission and distribution system.

Since 1906, various Federal, State, local, and private partners have been involved in the construction, management, and ownership of the Strawberry Valley Project. Currently, the non-federal South Utah Valley Electric Special Service District owns, operates, and maintains the electric distribution system. Recently, the Bureau of Reclamation discovered that portions of the electric distribution system remain titled to the United States. This discrepancy exists due to the construction activities that occurred both before and after a 1940 repayment agreement. The Bureau has not yet quantified how much of the system it actually owns, but it has been predicted that an inventory would take multiple years and be very costly to taxpayers.

The South Utah Valley Electric Conveyance Act would authorize a title transfer to resolve this ownership uncertainty. By transferring title of the entire system to the district, the Bureau would divest itself of future Federal liability while also providing the district—the entity already operating and maintaining this system—with greater certainty and autonomy in day-to-day and long-term operations.

Title transfers are noncontroversial and common practice. Since 1996, por-

tions of 27 Bureau of Reclamation projects have been transferred to non-Federal partners. These transfers benefit both parties. When the Natural Resources Committee favorably forwarded the bill to the House of Representatives, the accompanying report stated, "In general, title transfers benefit both local communities and the Federal Government."

Further, the legislation is in line with the Bureau of Reclamation's 1995 framework for transfer of title. This policy outlined criteria needed for the title transfers in order to move forward: Number one, the Federal Treasury, and thereby the taxpayers' financial interest, must be protected; Number two, there must be compliance with all applicable State and Federal laws; Number three, interstate compacts and agreements must be protected; Number four, the Secretary's Native American trust responsibilities must be met; Number five, treaty obligations and international agreements must be fulfilled; and Number six, the public aspects of the project must be protected.

The South Utah Valley Electric Conveyance Act is in line with the Bureau's framework. And, again, I would like to thank Chairman HASTINGS and members of the Natural Resources Committee for advancing this bill to the floor, and help on both sides of the aisle.

The South Utah Valley Electric Conveyance Act is beneficial to both the Federal Government and localities in Utah's Third Congressional District, and I would encourage my colleagues to support it.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Alaska. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 461, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ALLOWING PREPAYMENT OF FEDERAL CONTRACTS WITH THE UTAH WATER CONSERVANCY DISTRICT.

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 818) to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 818

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PREPAYMENT OF CERTAIN REPAYMENT CONTRACTS BETWEEN THE UNITED STATES AND THE UTAH WATER CONSERVANCY DISTRICT.

The Secretary of the Interior shall allow for prepayment of the repayment contract no. 6-05-01-00143 between the United States and the Uintah Water Conservancy District dated June 3, 1976, and supplemented and amended on November 1, 1985, and on December 30, 1992, providing for repayment of municipal and industrial water delivery facilities for which repayment is provided pursuant to such contract, under terms and conditions similar to those used in implementing section 210 of the Central Utah Project Completion Act (Public Law 102-575), as amended. The prepayment—

(1) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this Act was not in effect;

(2) may be provided in several installments to reflect substantial completion of the delivery facilities being prepaid, and any increase in the repayment obligation resulting from delivery of water in addition to the water being delivered under this contract as of the date of enactment of this Act;

(3) shall be adjusted to conform to a final cost allocation including costs incurred by the Bureau of Reclamation, but unallocated as of the date of the enactment of this Act that are allocable to the water delivered under this contract;

(4) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(5) shall be made such that total repayment is made not later than September 30, 2022.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

H.R. 818 would allow a local water district in Utah to prepay its loan obligations to the Federal Government. Prepayment can benefit local water utilities because it relieves them of interest costs and some regulatory burdens.

□ 1640

This concept is similar to giving a family an option to prepay its mortgage and to save compounded interest cost. It's also in the best interest of the American taxpayer since it will facilitate the revenues to the U.S. Treasury.

I urge adoption of this measure, and I reserve the balance of my time.

Mrs. NAPOLITANO. I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, H.R. 818, sponsored by our friend and colleague Congressman MATHESON, would allow the Uintah Water Conservancy District of Uintah County, Utah, to prepay—that means to pay ahead of time for anybody who really understands the prepay—the debt owed to the Federal Government for the construction of the Jensen Unit.

At a time when our country is watching our dollars and cents, H.R. 818 is legislation that does make very credible sense. The water district would have the option to pay its loan early—what a novel concept—and translate the interest savings into lower rates for its customers—again, quite an interesting concept. The Federal Government, in turn, would benefit from the accelerated repayment of the debt to the Treasury and be able to use that for debt reduction or whatever else is needed.

I do commend Congressman MATHESON of Utah for his efforts in moving this legislation. Identical legislation passed the House unanimously in the 111th Congress, so I ask my colleagues to support this bill.

With that, I yield such time as he may consume to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. I rise in support of H.R. 818, which would direct the Secretary of the Interior to allow for the prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

I would very much like to thank Chairmen HASTINGS and MCCLINTOCK and Ranking Members MARKEY and NAPOLITANO for their support in moving this bill through the Natural Resources Committee.

This is a commonsense bill that encourages and promotes fiscal responsibility at all levels of government. Allowing the Uintah Water Conservancy District to pay its debt obligations back early and in a timely manner is what we like to call a “win-win” in that it’s finally beneficial to the local government and Federal Government alike.

It provides local government the ability to responsibly self-govern, giving it the flexibility to pay its loan off early and save hundreds of thousands of dollars in future interest payments. This savings will result in lower costs to the water users, which is very important as we continue to grow out of the current economic recession and look for additional ways to support much needed economic development in rural communities. Likewise, allowing for prepayment results in a significant payment to the Federal Treasury.

As Congress continues to look for ways to trim the Federal budget and encourage best practices and good government policies, allowing for prepayment is a good model to follow. In addition, I believe this legislation provides a good opportunity to help rural communities prioritize and implement best practices to utilize scarce resources in

an effort to meet rural water demands in a cost-effective and fiscally responsible manner.

I would also like to point out that there is precedence for allowing the prepayment of repayment contracts. H.R. 818 is similar to legislation used by the Central Utah Water Conservancy District, which allowed for the prepayment of the repayment contracts for the Bonneville Unit. This effort saved hundreds of thousands in taxpayer dollars and allowed for project managers to consider time and cost savings through a balanced approach to managing an important resource in my State.

H.R. 818 is the same bill that passed the House unanimously in the 111th Congress. It has also in this Congress been reintroduced in the Senate by my counterparts in the Utah delegation, Senators HATCH and LEE. I urge my colleagues to join me in passing this bill once again.

Mrs. NAPOLITANO. As I have no further requests for time, I would urge my colleagues to vote for this very important piece of legislation.

I yield back the balance of my time. Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 818.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 320) to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 320

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Distinguished Flying Cross National Memorial Act”.

##### SEC. 2. DESIGNATION OF DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL IN RIVERSIDE, CALIFORNIA.

(a) FINDINGS.—Congress finds the following:

(1) The most reliable statistics regarding the number of members of the Armed Forces who have been awarded the Distinguished Flying Cross indicate that 126,318 members of the Armed Forces received the medal during World War II, approximately 21,000 members received the medal during the Korean conflict, and 21,647 members received the medal during the Vietnam War. Since the end of the Vietnam War, more than 203 Armed Forces members have received the medal in times of conflict.

(2) The National Personnel Records Center in St. Louis, Missouri, burned down in 1973, and thus many more recipients of the Distinguished Flying Cross may be undocumented. Currently, the Department of Defense continues to locate and identify members of the Armed Forces who have received the medal and are undocumented.

(3) The United States currently lacks a national memorial dedicated to the bravery and sacrifice of those members of the Armed Forces who have distinguished themselves by heroic deeds performed in aerial flight.

(4) An appropriate memorial to current and former members of the Armed Forces is under construction at March Field Air Museum in Riverside, California.

(5) This memorial will honor all those members of the Armed Forces who have distinguished themselves in aerial flight, whether documentation of such members who earned the Distinguished Flying Cross exists or not.

(b) DESIGNATION.—The memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross, located at March Field Air Museum in Riverside, California, is hereby designated as the Distinguished Flying Cross National Memorial.

(c) EFFECT OF DESIGNATION.—The national memorial designated by this section is not a unit of the National Park System, and the designation of the national memorial shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

##### GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, I want to begin by thanking Congressman CALVERT for introducing this bill to designate a memorial in honor of the over 150,000 current and former members of the Armed Forces who have been awarded the Distinguished Flying Cross.

The new memorial was dedicated on October 27, 2010, at March Field Air Museum in Riverside, California. With the legislation, the memorial will be designated as the Distinguished Flying Cross National Memorial. This designation honors these patriots and does not require or permit the expenditure of any Federal dollars.

I urge adoption of the measure, and I reserve the balance of my time.

Mrs. NAPOLITANO. I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, the recipients of the Distinguished Flying



Cross include Captain Charles Lindbergh, Commander Richard Byrd, Amelia Earhart, and Captain Mark Kelly. You might know who Captain Mark Kelly is because he had his medal pinned on him by his wife—our dear colleague, Representative GABBY GIFFORDS. All of the men and women who have received this medal are American heroes, and the March Field Air Museum is to be commended for its efforts to establish a memorial honoring these individuals.

On our side, we would likely support some Federal funding for this project, but in knowing our status on our budgetary problems, our friends on the other side have written the bill to prohibit Federal support. Nevertheless, we do wholeheartedly support H.R. 320.

I commend my friend and colleague KEN CALVERT, from my home State of California, for introducing this piece of legislation to recognize all our heroes.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I rise in support of H.R. 320, a bill to designate a national Distinguished Flying Cross memorial in Riverside, California.

I thank my friends Mr. YOUNG and Mrs. NAPOLITANO for managing the bill today.

I am honored to represent the Inland Empire Chapter of the Distinguished Flying Cross Society, which is the primary sponsor of this memorial. The memorial honors all current and former members of the Armed Forces who have been awarded the Distinguished Flying Cross.

In the 111th Congress, I introduced H.R. 2788, which passed the House unanimously; and today, I stand again in support of H.R. 320, which would designate a memorial at March Field Air Museum as the Distinguished Flying Cross National Memorial. The legislation is supported by the Distinguished Flying Cross Society, the Military Officers Association of America, the Air Force Association, the Air Force Sergeants Association, the Association of Naval Aviation, the Vietnam Helicopter Pilots Association, and the China-Burma-India Veterans Association.

I would like to point out the language in the bill specifically states that the designation shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial. Funds have been and will continue to be raised through private means for these purposes.

The Distinguished Flying Cross recipients have received this prestigious medal for their heroism and extraordinary achievement while participating in aerial flight while serving in any capacity with the U.S. Armed Forces. There are many well-known people who have played a vital role in

the history of military aviation and have received the award. As was previously mentioned, this renowned group includes Captain Charles L. Lindbergh, former President George H. W. Bush, Brigadier General Jimmy Doolittle, General Curtis LeMay, Senator MCCAIN, Jimmy Stewart, and Admiral Jim Stockdale—just to name a few.

The March Air Reserve Base, which hosts the C-17As of the 452nd Air Mobility Wing is adjacent to the location of the memorial at the March Field Air Museum. Visitors are able to witness active operational air units provide support for our troops in Iraq and Afghanistan, which is an appropriate setting that honors the many aviators who have distinguished themselves by deeds performed in aerial flight.

□ 1650

I would like to thank those who worked tirelessly to ensure this memorial is built and is properly designated in honor of the distinguished aviators that have served this great Nation. In particular, I'd like to recognize Jim Champlin; his late wife, Trish; Distinguished Flying Cross Society president, Chuck Sweeney; and the society's historian, Dr. Barry Lanman, who have been instrumental in this effort.

Again, I hope you'll join me in supporting the designation of the National Distinguished Flying Cross Memorial at the March Field Air Museum and support H.R. 320.

Mrs. NAPOLITANO. Mr. Speaker, I just want to urge both sides to support H.R. 320, but at the same time I'd also like to thank our majority and our minority, not only our Members, but also the staff that have done a very wonderful job in helping us put this stuff together and putting up with us.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 320, "Distinguished Flying Cross National Memorial Act," which designates a Distinguish Flying Cross National Memorial at the March Field Air Museum in Riverside, California. Recipients of the Distinguished Flying Cross are awarded to any officer of enlisted member of the United States armed forces who distinguishes himself or herself in support of operations by "heroism or extraordinary achievement while participating in an aerial flight."

The March Field Air Museum serves as the appropriate location for such a prestigious honor. Its home sits on the March Air Force Base. March Air Force Base dates back to a time when the United States was rushing to build up its military forces in anticipation of entering World War I. It continued to be used as a pilot training center and as well as an operational base throughout World War II. March Air Force Base was a part of outstanding achievements in test flights and other contributions to the science of aviation. For over seventy years, March has been a key component in the advance of aviation and in the growth of the modern Air Force.

The March Field Air Museum is representative of American ingenuity in aviation. The mu-

seum hosts a collection of military and vintage aircraft that presents an extraordinary look at the history of aviation and the use of aviation in modern warfare. The museum tells the story of how aircraft were first used in warfare and how they have become a vital part of our nation's military power.

As all of our military, we hold a special place in our hearts for those pilots who operated those aircraft. These aviators supported our ground troops from the air during times of war. This honor will bestow the nation's gratitude upon those who are so deserving of recognition. I am happy to share in this opportunity with my colleagues to place in our nation's history the recognition of these heroes of the skies. Our nation is better for the heroism of these brave men and women.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H.R. 320, the Distinguished Flying Cross National Memorial Act.

I want to thank my colleague from southern California, Mr. CALVERT, for sponsoring this bill and championing this cause to recognize some of our nation's greatest aviators.

March Air Field Museum, located in California's Inland Empire, at the site of the March Air Reserve Base, is a place for Americans to learn and celebrate our nation's great aviation and military histories.

It is appropriate then, that this museum serve as a sight for the United States to officially recognize the heroic service of over 165,000 Americans who have received the Distinguished Flying Cross.

The Distinguished Flying Cross is awarded to a member of the Armed Forces who distinguishes himself or herself with heroism or extraordinary achievement while participating in an aerial flight.

March Air Force Base, March Air Reserve Base, and now March Air Field Museum have all been vital parts of the fabric of our community in California's Inland Empire.

I urge all my colleagues to vote yes on H.R. 320 and help ensure California's Inland Empire will forever serve as home to the Distinguished Flying Cross National Memorial.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 320.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### EUROPEAN UNION EMISSIONS TRADING SCHEME PROHIBITION ACT OF 2011

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2594) to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2594

GENERAL LEAVE

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “European Union Emissions Trading Scheme Prohibition Act of 2011”.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) The European Union has unilaterally imposed an emissions trading scheme (in this section referred to as the “ETS”) on non-European Union aircraft flying to and from, as well as within, Europe.

(2) United States airlines and other United States aircraft operators will be required under the ETS to pay for European Union emissions allowances for aircraft operations within the United States, over other non-European Union countries, and in international airspace for flights serving the European Union.

(3) The European Union’s extraterritorial action is inconsistent with long-established international law and practice, including the Chicago Convention of 1944 and the Air Transport Agreement between the United States and the European Union and its member states, and directly infringes on the sovereignty of the United States.

(4) The European Union’s action undermines ongoing efforts at the International Civil Aviation Organization to develop a unified, worldwide approach to reducing aircraft greenhouse gas emissions and has generated unnecessary friction within the international civil aviation community as it endeavors to reduce such emissions.

(5) The European Union and its member states should instead work with other contracting states of the International Civil Aviation Organization to develop such an approach.

(6) There is no assurance that ETS revenues will be used for aviation environmental purposes by the European Union member states that will collect them.

(7) The United States Government expressed these and other serious objections relating to the ETS to representatives of the European Union and its member states during June 2011, but has not received satisfactory answers to those objections.

**SEC. 3. PROHIBITION ON PARTICIPATION IN THE EUROPEAN UNION’S EMISSIONS TRADING SCHEME.**

The Secretary of Transportation shall prohibit an operator of a civil aircraft of the United States from participating in any emissions trading scheme unilaterally established by the European Union.

**SEC. 4. NEGOTIATIONS.**

The Secretary of Transportation, the Administrator of the Federal Aviation Administration, and other appropriate officials of the United States Government shall use their authority to conduct international negotiations and take other actions necessary to ensure that operators of civil aircraft of the United States are held harmless from any emissions trading scheme unilaterally established by the European Union.

**SEC. 5. CIVIL AIRCRAFT OF THE UNITED STATES DEFINED.**

In this Act, the term “civil aircraft of the United States” has the meaning given that term under section 40102(a) of title 49, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill before us, H.R. 2594.

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

There was no objection.

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

I rise in support of the bill before us, H.R. 2594, the European Union Emissions Trading Scheme Prohibition Act of 2011.

Starting in January of 2012, the European Union will begin to unilaterally apply its emissions trading scheme to civil aviation operators landing in or departing from one of the EU member states.

Under the emissions trading scheme, EU member states will require international air carriers and operators to pay for emission allowances and, in some cases, penalties for carbon emissions. The scheme will apply to the entire length of the flight, including those parts of the flight outside the EU airspace. For instance, on a flight leaving Los Angeles for London, taxes will be levied not just on the portion of the flight over the United Kingdom, but also for the portions of the flight over the United States’ sovereign soil and the high seas.

On September 30, 21 countries, including the U.S., signed a joint declaration against the EU emissions trading scheme in New Delhi, India. Despite serious legal issues and objections by the international community, the EU is pressing ahead with its plans.

The bill before us will prohibit U.S. aircraft operators from participating in this illegal scheme put forward unilaterally by the EU. The European Union’s unilateral application of the scheme onto U.S.-flagged operators without the consent of the United States Government raises significant legal concerns under international law, including violations of the Chicago Convention and the U.S.-EU Air Transport Agreement.

There are also concerns that the emissions trading scheme is nothing more than a revenue raiser for EU member states, as there is no requirement that EU member states must use the funds for anything related to the reduction of carbon dioxide production by the civil aviation sector.

The emissions trading scheme will extract money from the airline industry that would otherwise be invested in NextGen technologies and the purchase of new aircraft, just two proven methods for improving environmental performance. In addition, the scheme would introduce a new commodities market into the cost structure for airlines. Given the havoc fluctuating oil markets have played on the U.S. airline industry, it doesn’t make sense to subject the struggling airline industry

to another commodities market that is vulnerable to speculation.

According to the Air Transport Association’s testimony before the Aviation Subcommittee this July, the extraction of capital from the aviation system as envisioned under the EU emissions trading scheme could threaten as many as 78,500 U.S. jobs. This is unacceptable.

Finally, there are considerable concerns about the proliferation of EU member states’ “eco-charges” being put in place on top of the emissions trading scheme. Questions have arisen as to whether the eco-charges are consistent with U.S. member states’ obligations under international law and whether some of these charges may, in effect, be double charges for the same emissions the EU intends to regulate under the emissions trading scheme.

Given all of these concerns, we believe that the European Union needs to slow down and carefully weigh their plans to include international civil aviation in their emissions trading scheme. We believe a better approach is to work within the international civil aviation community through the U.N. International Civil Aviation Organization to establish consensus-driven initiatives to reduce emissions.

However, because the EU has shown no interest in working with the international community to address their concerns and objections and to seek a global approach to civil aviation emissions, we’re moving this bipartisan legislation forward to ensure U.S. operators will not participate in their unilateral and questionable scheme.

The Obama administration, Republicans and Democrats here in the House have recognized the troubled approach taken by the Europeans and have expressed ardent opposition. This legislation is one of many avenues the United States can take, concurrent with others, to resolve this conflict. To be sure, the United States Government will use all tools at its disposal to hold our aviation interests harmless from the Europeans’ unfair and illegal scheme.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

OCTOBER 5, 2011.

Hon. JOHN L. MICA,  
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: Thank you for your prior consultation with us on H.R. 2594, the European Union Emissions Trading Scheme Prohibition Act of 2011, given the jurisdictional equities of the Committee on Foreign Affairs in that bill.

I am writing to confirm the agreement of the Foreign Affairs Committee to be discharged from consideration of H.R. 2594 in order to expedite its consideration on the House floor. In agreeing to waive consideration of that bill, this Committee does not waive any jurisdiction that it has over provisions in that bill or any other matter. This also does not constitute a waiver of the participation of the Committee of Foreign Affairs in any conference on this bill. I ask that you include a copy of this letter and

your response in any Committee report on H.R. 2594 and in the Congressional Record during floor consideration of the bill.

Thank you again for your consideration and collegiality in this matter.

Cordially,

ILEANA ROS-LEHTINEN,  
*Chairman.*

OCTOBER 6, 2011.

Hon. ILEANA ROS-LEHTINEN,  
*Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN ROS-LEHTINEN: Thank you for your letter regarding H.R. 2594, the "European Union Emissions Trading Scheme Prohibition Act of 2011." The Committee on Transportation and Infrastructure recognizes the Committee on Foreign Affairs has a jurisdictional interest in H.R. 2594, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Foreign Affairs with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 2594 in the Committee report and in the Congressional Record during House Floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Foreign Affairs as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,  
*Chairman.*

Ms. BROWN of Florida. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2594, a bill that would protect U.S. airlines, their employees and their passengers from the European Union's plan to unfairly charge U.S. airlines for emissions in U.S. air space.

President Obama has taken a strong stand against the EU emissions trading scheme scam on the grounds that it is inconsistent with international aviation law and practice. Additionally, airlines and labor groups oppose it because it would impose new and unjustifiable costs on the industry and destroy American jobs.

Climate change is a global problem that requires a global solution. Working through the International Civil Aviation Organization, the United States has committed to find a global solution to address aviation emissions based on agreement and cooperation.

However, the EU has decided to move forward with a go-it-alone approach that is contrary to international law and violates U.S. sovereignty by charging U.S. airlines for all emissions from flights between the United States and Europe, even the portion of flights over our own air space, and return the revenue to European countries without any specific assurances regarding how the revenue will be used. That is unacceptable.

□ 1700

This bill will protect U.S. airlines from unjust liability under the EU's

emissions trading system. It sends a strong message from Congress that we do not support what the EU is doing, for a variety of reasons.

The United States is far from alone in expressing strong opposition to the EU's proposal. Last month, 25 other countries joined the United States in signing a joint declaration in India that calls upon the EU not to impose the emissions trading system on non-European airlines, and that urges EU member countries to instead address aviation emissions from ICAO, where progress already is being made.

The United States and other international partners stand ready and willing to work to address this issue constructively through the proper international framework.

We rightfully expect both governments and airlines to be good stewards of the environment and do everything possible to reduce harmful carbon emissions. In fact, the Federal Aviation Administration and the airline industry have invested billions of dollars in NextGen air traffic upgrades, and the FAA plans to reduce emissions by 2 percent a year through these improvements. Further, U.S. airlines improved fuel efficiency by approximately 110 percent since 1978. From 2000 to 2009, U.S. carriers reduced fuel burn and carbon emissions by 15 percent, while carrying 7 percent more passengers and cargo.

At meetings last week, I, along with Chairman MICA and several other members of the committee, met with European Union representatives to express our willingness to work with our friends to come to a more equitable solution to this problem, and I believe the meetings were very productive. But we also made it quite clear that the EU's my-way-or-the-highway approach was totally unacceptable, and we will take every action necessary to prevent the implementation of these unnecessary and dangerous taxes. And we made it clear that the Congress will stand up and defend the sovereignty of the United States.

With that, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to our colleague from Pennsylvania, Mr. BILL SHUSTER.

Mr. SHUSTER. I thank the gentleman for yielding.

I couldn't agree more with my colleague from Florida (Ms. BROWN) on her support for H.R. 2594. And to my colleagues watching or listening to this debate tonight, I would urge you to listen closely because this is a serious situation that's going to occur, and it's up to Congress to send a message to the European capitals of the world that the United States will not stand for this. This will be a terrible burden for not only our carriers but for aviation airlines, air travel, commercial travel around the world.

There has never been to my knowledge a more ill-conceived program than

what the European Union is putting forth in this emissions trading scheme. They're going forth with this; and first of all, I believe it's violating international law, the Chicago Convention which was signed in the mid-1940s, which set up ICAO which is the International Civil Aviation Organization, which coordinates and allows for transportation, commercial transportation, aviation transportation around the world to go forth in a way that is orderly. We come together at this international organization and build on consensus with rule-makings and regulations that help us to not only build our airplanes but to fly them around the world.

What the Europeans are doing is they want to impose a tax on American air carriers, on all air carriers from their points of departure. So from our sovereign Nation and sovereign nations around the world, they're going to tax us to fly from, for instance, Los Angeles to Paris, which I believe, again, is a violation of the international agreement. I believe it is going to throw international aviation into an uncertain time period and may cause tremendous disruption in the flow of commerce through the air.

The air transportation industry worldwide accounts for 8 percent of global GDP, but only accounts for 2 percent of the CO<sub>2</sub> emissions. And the airline industry has a great incentive to decrease the amount of fuel they have because it is one of if not their largest expense. So air travel with the airliners we build today, with the way we organize our air traffic control patterns in the United States, we've been able to reduce CO<sub>2</sub> emissions over the last 10 years significantly, and we'll continue to do that because, as I said, the incentive is there for the airline industry in America to use less fuel, not more fuel. It's better for their bottom lines.

Once again, this trading scheme, this emissions trading scheme is going to impose a tax on our carriers. The Europeans estimate it will be about \$2 a ticket. Our aviation industry believes it will be somewhere between \$2.50 and \$4 a ticket. We're not sure, but let's take the European numbers. So \$2 a ticket, if you look over the last 10 years in the aviation industry in this country, we have lost \$2.80 per ticket sold. So you're talking about an industry that is now recovering, an industry that seems to be making profits. If the Europeans are allowed to impose a \$2 tax, it will probably wipe out the entire profits of our airline industry, so we can't let it stand.

Also, it is a counterproductive measure. The Europeans say they're going to reduce emissions by this. I believe it is going to do the opposite. What's going to happen is these planes, not the new planes, but the old ones, refurbished ones, are going to go to other parts of the world. And these old planes do emit more CO<sub>2</sub>, and so there are going to be places in Africa and Asia

and countries that can't afford the newest, latest, greatest Boeing or Airbus planes; and they're going to be spewing more emissions into the air. So it's counterproductive.

And if you want an industry to invest in more fuel-efficient airliners, they need to make a profit. So you're going to take that profit away, and they will not be able to invest in new ways to reduce emissions coming from these airliners. So it's counterproductive.

Also, if the Europeans want to reduce emissions, which they have not in their airline industry over the last 10 years, one of the things they could do, a huge step in the right direction, is to create a single European airspace. And they've been unable to do that.

Today, when you fly in the United States, because we're so much more efficient than the Europeans, our planes land quicker. That means they're not up in the atmosphere putting out CO<sub>2</sub> emissions. In the European theater, what you have are 25 or 30 different airspaces. So planes tend to circle around the airport for longer periods of time emitting more CO<sub>2</sub>. So if the Europeans are really serious about this, instead of just doing the easy thing and tax the Americans or tax the Chinese or tax the Russians, they should look seriously at turning their 30 different airspaces into a single European airspace. That would be a tremendous improvement and be a tremendous reduction in the CO<sub>2</sub> that they are putting into the air.

So my colleagues, if you're listening to this tonight, I urge you strongly to support the gentlelady from Florida and myself and others in a bipartisan way to send a strong vote, a strong message to the Europeans to don't go down this path. Let's sit down at the table and work together. We can do something that reduces CO<sub>2</sub> without taxing American carriers and disrupting an international organization that's been so positive and so vital to commerce in this world.

Ms. BROWN of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. I thank my friend from Florida for yielding, and I rise in support of this bipartisan legislation.

This committee has just concluded meetings at the International Civil Aviation Organization. Of that organization, that commission, there are 36 votes; 26 of the voting nations have in writing expressed their disapproval of what the Europeans are approving. The only 10 countries in approval are eight European countries and Australia and Canada. We believe that this clearly violates article 1 of the Chicago Convention of 1944. Article 1 states that all signature countries to this agreement shall have control over their own airspace. If the European Union wants to put this scheme into place in the European Union, they're welcome to do that.

□ 1710

But they can't tell aircraft leaving O'Hare or Logan or Kennedy or Dulles

that they're going to have to start paying taxes there. And the explanation from the European Union doesn't pass the laugh test. They say that the European Union member states are not responsible for a 1944 agreement because the European Union was not in existence in 1944. Their member States were in existence and they are signatories to the agreement and they are bound by it. If the European Union continues to move down this path, they know at ICAO that there are remedies. And they know that there are going to be remedies that are to be sought.

So I urge this body to pass this legislation today, and I even more so urge the Europeans to put this aside, come back to the ICAO organization—a vision that FDR had in 1944 to control international aviation—and have a global solution to this problem that we face.

Ms. BROWN of Florida. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentlewoman from Florida has 14 minutes remaining. The gentleman from Wisconsin has 9 minutes remaining.

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

Ms. BROWN of Florida. I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentlelady.

I rise in opposition to this legislation. If it were to pass the House, we lawmakers would be directing the Secretary of Transportation to tell U.S. airlines not to follow the law. If we prohibit our companies from complying with the laws in other countries, we should expect other countries to do the same when it comes to their companies complying with U.S. law.

In an effort to protect U.S. airlines, this bill might actually undermine airline security. The U.S. currently requires international airlines to comply with a wide range of U.S. laws when it comes to passenger, baggage, and cargo security in order to do business in our country. If we legislate our companies out of Europe's environmental laws, our homeland security could be adversely impacted if European countries decided to withhold their cooperation in response with regard to screening of baggage for bombs on planes flying into the United States.

When it comes to pollution from the transportation sector, the United States was the first to pass a law requiring anyone in the world interested in coming to our shores to follow our environmental regulations. In 1990, Congress passed the Oil Pollution Act in the aftermath of the Exxon Valdez oil spill. In order to reduce the risk of an oil spill, it required all tankers operating in U.S. waters to be double-hulled by 2015. No matter what country's flag a tanker is flying, it will have to be double-hulled to sail into the United States of America—to protect us from their pollution.

We acted unilaterally to protect our country from the carbon pollution associated with an oil spill 21 years ago. Now, after years of trying to forge an international aviation agreement, the European Union is acting to protect itself from the carbon pollution associated from airline travel.

Last week, an independent team of scientists at Berkeley released their analysis of land surface temperature records going back to 1800. They found—as their counterparts in NOAA and NASA had previously shown—that temperatures over the last decade were increasing. Once again, scientists have confirmed that global warming is real. Now that independent scientists have validated this bedrock fact, perhaps my colleagues who have questioned the science of climate change will be willing to give climate scientists the benefit of the doubt that the rest of their findings are accurate. And those findings have sobering consequences for the United States—more heat waves, rising sea levels, declining snowpack, more frequent drought, more extreme precipitation when it does rain—to name just a few.

2011 has been a record-breaking year for extreme weather in the United States. If left unchecked, climate change could make a year like this seem normal. The Europeans are taking climate change seriously. We shouldn't undermine their efforts by legislating that our airlines break the law. I would urge a "no" vote on H.R. 2594. Just remember that all of the other laws that we expect them to abide by in terms of the protection of American environment and American security become jeopardized when we question legitimate laws that the Europeans put on the books in order to protect our planet.

So I urge a "no" vote on this bill.

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

Ms. BROWN of Florida. I yield 2 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I thank the gentlelady for yielding to me.

Mr. Speaker, I also rise in opposition to this legislation. I think Mr. MARKEY made an articulate case and a compelling case. If we expect European companies to comply with U.S. laws when they do business in our country, whether the EU countries agree with our laws or not, we have to respect their laws. But this bill, H.R. 2594, prohibits U.S. airlines from complying with the laws of the European Union.

Worldwide aviation is estimated to produce about 3 percent of the total manmade greenhouse gas emissions—and these emissions are rising rapidly. In an effort to address aviation's uncontrolled contribution to climate change, the EU has adopted a cap on greenhouse gas emissions from the aviation sector. The EU program sets modest and achievable emission limits, it is flexible and market-oriented, and there is no viable alternative approach

based on regulating only those emissions that occur in a country's own airspace.

The EU program also should benefit U.S. aircraft and engine manufacturers such as Boeing and Pratt & Whitney, which are building more efficient engines today. The program will encourage airlines to purchase new aircraft with lower fuel costs, boosting the economy and potentially saving consumers money.

As a matter of fact, I just got off a plane today from the European Union, and I would hate to think that when I travel on an American airline they will not respect the laws of the European Union or the European Union might decide they don't have to respect our laws.

I urge a "no" vote on this bill.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

When I was growing up, I used to like this program with Sergeant Joe Friday, and he would say, "The facts, ma'am; just the facts."

I have a few facts about the European Union's emissions trade scheme—or scam—or whatever you want to call it. The U.S. airlines would be required to pay for carbon allowances for all segments of flights between the United States and Europe. For example, on a flight from Los Angeles to a European city, an airline would be liable for emissions over the U.S., Canada, and international waters. Two, fees for carbon allowance under the system would be paid directly to EU's member states without obligation to use them to mitigate aviation emissions impacts. The EU tax violates U.S. sovereignty by imposing liability on U.S. airlines for operations in the U.S. National Airspace System. Additionally, President Obama's administration testified before the House Committee on Transportation and Infrastructure that the EU's tax is inconsistent with international aviation law.

In closing, I want to thank Chairman MICA, all of the Members that went with us to talk to our partners across the water in Canada, and Ranking Member RAHALL for bringing this bill to the floor. I would encourage my colleagues to protect the U.S. airlines, U.S. customers, and U.S. jobs, and support this legislation.

I reserve the balance of my time.

□ 1720

Mr. PETRI. I yield myself such time as I may consume.

Mr. Speaker, I would remind the two previous speakers from Massachusetts and California that we're not in any way talking about EU passing laws governing the behavior of our planes or anyone else in EU territory. We are talking about EU attempting to exercise extraterritorial jurisdiction over flights over the United States or international waters in violation of the agreement reached by each of the EU countries separately with ICAO, as well

as of course every other country—190 in the world—that belong to that international order that allows for the peaceful movement of aviation throughout our globe. To deny that would be very disruptive and set a precedent that cannot be accepted. That's why not only our administration, but the administrations of over 21 other countries joined recently in New Delhi, India to condemn this. Other countries are in the process of adopting legislation similar to that which we are adopting here today.

We're not talking about emission trading schemes or anything else. We're talking about the principle of territoriality and countries attempting to exercise that beyond the legitimate and recognized bounds that have been accepted by international law.

I yield 1 minute to the gentleman from Pennsylvania (Mr. SHUSTER), if he would care to rebut.

Mr. SHUSTER. Mr. Speaker, I just want to again stand up in support of what my colleagues from Wisconsin and from Florida have said over and over again. This is about sovereignty as well as doing what's right for the American traveling public.

Mr. WAXMAN from California, he represents Los Angeles, folks from that part of the country, as my colleague from Florida said, will probably see direct flights no longer exist because if you start off from Los Angeles and fly to Paris, it's going to cost you more money. So I can see the airlines trying to save money by stopping in Philadelphia or stopping in New York so that they can decrease the tax that's going to be imposed upon them.

As Mr. PETRI has said, they're imposing it on the air over America. If they want to impose a tax in Europe on people doing business in Europe, they have the ability to do that. But to do it and start it over American airspace, over American departure, it's the wrong thing to do. And the Europeans know it. You already have the Italians and the Dutch already questioning the wisdom of doing this.

So I think you're going to see people in Europe starting to change their attitude. And tonight is going to send a very, very strong signal to Europe that America is not going to allow the Europeans to impose a tax on us on our sovereign airspace.

Ms. BROWN of Florida. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PETRI. I yield the balance of my time to the gentleman from Florida (Mr. MICA), chairman of the full Transportation Committee.

Mr. MICA. I thank both Ranking Member BROWN of the Rail Subcommittee, who's leading this legislation on the floor tonight, and Chairman PETRI, the chairman of the Aviation Subcommittee, for their leadership and also directing in a bipartisan manner this legislation that we brought forth from our committee with very, very strong support, Members, again, from both sides of the aisle.

I know that there are some folks that have raised some concerns, and I'll address them; but very simply, what is taking place here is that the European Union is trying to impose, in January, an air emissions tax. And they're going to start the clock running, they want to start it running January 1, the meter will start, and American airlines will get the bill in 2013.

Now, you heard some comments here that we don't want folks to follow the law or operating in—there was an example of double-hull ships operating in U.S. waters. Well, we're not talking about, again, anything that's even similar to what's being proposed here. What they're proposing is, say, from Los Angeles or Chicago or New York, anywhere in the United States to anywhere in the European Union, to tax. And the meter starts running the minute the plane departs from any point in the United States until it reaches Europe, and the same thing when it departs Europe back to the United States.

Not only does this violate international treaties, the Chicago Convention; we've never had anything like this imposed or proposed before. It is not flexible. We've heard the term used it's "flexible." It's not flexible.

The other thing, too, is we're trying to work with others and work with the European Union. And many states have now joined the United States—in fact, they've taken the lead on some of this, both in conference in New Delhi and in meetings in Oslo, and they said this is unfair. So it's not just the United States that's saying this is unfair.

Now, if the European Union chooses to impose a tax within its boundaries, or if we say within our waters you do certain things—like double hull if you want that ship to go there—that's fine with us. If they want to improve emissions in their airspace, that's fine with us. But that's not what they're doing here, and that's why we have this opposition.

The second point is, and I don't want to get into the climate debate, but if you really care about eliminating emissions—and I know the airlines do because the more emissions they eliminate and the more they can conserve fuel, that's their bottom line and that's very important to them. But that being said, again, one of the most important points of all of this is that, again, this money that they're collecting—and it's a tax grab by the European Union—this money that they're getting, there's no requirement that it goes into eliminating emissions from aircraft.

In fact, they told us that you can buy your way out or you can buy some other trade for some other industry. So it doesn't set out to do what, again, is being forecast or demonstrated. In fact, they're very unclear as to how this will be totally instituted. It's what's called an article 25 provision within their current law. And as I've checked, this is almost the end of October, this goes

into effect in January. And they couldn't tell us on Friday and they couldn't tell us here in the United States or in Brussels what provisions of article 25 and exactly how they will implement this.

So I think that what will happen here is we'll send a strong message: Yes, we're for protecting the environment. We have no problems with the European Union taking measures within their borders, and our airlines should comply and other carriers should comply, both departing and arriving. They can do that. But when you stop and think that this would impose a European tax over the skies of the United States, never heard of anything like that before.

So, again, we are willing to work with our European counterparts. We believe that November 2—we were informed when we were in Montreal meeting with ICAO representatives that this will be brought up before that international body, the International Civil Aviation Organization. It sets all the protocols, the standards, security safety provisions. And we will win in that body a legitimate vote by a very wide margin. The Europeans will be left behind on this issue.

But we all want to work with them. They're our friends. This shouldn't lead to a trade war. It should lead to a resolution that does improve our environment and that does allow the European Union to do what they need to do. And, also, if we're going to impose this, that we have some understanding of how we can do better in reducing air emissions.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 2594.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 30 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 6 o'clock and 30 minutes p.m.

### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1904, SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2011

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privi-

leged report (Rept. No. 112-258) on the resolution (H. Res. 444) providing for consideration of the bill (H.R. 1904) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes, which was referred to the House Calendar and ordered to be printed.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 320 and H.R. 1160, each by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

### DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 320) to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 392, nays 1, not voting 40, as follows:

[Roll No. 801]

YEAS—392

Adams	Brady (PA)	Cohen	Duncan (SC)	Lance	Renacci
Aderholt	Brady (TX)	Cole	Duncan (TN)	Landry	Reyes
Akin	Braley (IA)	Conaway	Edwards	Langevin	Ribble
Alexander	Brooks	Connolly (VA)	Ellison	Lankford	Richardson
Altmire	Brown (FL)	Conyers	Ellmers	Larsen (WA)	Richmond
Amodei	Buchanan	Cooper	Emerson	Larson (CT)	Rigell
Andrews	Buchon	Costa	Eshoo	Latham	Rivera
Austria	Burgess	Costello	Farenthold	LaTourette	Roby
Baca	Burton (IN)	Courtney	Farr	Latta	Roe (TN)
Bachus	Butterfield	Cravaack	Fattah	Lee (CA)	Rogers (AL)
Baldwin	Camp	Crawford	Fincher	Levin	Rogers (KY)
Barletta	Cantor	Crenshaw	Fitzpatrick	Lipinski	Rogers (MI)
Barrow	Capito	Critz	Fleischmann	LoBiondo	Rokita
Bartlett	Capps	Crowley	Fleming	Loeb sack	Rooney
Barton (TX)	Capuano	Cuellar	Flores	Lofgren, Zoe	Ros-Lehtinen
Bass (NH)	Cardoza	Cummings	Forbes	Long	Roskam
Becerra	Carnahan	Davis (CA)	Fortenberry	Lowey	Ross (AR)
Benishek	Carney	Davis (KY)	Fox	Lucas	Ross (FL)
Berg	Carson (IN)	DeFazio	Frank (MA)	Luetkemeyer	Rothman (NJ)
Berkley	Carter	DeGette	Franks (AZ)	Lujan	Royal-Ballard
Berman	Cassidy	DeLauro	Frelinghuysen	Lummis	Runyan
Biggett	Castor (FL)	Denham	Fudge	Lungren, Daniel	Ruppersberger
Bilbray	Chabot	Dent	Gallegly	E.	Ryan (OH)
Bilirakis	Chaffetz	DesJarlais	Garamendi	Lynch	Ryan (WI)
Bishop (GA)	Chandler	Deuch	Gardner	Mack	Sanchez, Loretta
Bishop (NY)	Chu	Diaz-Balart	Garrett	Maloney	Sarbanes
Bishop (UT)	Ciilline	Dicks	Gerlach	Manzullo	Scalise
Black	Clarke (MI)	Dingell	Gibbs	Marchant	Schakowsky
Blackburn	Clarke (NY)	Doggett	Gibson	Marino	Schiff
Blumenauer	Clay	Dold	Gingrey (GA)	Markey	Schilling
Bonner	Cleaver	Donnelly (IN)	Gonzalez	Matheson	Schock
Bono Mack	Clyburn	Doyle	Goodlatte	Matsui	Schrader
Boren	Coble	Dreier	Gosar	McCarthy (CA)	Schweikert
Boswell	Coffman (CO)	Duffy	Gowdy	McCarthy (NY)	Scott (SC)
Boustany			Granger	McCaul	Scott (VA)
			Graves (GA)	McClintock	Scott, Austin
			Graves (MO)	McCollum	Scott, David
			Green, Al	McCotter	Sensenbrenner
			Green, Gene	McDermott	Serrano
			Griffin (AR)	McGovern	Sherman
			Griffith (VA)	McHenry	Shimkus
			Grimm	McIntyre	Shuster
			Guinta	McKeon	Simpson
			Guthrie	McKinley	Slaughter
			Hahn	McMorris	Smith (NE)
			Hall	Rodgers	Smith (NJ)
			Hanabusa	McNerney	Smith (TX)
			Hanna	Meehan	Smith (WA)
			Harper	Mica	Smith (WI)
			Harris	Michaud	Southerland
			Hartzler	Miller (FL)	Speier
			Hastings (FL)	Miller (MI)	Stark
			Hastings (WA)	Miller (NC)	Stearns
			Hayworth	Miller, Gary	Stivers
			Heck	Miller, George	Stutzman
			Heinrich	Moore	Sullivan
			Hensarling	Mulvaney	Sutton
			Hерger	Murphy (CT)	Terry
			Herrera Beutler	Murphy (PA)	Thompson (CA)
			Higgins	Myrick	Thompson (MS)
			Himes	Nadler	Thompson (PA)
			Hinojosa	Napolitano	Thornberry
			Hirono	Neugebauer	Tiberi
			Hochul	Noem	Tierney
			Holden	Nugent	Tipton
			Holt	Nunes	Tonko
			Honda	Nunnelee	Towns
			Hoyer	Olson	Tsongas
			Huelskamp	Olver	Turner (NY)
			Huizenga (MI)	Owens	Turner (OH)
			Hultgren	Palazzo	Upton
			Hurt	Pallone	Van Hollen
			Inslee	Pastor (AZ)	Velázquez
			Israel	Paulsen	Visclosky
			Issa	Payne	Walberg
			Jackson (IL)	Pearce	Walden
			Jackson Lee	Pelosi	Walsh (IL)
			(TX)	Pence	Walz (MN)
			Jenkins	Perlmutter	Waters
			Johnson (GA)	Peters	Watt
			Johnson (IL)	Peterson	Waxman
			Johnson (OH)	Petri	Webster
			Johnson, E. B.	Pingree (ME)	Welch
			Johnson, Sam	Pitts	West
			Jones	Platts	Westmoreland
			Jordan	Poe (TX)	Whitfield
			Keating	Pompeo	Wilson (SC)
			Kelly	Posey	Wittman
			Kildee	Price (GA)	Wolf
			Kind	Price (NC)	Womack
			Kingston	Quayle	Woodall
			Kinzing (IL)	Quigley	Woolsey
			Kissell	Rahall	Yarmuth
			Kline	Rangel	Yoder
			Kucinich	Reed	Young (AK)
			Labrador	Rehberg	Young (FL)
			Lamborn	Reichert	Young (IN)



NAYS—1

Amash

NOT VOTING—40

Ackerman Gutierrez Rohrabacher  
 Bachmann Hinchey Royce  
 Bass (CA) Hunter Rush  
 Broun (GA) Kaptur Sánchez, Linda  
 Buerkle King (IA) T.  
 Campbell King (NY) Schmidt  
 Canseco Lewis (CA) Schwartz  
 Davis (IL) Lewis (GA) Sessions  
 Engel Meeks Sewell  
 Filner Moran Shuler  
 Flake Neal Sires  
 Giffords Pascrell Wasserman  
 Gohmert Paul Schultz  
 Grijalva Polis Wilton (FL)

Capuano Cardoza  
 Carnahan Hall  
 Carney Hanabusa  
 Carson (IN) Hanna  
 Carter Harper  
 Cassidy Harris  
 Castor (FL) Hartzler  
 Chabot Hastings (FL)  
 Chaffetz Hastings (WA)  
 Chandler Hayworth  
 Chu Heck  
 Ciilline Heinrich  
 Clarke (MI) Hensarling  
 Clarke (NY) Herger  
 Clay Herrera Beutler  
 Cleaver Higgins  
 Clyburn Himes  
 Coble Hinojosa

McNerney Meehan  
 Meeke Hall  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Moore  
 Mulvaney  
 Murphy (CT)  
 Murphy (PA)  
 Myrick  
 Nadler  
 Napolitano  
 Neugebauer  
 Noem

Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Southerland  
 Speier  
 Stark  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Sutton  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tierney

Tipton  
 Tonko  
 Towns  
 Tsongas  
 Turner (NY)  
 Turner (OH)  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walberg  
 Walden  
 Walsh (IL)  
 Walz (MN)  
 Waters  
 Watt  
 Waxman

Webster  
 Welch  
 West  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Woolsey  
 Yarmuth  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

NOT VOTING—38

Ackerman Hinchey Rush  
 Bachmann Hunter Sánchez, Linda  
 Bass (CA) Kaptur T.  
 Broun (GA) King (IA) Schmidt  
 Buerkle King (NY) Sessions  
 Campbell Lewis (CA) Sewell  
 Canseco Lewis (GA) Shuler  
 Davis (IL) Marchant Sires  
 Engel Moran Tiberi  
 Filner Neal Wasserman  
 Flake Paul Schultz  
 Giffords Polis  
 Grijalva Rohrabacher Wilson (FL)  
 Gutierrez Royce

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1901

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:  
 Mr. FILNER. Mr. Speaker, on rollcall 802, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes 801 and 802.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2966

Mr. SCHILLING. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 2966.

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

There was no objection.

AMERICANS SIMPLY CAN'T WAIT

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

Mr. THOMPSON of Pennsylvania. It was reported today that President Obama is trying out a new slogan on his campaign-style road trip. The new slogan is: "We can't wait." In my opinion, this slogan is an odd choice, especially coming from the President and his party.

Right now, 15 different House-passed jobs bills, each reducing the red tape

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1854

Mr. GUINTA changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 801 (H.R. 320) had I been present, I would have voted "yea."

Mr. FILNER. Mr. Speaker, on rollcall 801, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

McKINNEY LAKE NATIONAL FISH HATCHERY CONVEYANCE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1160) to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 0, not voting 38, as follows:

[Roll No. 802]

YEAS—395

Adams Becerra Boswell  
 Aderholt Benishek Boustany  
 Akin Berg Brady (PA)  
 Alexander Berkley Brady (TX)  
 Altmire Berman Braley (IA)  
 Amash Biggert Brooks  
 Amodei Bilbray Brown (FL)  
 Andrews Bilirakis Buchanan  
 Austria Bishop (GA) Busch  
 Baca Bishop (NY) Burgess  
 Bachus Bishop (UT) Burton (IN)  
 Baldwin Black Butterfield  
 Barletta Blackburn Calvert  
 Barrow Blumenauer Camp  
 Bartlett Bonner Cantor  
 Barton (TX) Bono Mack Capito  
 Bass (NH) Boren Capps

Coffman (CO)  
 Cohen  
 Cole  
 Conaway  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Davis (CA)  
 Davis (KY)  
 DeFazio  
 DeGette  
 DeLauro  
 Denham  
 Dent  
 DesJarlais  
 Deutch  
 Diaz-Balart  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Edwards  
 Ellison  
 Ellmers  
 Emerson  
 Eshoo  
 Farenthold  
 Farr  
 Fattah  
 Fincher  
 Fitzpatrick  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Fudge  
 Gallegly  
 Garamendi  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gibson  
 Gingrey (GA)  
 Gohmert  
 Gonzalez  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Green, Al  
 Green, Gene  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guinta

Hirono  
 Hochul  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hurt  
 Insee  
 Israel  
 Issa  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Jenkins  
 Johnson (GA)  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Jordan  
 Keating  
 Kelly  
 Kildee  
 Kind  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kline  
 Kucinich  
 Labrador  
 Lamborn  
 Lance  
 Landry  
 Langevin  
 Lankford  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Latta  
 Lee (CA)  
 Levin  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Long  
 Lowey  
 Lucas  
 Luetkemeyer  
 Luján  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Maloney  
 Manzullo  
 Marino  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McHenry  
 McIntyre  
 McKeon  
 McKinley  
 McMorris  
 Rodgers

Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Olver  
 Owens  
 Palazzo  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paulsen  
 Payne  
 Pearce  
 Pelosi  
 Pence  
 Perlmutter  
 Peters  
 Peterson  
 Petri  
 Pingree (ME)  
 Pitts  
 Platts  
 Poe (TX)  
 Pompeo  
 Posey  
 Price (GA)  
 Price (NC)  
 Quayle  
 Quigley  
 Rahall  
 Rangel  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Reyes  
 Ribble  
 Richardson  
 Richmond  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Ross (FL)  
 Rothman (NJ)  
 Roybal-Allard  
 Runyan  
 Ruppertsberger  
 Ryan (OH)  
 Ryan (WI)  
 Sanchez, Loretta  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schiff  
 Schilling  
 Schock  
 Schrader  
 Schwartz  
 Schweikert  
 Scott (SC)  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Serrano  
 Sherman  
 Shimkus  
 Shuster  
 Simpson  
 Slaughter  
 Smith (NE)

that is hindering small business and each removing obstacles to domestic energy production, are stuck in the Senate, awaiting action from the Democratic leadership. Mr. Speaker, the President is right—we can't wait.

We can't wait for the President and the Democrats to join us in eliminating excessive government regulations, stopping Washington from spending money it doesn't have, and fixing the Tax Code for families and job creators.

We can't wait for the Obama administration to end the continual delays to job-creating domestic energy production.

We can't wait for Senate Democrats to approve more than a dozen House-passed jobs bills.

Americans who want to get back to work shouldn't have to wait any longer for Washington to get out of the way. It's time for President Obama and Senate Democrats to put aside politics and work with the House on these common-sense ideas.

We simply can't wait.

#### DR. HERBERT HAUPTMAN

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

Mr. HIGGINS. Mr. Speaker, I rise to honor the memory of Dr. Herbert Hauptman, a distinguished member of our western New York community.

Dr. Hauptman came to Buffalo in 1970 to work for the Medical Foundation. He was awarded the Nobel Prize for Chemistry in 1985 in his work determining the molecular structures of crystallized materials. His studies in this area provided a new way to look at chemistry that benefits science and society today.

After earning the Nobel Prize, the Medical Foundation was renamed in his honor. Today, the lobby of the Hauptman-Woodward Medical Research Institute showcases the crystallized molecular structures Hauptman introduced to the world. They will stand as a lasting testimony to his work. Herbert Hauptman's contributions helped lay the groundwork for the thriving and growing medical research community in Buffalo in western New York.

I invite my colleagues to join me in celebrating the life of a scholar whose impact was felt far beyond academia.

#### PICK A HORSE

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

Mr. POE of Texas. Mr. Speaker, the House in a bipartisan way passed five energy bills months ago. These bills will create American energy jobs right here in America. These bills would allow more energy development in the Gulf of Mexico, in Virginia and in Alaska. One bill requires the administration to make a decision about the Keystone XL Pipeline, which would put more citizens to work.

So what's the delay?

These five bipartisan bills are languishing in the Senate with no vote in sight. It's not that the Senate has voted these jobs bills down. The Senate just won't vote.

To my friends down the hallway in the Senate, how about voting on these bills? Doing nothing doesn't create energy or jobs. Doing nothing maintains unemployment and shows an inability to make a decision.

It's time for the Senate to pick a horse and ride it. But pick something. Get in the race. Being a spectator is not an option. The American people need the jobs, and we need the energy. We just can't wait.

And that's just the way it is.

#### FRACTURE-CRITICAL BRIDGES AND THE AMERICAN JOBS ACT

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

Ms. HOCHUL. Our Nation is facing a crisis with respect to public safety. Over 1,100 bridges in New York State alone, my State, are considered fracture-critical. Fracture-critical bridges could collapse if a single one of their key support functions fails, and there are 82 such bridges in my district alone. Every day, 21 million cars in my State cross structurally deficient bridges, creating an intolerable situation.

As the former county clerk, responsible for putting vehicles and people on the roads, this is personal to me. I feel compelled to fight for money from Washington to fix our bridges and our roads and bring them up to par.

There is a solution, Mr. Speaker, and that is the American Jobs Act, which includes money for critically necessary infrastructure to repair these bridges so our driving public can travel safely. Therefore, I urge all my colleagues to support me in supporting the American Jobs Act and in getting our country back to work while making the public safer.

#### ALLOWING SMALL BUSINESS OWNERS TO CREATE JOBS

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

Mr. DOLD. Last week, I had the privilege of meeting with job creators and workers from all across Illinois' 10th Congressional District. As I listened to the different barriers they were facing and the ideas they had to bring jobs to the region, I was encouraged.

Together, we can and must find common ground on legislation that allows small business owners to create jobs.

I was pleased to join with Lake County Partners last week and announce the creation of a new economic innovation zone in north Chicago. This com-

munity is experiencing extremely high unemployment, and the creation of this economic innovation zone will bring the community together so that we can work collaboratively to find ways to reinvest in the area and create new opportunities for workers.

I was also able to work with local leaders from the city of Waukegan to find a way to move forward on the repairs that are needed so desperately in Waukegan Harbor. We must move forward to delist this as an area of a concern for the U.S. EPA. This harbor is key to bringing business and to bolstering the economy for the surrounding communities.

When we work to preserve our precious resources like the harbor, we will be able to encourage businesses to expand and create additional jobs here at home.

□ 1910

#### THE MONTFORD POINT MARINES

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. God bless America.

Today I would like to give a special thanks to the many branches of government for their service, military, but particularly to the Marines.

And today the Montford Point Marines are visiting with us in the Capitol. And many years before Jackie Robinson and decades before Rosa Parks, these heroes joined the Marines to defend their country and do their jobs. I applaud them for their commitment.

Tomorrow, the House will debate and vote to send this resolution to the Senate in time for the Marines' 236th birthday on November 10. When the commandant and I discussed what do you do when failure is not an option, we agreed, you get it done. We will pass this bill in the House.

I want to thank all of my colleagues. You can still sign on to the bill. You have until the end of tomorrow. You want to be a part of making history.

I want to once again thank the Montford Point Marines for their service, and God bless America.

#### UNITED STATES PENITENTIARY IN LEE COUNTY

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

Mr. GRIFFITH of Virginia. Ladies and gentlemen of the House, I rise today with concern, concern about an incident that occurred at the United States penitentiary in Lee County, Virginia, in the Ninth District.

This incident occurred Friday night, and the only good news is no one was killed. Aaron Delph, an officer there, was assaulted by an inmate who was carrying a shiv. He was able, in the

conflict, to kick off a phone which sent out a silent alarm. He was responded to. That alarm was responded to by Shawn Jones, who was also injured in the assault.

Both of these men behaved properly and acted bravely. What did they have to defend themselves with? Nothing, absolutely nothing, because our regulations and rules do not allow them to have pepper spray or a telescoping wand, baton, to defend themselves with.

H.R. 1175, introduced by Congressman CARDOZA, would at least get us a pilot project which would allow us to take care of this program. I ask that we pass this.

#### HEAD START

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to talk about something happy, and that is the Happy/Sad Pillow that is made by the parents of AVANCE in my district. With this toy, parents can teach numbers, cause and effect, colors, emotions, motor skills, social skills, and textures.

I was fortunate enough to be with them today. They have a very healthy Head Start program, but we were able to give them \$8 million in stimulus to help their infrastructure to build new buildings, and then a \$3.2 million grant for a healthy marriage that helps grandparents and single parents to be able to raise up our children that are preschool.

It is noted that the children that go through this program test with higher scores than those who have not and do much better in the public school system. It also evidences that the government can be a partnership, a private-public partnership, to make America great.

We can create jobs. We can improve the education. We can lay out a pathway for our children. There is nothing wrong with the government being productive and forceful and working on behalf of the American people.

So to the Congress here, my colleagues on the other side of the aisle, let's work together.

#### DR. ANIMESH SINHA

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

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to congratulate the 2011 U.N. International Volunteer Award recipient, Dr. Animesh Sinha, who is a native of Irmo, South Carolina. Dr. Sinha is a general practitioner in Fiji, where he is the founder and medical director of the PRISM Health Initiative. PRISM provides medical care and access to the most underserved populations of Fiji.

By providing its own tables, chairs, water gallons, medical equipment, and free medication, PRISM makes a difference. Due to Dr. Sinha's leadership, 200 to 400 patients per week are being treated in the most remote communities of Fiji.

Congratulations also to my lifelong friends, his parents, Dr. Kausal Sinha and his wife, Arunima, who are revered community leaders of the Midstate of South Carolina. Indian Americans are making a difference around the globe, encouraged by the American Association of Physicians of Indian Origin.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### CBC HOUR

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Mr. Speaker, I expect to be joined by several of my colleagues in a few minutes, but let me begin. We are pleased, and I want to take this opportunity to thank the Democratic leader for again allowing the Congressional Black Caucus to control this hour of Special Orders.

And here we are again, Mr. Speaker, 10 months into this Congress and not one job-creating bill has been brought to the floor. I know that the people in my district are suffering, as are constituents in all of our districts, and we need to do something significant to help them, not next year, but now.

As a physician, it amazes me that it's even affecting people's health. It's increasing violence and crime in some of the hardest-hit communities. When we were here a few weeks ago, I was remarking on an article that showed how the mortgage crisis was affecting people's health adversely. But, of course, joblessness is.

People don't have insurance. They don't have money to buy their medication. They are putting off needed health care to try to save money for other things to provide a roof over their family's heads and food on the table for their families. And so this long-term unemployment is affecting people's health, and it's especially hard in those communities that have been distressed for long periods of time, even before this recession. With no movement from the leadership in this body to even just bring the American Jobs Act to the floor where we can debate it and have it voted on, the people are really beginning to lose hope.

To the extent that some have not yet lost hope, I think it's because they see President Obama and this Congressional Black Caucus, as well as the Occupy Wall Street and occupy all of the other places where those demonstrations are being held and the Reclaim the Dream movement all working relentlessly on their behalf.

Today the President is rolling out his new proposals to address the crisis, the crisis that began this recession in the first place, the mortgage crisis. I understand the theme is "We can't wait." And we can't wait here in this House either because the American people have been waiting on us for help, and they can't and should not have to wait any longer.

I hope that my colleagues across the aisle would also add a strong dose of compassion to their passion for reducing the deficit. In fact, at this time, in addition to compassion, setting politics aside and doing what's best for the economy and our country is what needs to take precedence.

And it is not cuts. It's not repealing the health care reform bill, the Affordable Care Act. It's not stopping regulations that protect the health and wealth of the people in this country. It's not destroying the safety nets that enable the poor to survive and then provide them with a chance to lift them and their families out of poverty.

Not just Democrats, we should all be ashamed that so much of this country's wealth is concentrated in the top 1 percent while our fellow Americans, including millions of children, are going homeless and hungry.

I want to focus for a moment on health care jobs, especially since the Affordable Care Act, a job creator, is on the Republican chopping block. If it were repealed, it would not only set health care back, but it would place a heavy burden on an already hard-hit economy. Already we know that the health care sector is the only one where jobs are being created; and according to the Bureau of Labor Statistics, over the next decade, the 30 fastest-growing jobs, 17 of them, more than half of them, will be health-care related.

□ 1920

They also report that during the recession, while most industries lost jobs, health care added over 600,000 jobs. With an anticipated coverage of over 30 million new individuals, it isn't rocket science to see how the Affordable Care Act doesn't kill jobs but will be the sector to bring this economy back to life. The provisions in that act are projected to create more than 4 million jobs over the next 10 years.

What we need to be doing now is what the President has called for, improving math and science in our schools, and then we should be providing education and training for those jobs on all levels, from the community health workers to doctors, nurses, and allied health, to the most technical jobs in research and technology. And many of those jobs are available right now. They will just increase over the next 10 years.

I want to read from "Health Care Employment Set to Explode," which was published in FierceHealthcare on October 20 of this year. It reads: Amid health care reform changes to promote

health care integration, and national deficit reduction to save, health care jobs are projected to soar, according to a report by Bipartisan Policy Center Health Professional Workforce Initiative, with The Deloitte Workforce Initiative, released on Tuesday of that week. Health care employment is expected to rise to 11.9 percent in 2018, and that means total health care employment will jump from 15.8 million, where it was in 2008, to 19.8 million in 2018, according to that report. From 2008 to 2018, health care employment will grow by 23 percent compared to only 9 percent in all other employment sectors, according to the Bureau of Labor Statistics. During that time, health care professionals will see the following changes in job growth: registered nurses will grow by 22.2 percent; licensed practical and licensed vocational nurses will grow by 20.7 percent; home health aides will grow by 50 percent; nursing aides, orderlies, and attendants will grow by 18.8 percent; personal and home care aides will grow by 46 percent; and physicians and surgeons by 21.8 percent.

There have been so many misrepresentations about the bill from its opponents both inside Congress and out, and it's not fair to the American public who at the very least ought to be able to depend on their elected representatives for accurate information, and they ought to be able to expect us to act on that accurate information.

There are some analyses that suggest that the effect on the economy will be minimal, and even though I do not agree, I want to read from the conclusion of one such paper, and that paper is entitled "How Will the Affordable Care Act Affect Jobs? Timely Analysis of Immediate Health Policy Issues," written by John Holahan and Bowen Garrett, and it helps to dispel some of the erroneous representations about what the Affordable Care Act would or would not do.

In its conclusion they write: The Affordable Care Act is unlikely to have major aggregate effects on the U.S. economy. But they also say increased spending because the Affordable Care Act will increase demand for health services and demand for labor in the health sector. Cuts in Medicare and various cost-containment provisions, if successful as proposed by the Ryan plan, would have just the opposite effect—it would kill jobs. New taxes on insurers, medical devices, and pharmaceutical manufacturers could have adverse effects on those industries except for the fact, they say, that coverage expansion would provide new revenues well in excess of any new tax obligations. Cost-containment efforts, if successful, will have the opposite effect, reducing growth in spending on Medicare and Medicaid. So cost-containment efforts, if successful, will have somewhat opposite effects, reducing the growth of spending on Medicare and Medicaid, which will reduce taxes or borrowing the Federal Government

would have to undertake. Cost containment then that reduces the Federal budget deficit would result in faster economic growth, more employment, and higher family incomes. Cost containment would also free up private dollars to be spent in nonhealth areas of the economy, thus stimulating the economy in many ways.

They also go on to say that concern over the impact of the Affordable Care Act on small businesses is misplaced. All small businesses with fewer than 50 workers will be exempt from the assessments. Most larger firms already provide health insurance to their workers and so are unlikely to face assessments under the law. Small businesses should benefit from the availability of lower-cost plans and the efforts to increase competition and contain costs within the exchange.

So I hope that begins to clear up some of the misrepresentations about how that bill would hurt the economy, because it would not kill jobs, it would not hurt small businesses, and it's not likely to have a great impact on larger businesses either.

The Congressional Black Caucus comes to the floor every Monday night that we are in session to call attention to the issues that we know are important to our constituents and important to Americans across this country. The primary one is jobs, but access to health care is not far behind, and we ought to support rather than misrepresent or try to repeal the Affordable Care Act, a good bill that's good for the American people, good for our economy, and good for our country.

We are once again calling on this body to pass the American Jobs Act. The fact that it comes from President Obama should not be a reason to dismiss it and declare it dead on arrival, as some of my colleagues on the other side of the aisle have said. After all, many of the proposals come directly out of bills that they themselves have proposed.

So I would say to my colleagues, please, the American people are sick of the politics. They're sick of the bickering. They need jobs now. They can't wait. We should not wait. Let's pass the Jobs Act now.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BUERKLE (at the request of Mr. CANTOR) for today on account of personal business.

Mr. ROYCE (at the request of Mr. CANTOR) for today on account of illness.

Mr. SESSIONS (at the request of Mr. CANTOR) for today on account of being unavoidably detained in the district.

Mr. DAVIS of Illinois (at the request of Ms. PELOSI) for today.

Ms. SEWELL (at the request of Ms. PELOSI) for today on account of attending a funeral in the district.

#### ADJOURNMENT

Mrs. CHRISTENSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 25, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3561. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Tuberculosis in Cattle and Bison; State and Zone Designations; Minnesota [Docket No.: APHIS-2011-0100] received October 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3562. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amisulbrom; Pesticide Tolerances [EPA-HQ-OPP-2010-0186; FRL-8885-3] received September 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3563. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Isaria fumosorosea Apopka strain 97; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0087; FRL-8889-8] received September 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3564. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting an issued EPA document related to the EPA's regulatory programs; to the Committee on Energy and Commerce.

3565. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Prevention of Significant Deterioration Greenhouse Gas Tailoring Rule [EPA-R05-OAR-2010-1024; FRL-9471-9] received September 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3566. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio, Kentucky, and Indiana; Cincinnati-Hamilton Nonattainment Area; Determinations of Attainment of the 1997 Annual Fine Particulate Standards [EPA-R04-OAR-2010-0719-201144; FRL-9472-2] received September 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3567. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Santa Barbara Air Pollution Control District, Sacramento Municipal Air Quality Management District and South Coast Air Quality Management District [EPA-R09-OAR-2011-0561; FRL-9469-1] received September 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3568. A letter from the Chief, Revenue and Receivables Group, Financial Operations, Federal Communications Commission, transmitting the Commission's final rule —

Amendment of the Schedule of Application Fees Set Forth In Sections 1.1102 through 1.1109 of the Commission's Rules [GEN Docket No. 86-285] received October 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3569. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-30, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3570. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 10-11 informing of an intent to sign the Project Arrangement; to the Committee on Foreign Affairs.

3571. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification for the waiver of loan default assistance restrictions under Section 620(q) of the Foreign Assistance Act to support the government of the Cote d'Ivoire; to the Committee on Foreign Affairs.

3572. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish, Pacific Ocean Perch, and Pelagic Shelf Rockfish for Vessels Participating in the Rockfish Entry Level Fishery [Docket No.: 101126522-0640-02] (RIN: 0648-XA678) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3573. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Emergency Rule To Increase the Recreational Quota for Red Snapper and Suspended the Recreational Red Snapper Closure Date [Docket No.: 110729451-1413-02] (RIN: 0648-BB12) received October 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3574. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA680) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3575. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the state of New York since September 26, 2011, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); jointly to the Committees on Energy and Commerce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Rules. House Resolution 444. Resolution providing for consideration of the bill (H.R. 1904) to facilitate the efficient extraction of mineral

resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes (Rept. 112-258). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KINZINGER of Illinois (for himself and Mr. LIPINSKI):

H.R. 3241. A bill to require operators of Internet websites that provide access to international travel services and market overseas vacation destinations to provide on such websites information to consumers regarding the potential health and safety risks associated with traveling to such vacation destinations, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. GRIJALVA, Mr. MORAN, Mr. FILNER, Mr. BLUMENAUER, Mr. HONDA, Mr. McDERMOTT, Mr. HOLT, and Mr. HASTINGS of Florida):

H.R. 3242. A bill to amend the Internal Revenue Code of 1986 to reduce emissions of carbon dioxide by imposing a tax on primary fossil fuels based on their carbon content; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 3243. A bill to amend titles XIX and XXI of the Social Security Act, titles I and II of the Patient Protection and Affordable Care Act, and other Acts for the purpose of eliminating certain health entitlement programs and reducing the deficit; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HARTZLER (for herself, Mr. LUETKEMEYER, Mrs. EMERSON, Mr. AKIN, Mr. GRAVES of Missouri, Mr. LONG, Mr. CARNAHAN, Mr. CLAY, Mr. CLEAVER, and Mr. HURT):

H.R. 3244. A bill to amend the Federal Power Act to prohibit the Federal Energy Regulatory Commission from requiring the removal or modification of existing structures or encroachments in licenses of the Commission; to the Committee on Energy and Commerce.

By Mr. DENHAM (for himself and Mr. ROE of Tennessee):

H.R. 3245. A bill to direct the Secretary of Veterans Affairs and the Secretary of Defense to jointly ensure that the Vet Centers of the Department of Veterans Affairs have access to the Defense Personnel Record Image Retrieval system and the Veterans Affairs/Department of Defense Identity Repository system; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN (for himself, Mr. CLAY, Mr. CARNAHAN, Mrs. HARTZLER, Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. LONG, Mrs. EMERSON, and Mr. LUETKEMEYER):

H.R. 3246. A bill to designate the facility of the United States Postal Service located at

15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. AKIN (for himself, Mr. CLAY, Mr. CARNAHAN, Mrs. HARTZLER, Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. LONG, Mrs. EMERSON, and Mr. LUETKEMEYER):

H.R. 3247. A bill to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. AKIN (for himself, Mr. CLAY, Mr. CARNAHAN, Mrs. HARTZLER, Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. LONG, Mrs. EMERSON, and Mr. LUETKEMEYER):

H.R. 3248. A bill to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. ANDREWS:

H.R. 3249. A bill to recognize small employer benefit arrangements as employers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FUDGE:

H.R. 3250. A bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KLINE (for himself, Mr. PETERSON, Mr. LONG, and Mr. BOSWELL):

H.R. 3251. A bill to ensure that Federal assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for the construction of certain emergency levees is not conditioned on the subsequent dismantlement of those levees, except as provided for in a status certificate, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MALONEY (for herself, Mrs. LOWEY, Mr. NADLER, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. BERMAN, Mr. BILIRAKIS, Mr. BRADY of Pennsylvania, and Mr. TOWNS):

H.R. 3252. A bill to award a Congressional Gold Medal to Rabbi Arthur Schneier in recognition of his pioneering role in promoting religious freedom and human rights throughout the world, for close to half a century; to the Committee on Financial Services.

By Mr. SMITH of New Jersey:

H.R. 3253. A bill to protect children from sexual exploitation by mandating reporting requirements for convicted sex traffickers and other registered sex offenders against minors intending to engage in international travel, providing advance notice of intended travel by high interest registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child sex offender is seeking to enter the United States, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself, Mr. CARNAHAN, and Mr. JOHNSON of Ohio):  
H. Res. 445. A resolution supporting the goals and ideals of National Underserved Veterans Awareness Week; to the Committee on Veterans' Affairs.

By Mr. LANGEVIN (for himself, Mr. MCCAUL, Mr. DANIEL E. LUNGREN of California, Mr. STIVERS, Mr. CICILLINE, Mr. RUPPERSBERGER, Ms. RICHARDSON, Mrs. MYRICK, Ms. SPEIER, and Ms. CLARKE of New York):

H. Res. 446. A resolution supporting the goals and ideals of National Cyber Security Awareness Month and raising awareness and enhancing the state of cyber security in the United States; to the Committee on Science, Space, and Technology.

### MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

166. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to Senate Resolution No. 2166 urging the President to heed the claim of the United States citizens residing in Puerto Rico to the full enjoyment of their constitutional rights and prerogatives; to the Committee on Natural Resources.

167. Also, a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Senate Resolution No. 2162 expressing unwavering support for Dr. Pedro Rossello and the "Unfinished Business of the American Democracy" Committee in their determination and efforts geared toward achieving that the fundamental human rights of the approximately four million United States citizens residing in the Island; to the Committee on Natural Resources.

168. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 57 memorializing the President and the Congress to support the continued and increased importation of oil derived from Canadian oil sands; jointly to the Committees on Transportation and Infrastructure, Natural Resources, and Energy and Commerce.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KINZINGER of Illinois:

H.R. 3241.

Congress has the power to enact this legislation pursuant to the following:

According to clause 3 of Section 8 of Article I of the Constitution, Congress has the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. STARK:

H.R. 3242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. REHBERG:

H.R. 3243.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 7.

By Mrs. HARTZLER:

H.R. 3244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. DENHAM:

H.R. 3245.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. AKIN:

H.R. 3246.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. AKIN:

H.R. 3247.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. AKIN:

H.R. 3248.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. ANDREWS:

H.R. 3249.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to its authority under Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Ms. FUDGE:

H.R. 3250.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause, of the United States Constitution.

By Mr. KLINE:

H.R. 3251.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to clause 18 of section 8 of article I of the Constitution which states, "The Congress shall have Power to . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this constitution in the government of the United States, or in any Department or Officer thereof."

By Mrs. MALONEY:

H.R. 3252.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 5 of the U.S. Constitution: "To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Mr. SMITH of New Jersey:

H.R. 3253.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 361: Mr. STIVERS.

H.R. 382: Mr. GRJALVA.

H.R. 409: Mr. CARNAHAN.

H.R. 420: Mr. MCKEON, Mr. LATOURETTE, Mr. FORTENBERRY, Mr. LABRADOR, Mr. LATHAM, Mr. FLEISCHMANN, Mr. HIGGINS, Mrs. MYRICK, Ms. HERRERA BEUTLER, Mr. WOMACK, Mr. MCINTYRE, and Mr. SCHRADER.  
H.R. 459: Mr. LOEBSACK, Mr. WEST, and Mr. GRIMM.

H.R. 466: Mr. CARNAHAN.

H.R. 494: Mr. RUSH.

H.R. 535: Mr. COHEN.

H.R. 539: Mr. LANGEVIN.

H.R. 645: Mr. HIGGINS.

H.R. 687: Mr. HANNA.

H.R. 721: Mr. ADERHOLT and Mr. BARROW.

H.R. 735: Mr. ROYCE.

H.R. 743: Mr. BARLETTA.

H.R. 750: Mrs. NOEM and Mr. WILSON of South Carolina.

H.R. 798: Mrs. MCCARTHY of New York.

H.R. 880: Mr. PETRI.

H.R. 885: Mrs. MALONEY.

H.R. 886: Mr. MATHESON, Mr. OLVER, Mr. JOHNSON of Georgia, Mr. CRENSHAW, and Mr. BRADY of Pennsylvania.

H.R. 890: Mr. COFFMAN of Colorado and Mr. MORAN.

H.R. 905: Mr. AUSTRIA.

H.R. 959: Mr. RUPPERSBERGER and Ms. SLAUGHTER.

H.R. 965: Mr. FILNER, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mr. MICHAUD, Mr. SARBANES, and Ms. WOOLSEY.

H.R. 1041: Mr. PALAZZO and Mr. THOMPSON of Mississippi.

H.R. 1044: Mr. BENISHEK.

H.R. 1063: Mr. GUTHRIE and Mrs. BLACKBURN.

H.R. 1103: Mr. GARAMENDI.

H.R. 1154: Mr. HEINRICH.

H.R. 1167: Mr. WILSON of South Carolina.

H.R. 1173: Mr. HUELSKAMP, Mr. DAVIS of Kentucky, Mr. NUNES, Mr. JONES, Mr. REBERG, Mr. BACHUS, Mr. SULLIVAN, and Mr. SAM JOHNSON of Texas.

H.R. 1179: Mr. ALTMIRE and Mr. GOWDY.

H.R. 1206: Mrs. BONO MACK.

H.R. 1208: Mr. MCGOVERN.

H.R. 1239: Mr. CONYERS.

H.R. 1297: Mr. DOLD.

H.R. 1340: Mr. POMPEO, Mr. ROSS of Florida, and Mr. BOSWELL.

H.R. 1370: Mr. BENISHEK.

H.R. 1418: Ms. HAHN.

H.R. 1426: Mr. ROTHMAN of New Jersey, Mr. ROGERS of Michigan, Mr. ALEXANDER, and Mr. INSLEE.

H.R. 1449: Ms. JACKSON LEE of Texas.

H.R. 1549: Mr. MCCAUL, Mr. JONES, Mr. ROSS of Florida, and Mr. WALSH of Illinois.

H.R. 1558: Mr. REED, Mr. BACHUS, Mr. SESSIONS, Mr. JOHNSON of Illinois, and Mr. WILSON of South Carolina.

H.R. 1606: Ms. MOORE and Mr. MICHAUD.

H.R. 1639: Mr. THOMPSON of Pennsylvania, Mr. ISRAEL, and Mr. SULLIVAN.

H.R. 1653: Mr. BILBRAY, Ms. FOX, and Mr. BARLETTA.

H.R. 1715: Mr. FORBES.

H.R. 1733: Mr. ROTHMAN of New Jersey.

H.R. 1747: Mr. WALZ of Minnesota.

H.R. 1830: Mr. MCCLINTOCK.

H.R. 1842: Mr. HINGHEY.

H.R. 1905: Ms. KAPTUR, Mr. MICA, Mr. ROGERS of Michigan, Mr. DAVIS of Illinois, Mr. MANZULLO, Mrs. NAPOLITANO, Ms. BORDALLO, and Mr. CRITZ.

H.R. 1936: Mr. JACKSON of Illinois.

H.R. 1956: Mr. JOHNSON of Ohio.

H.R. 1971: Mr. HINOJOSA and Mr. JACKSON of Illinois.

H.R. 2042: Mr. INSLEE, Ms. HIRONO, and Mr. KING of New York.

H.R. 2085: Ms. NORTON, Mr. TONKO, Mr. HIGGINS, Mr. KEATING, Mr. CARSON of Indiana, and Mr. MCDERMOTT.



H.R. 2106: Ms. KAPTUR.  
 H.R. 2108: Mr. SCHOCK, Mr. STIVERS, and Mr. NUNES.  
 H.R. 2121: Mr. FRANKS of Arizona.  
 H.R. 2131: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ISRAEL, Ms. HIRONO, Mr. BOUTSTANY, Mr. MCKINLEY, and Mr. DICKS.  
 H.R. 2159: Mr. OLSON.  
 H.R. 2167: Mr. CONNOLLY of Virginia.  
 H.R. 2195: Mr. MARKEY.  
 H.R. 2236: Mr. FILNER and Mr. DINGELL.  
 H.R. 2287: Mr. MICHAUD.  
 H.R. 2288: Mr. GRIJALVA, Mrs. MALONEY, Mr. SMITH of New Jersey, Mr. MCGOVERN, Mr. ROTHMAN of New Jersey, and Mr. BURTON of Indiana.  
 H.R. 2299: Mr. STIVERS and Mr. TURNER of New York.  
 H.R. 2315: Mr. LEWIS of Georgia.  
 H.R. 2369: Mr. FINCHER, Mr. HALL, Mr. YOUNG of Alaska, Mr. SCHIFF, Mrs. BACHMANN, Ms. NORTON, Mr. HENSARLING, Mr. BONNER, Mr. CONAWAY, Mr. GIBBS, Mr. MANZULLO, Mr. SCHILLING, Mr. THORNBERRY, Mr. WOMACK, Mr. ROGERS of Kentucky, and Mr. OLVER.  
 H.R. 2459: Mr. CICILLINE.  
 H.R. 2471: Mr. HONDA.  
 H.R. 2477: Mr. COURTNEY, Mr. FORBES, Ms. BORDALLO, Mr. LOEBSACK, and Mrs. DAVIS of California.  
 H.R. 2479: Mr. WELCH.  
 H.R. 2485: Mr. KINGSTON.  
 H.R. 2492: Ms. LORETTA SANCHEZ of California, Mr. DOLD, and Mr. REICHERT.  
 H.R. 2528: Mr. FORBES.  
 H.R. 2555: Mr. WELCH.  
 H.R. 2559: Mr. RUSH.  
 H.R. 2569: Mr. PASCRELL and Ms. RICHARDSON.  
 H.R. 2672: Mr. FRANK of Massachusetts.  
 H.R. 2705: Ms. DELAURO, Mr. RYAN of Ohio, and Ms. ESHOO.  
 H.R. 2706: Mr. HEINRICH.  
 H.R. 2772: Mr. BILIRAKIS.  
 H.R. 2809: Ms. RICHARDSON, Ms. JACKSON LEE of Texas, Mr. TOWNS, Ms. MOORE, Mr. CLEAVER, Mr. RANGEL, Mr. POLIS, Mr. LEWIS of Georgia, Ms. BASS of California, Ms. NORTON, and Mr. ELLISON.  
 H.R. 2830: Mr. MORAN, Mr. NUGENT, Mr. DOYLE, Mr. LATOURETTE, Mr. JOHNSON of Georgia, and Mr. GARAMENDI.  
 H.R. 2836: Mr. LOEBSACK.  
 H.R. 2855: Ms. MOORE.  
 H.R. 2865: Mr. FORBES.  
 H.R. 2866: Ms. KAPTUR.

H.R. 2874: Mr. LONG, Mr. COFFMAN of Colorado, Mr. BURTON of Indiana, Mr. GIBBS, Mr. WILSON of South Carolina, and Mr. ROE of Tennessee.  
 H.R. 2888: Mr. GARAMENDI and Mr. BRADY of Pennsylvania.  
 H.R. 2900: Mr. BUCHANAN.  
 H.R. 2914: Mr. SIREN, Mr. DAVIS of Illinois, and Mr. QUIGLEY.  
 H.R. 2935: Mr. TOWNS.  
 H.R. 2956: Mr. RUSH.  
 H.R. 2966: Mr. JACKSON of Illinois, Ms. CHU, and Mrs. LOWEY.  
 H.R. 2970: Ms. SLAUGHTER.  
 H.R. 2977: Mr. CALVERT.  
 H.R. 2985: Mr. YODER, Mrs. BLACKBURN, Mr. LAMBORN, Mr. COHEN, Ms. CHU, Mrs. MILLER of Michigan, and Mr. LUETKEMEYER.  
 H.R. 3014: Mr. CARNAHAN.  
 H.R. 3019: Mr. FILNER and Mr. JACKSON of Illinois.  
 H.R. 3021: Mr. FILNER, Mr. JACKSON of Illinois, Mr. PETERS, Ms. MOORE, and Mr. KUCINICH.  
 H.R. 3022: Mr. FILNER and Mr. JACKSON of Illinois.  
 H.R. 3035: Mr. MCKINLEY and Mr. OLSON.  
 H.R. 3039: Mr. SABLAN, Ms. HIRONO, Mr. PALAZZO, Ms. NORTON, and Ms. BORDALLO.  
 H.R. 3042: Mr. GRIMM and Mr. THOMPSON of Pennsylvania.  
 H.R. 3046: Ms. DEGETTE, Ms. JACKSON LEE of Texas, and Mr. KISSELL.  
 H.R. 3053: Mr. POLIS.  
 H.R. 3059: Mr. MCKINLEY.  
 H.R. 3066: Mr. PAUL.  
 H.R. 3077: Mr. ROTHMAN of New Jersey, Ms. WATERS, Ms. LEE of California, Mr. VISCLOSKEY, Mr. PAYNE, Ms. SCHAKOWSKY, Mr. CICILLINE, Mr. MORAN, Ms. CHU, and Mr. GUTIERREZ.  
 H.R. 3091: Mr. CANSECO.  
 H.R. 3094: Mr. AUSTRIA, Mr. PALAZZO, and Mr. GINGREY of Georgia.  
 H.R. 3109: Mr. NADLER.  
 H.R. 3126: Ms. KAPTUR, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. KUCINICH, and Ms. CHU.  
 H.R. 3128: Mr. RENACCI.  
 H.R. 3135: Mr. ISSA and Mr. GARDNER.  
 H.R. 3145: Mr. LOBIONDO.  
 H.R. 3154: Mr. KELLY.  
 H.R. 3187: Mr. ENGEL, Mr. LUJÁN, Mrs. MALONEY, Mr. CARNAHAN, Mr. GRIMM, Mr. SCALISE, Mr. SCHOCK, and Mr. DENHAM.  
 H.R. 3199: Mr. BUCHANAN.  
 H.R. 3200: Mr. ISRAEL and Mr. HINCHEY.  
 H.R. 3203: Mr. CULBERSON.

H.R. 3204: Mr. BURGESS and Mr. CULBERSON.  
 H.R. 3214: Mr. CULBERSON.  
 H.R. 3218: Mrs. BLACKBURN, Mr. COFFMAN of Colorado, and Mr. DUNCAN of South Carolina.  
 H.R. 3230: Mr. CULBERSON.  
 H.J. Res. 13: Mr. BASS of New Hampshire and Mr. WITTMAN.  
 H.J. Res. 78: Ms. SUTTON and Mr. JOHNSON of Georgia.  
 H.J. Res. 80: Ms. WOOLSEY, Ms. LEE of California, and Mr. HONDA.  
 H. Con. Res. 72: Mr. HOLT, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MILLER of North Carolina, Mr. CAPUANO, Ms. ROYBAL-ALLARD, Ms. MOORE, and Ms. KAPTUR.  
 H. Con. Res. 80: Mrs. BLACKBURN and Mr. MCGOVERN.  
 H. Res. 298: Mr. HOYER.  
 H. Res. 376: Mr. ACKERMAN, Mr. MICHAUD, Ms. BROWN of Florida, and Ms. BORDALLO.  
 H. Res. 407: Mr. GRIJALVA.  
 H. Res. 429: Mr. BILIRAKIS, Mr. CRAVAACK, Mr. FRANKS of Arizona, Mr. POE of Texas, Mr. BARLETTA, Mr. WILSON of South Carolina, and Mr. WOLF.

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#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2966: Mr. SCHILLING.

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#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

25. The SPEAKER presented a petition of City and County of Honolulu, Hawaii, relative to Resolution No. 11-231, CD1 urging the Congress and the President to support and pass H.R. 2116; to the Committee on the Judiciary.

26. Also, a petition of the City of Miami, Florida, relative to Resolution No. 11-0334 urging the Congress to support the retention of the Low-Income Housing Credit Program; to the Committee on Ways and Means.